

Federal Register

Monday
October 29, 1979

Highlights

Briefings on How to Use the Federal Register—For details on briefings in Washington, D.C., see announcement in the Reader Aids Section at the end of this issue. An interpreter for hearing impaired persons will be present for the November 16 briefing.

- 62083 Hospital-Affiliated Primary Care Centers** HEW/HSA announces applications for project grants; apply by 2-15-80
- 62248, 62252 Prison Inmates** Justice/Prisons Bureau issues rules and proposed rules regarding control, custody, care, treatment, and instruction; effective 11-1 and 12-1-79 (2 documents) (Part V of this issue)
- 62260 Pollution** EPA proposes amendments to rules regarding general pretreatment for existing and new sources; comments by 11-28-79 (Part VI of this issue)
- 62200 Mobile Home Spaces** HUD/FHC publishes Schedule of Fair Market Rents; comments by 11-13-79, effective 12-4-79 (Part II of this issue)
- 62091, 62093 Subcontracting Under Federal Contracts** OMB requests comments on proposed amendments dealing with data collection, and subcontracting with women's business; comments by 12-15 and 12-28-79 (2 documents)

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Area Code 202-523-5240

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- 61950 Deregulating High-Cost Natural Gas** DOE/FERC issues interim rules; effective 11-1-79
 - 61972 Natural Gas Policy** USDA/Sec'y proposes amendment regarding certification of essential agricultural uses and requirements; comments by 12-28-79
 - 61953 Electric Energy and Capacity** DOE/FERC issues amendment to interim rules regarding procedures for shortages; effective 10-23-79
 - 62204 Textile Mills** EPA proposes rules regarding point source category effluent guidelines, pretreatment standards, and new source performance standards; comments by 12-28-79 (Part III of this issue)
 - 62116 Water and Related Land Resources** WRC changes discount rate for principles and standards for planning
 - 61970 Fishermen** Commerce/NOAA establishes fees to be paid by owners of vessels; effective 10-1-79
 - 62110 Antidumping or Countervailing Duty Proceedings** Treasury/Sec'y changes internal procedures for furnishing and filing submissions; effective 10-1-79
 - 61979 Improving Government Regulations** FCC publishes semiannual agenda of regulations; effective 10-29-79
 - 61964 Age Discrimination** HEW determines effective date of 7-1-79 for Age Discrimination Act's prohibition
 - 61937 Aircraft Registration** DOT/FAA adopts rules of eligibility; effective 1-1-80
 - 61985 Financial Disclosure Reports** USDA issues notice of public access to reports
 - 62166 Sunshine Act Meetings**
- Separate Parts of This Issue**
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 - 62204 Part III, EPA
 - 62244 Part IV, Interior/FWS
 - 62248 Part V, Justice/Prisons Bureau
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STATE OF TEXAS

County of ...
I, the undersigned, Clerk of the County of ...
do hereby certify that ...
Witness my hand and seal of office this ... day of ... 19...
Clerk of the County of ...

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Rules and Regulations

Federal Register

Vol. 44, No. 210

Monday, October 29, 1979

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Lemon Reg. 222]

Lemons Grown in California and Arizona; Limitations of Handling

Correction

In FR Doc. 79-32621, appearing in the issue of Friday, October 19, 1979 on page 60256, make the following correction.

On page 60257, at the end of the document, the file line should have read: "[FR Doc. 79-32621; Filed 10-18-79; 12:07 pm]."

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 79-NW-38-AD; Amdt. 39-3598]

Boeing Model 747 Series Airplane; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) to require inspection and replacement as required of the engine pylon diagonal brace forward attach pins. A pin failure could reduce the structural strength of the pylon to the extent engine separation could occur under high load conditions.

DATES: Effective date November 7, 1979.

Compliance required within 300 landings after the effective date of this AD unless already accomplished within the last 900 landings on airplanes with 5,000 or more landings.

ADDRESS: Boeing Service Bulletins specified in this directive may be obtained upon request to the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT: Mr. Iven Connally, Engineering and Manufacturing Branch, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, telephone (206) 767-2516.

SUPPLEMENTARY INFORMATION: One instance of a fractured pylon diagonal brace attach fuse pin has been reported. The fracture was due to fatigue originating from a machine mark in the bore of the pin. Loss of support at this fitting could result in failure of the upper link under high load conditions which could, in turn, result in engine separation.

Since this condition is likely to exist or develop in other Boeing 747 airplanes, action is taken herein to require inspection and replacement, if required, of the pylon attach fuse pins.

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

Adoption of the Amendment

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

Boeing: Applies to all Model 747 series airplanes certificated in all categories with more than 5,000 landings. Compliance required within 300 landings after the effective date of this AD unless already accomplished within the last 900 landings. To prevent failure of the inboard pylon diagonal brace forward fuse pins accomplish the following:

A. Within 300 landings after the effective date of this AD unless already accomplished within the last 900 landings, remove the retainer bolt and end caps from the inboard pylon diagonal brace forward fuse pins Part Numbers 65B94182-3, -8, 69B90410-1, -3, -4, -600, and 69B89612-3. Remove any cosmoline and visually inspect the inner surfaces of the

fuse pins for cracks in the machined shear section.

B. Replace cracked fuse pins before further flight if any cracks are found in the machined shear area.

C. Coat inside surface of the pins with corrosion preventive compound MIL-C-11796, Class I or MIL-C-16173 Grade I or an equivalent compound approved by the Chief, Engineering and Manufacturing Branch, Northwest Region. If corrosion exists remove corrosion in accordance with Boeing Service Bulletin 747-54-2040 and reapply compound.

D. Repeat the above inspection at intervals not to exceed 1,200 landings.

E. Upon request of the operator, an FAA Maintenance Inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Northwest Region may adjust the compliance times if the request contains substantiating data to justify the increase for that operator.

The manufacturer's specification and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer, may obtain copies upon request to Boeing Commercial Airplane Co., P.O. Box 3707, Seattle, Washington 98124. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

This amendment becomes effective November 7, 1979.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423) and Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c); and 14 CFR 11.89).)

Note.—The FAA has determined that this document involves a regulation which is not considered to be significant under the provision of Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Issued in Seattle, Washington, on October 18, 1979.

C. B. Walk, Jr.,

Director, Northwest Region.

[FR Doc. 79-33259 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 77-WE-28-AD; Amdt. 39-3597]

Hughes Helicopters Model 369D; Airworthiness Directives**AGENCY:** Federal Aviation Administration (FAA) DOT.**ACTION:** Final rule.

SUMMARY: This amendment amends an existing airworthiness directive (AD) applicable to Hughes Helicopters Model 369D helicopters by limiting applicability of the AD to helicopters equipped with certain main rotor strap pack assemblies which do not incorporate design features developed subsequent to the issuance of the original AD. This amendment is needed to relieve an undue inspection burden on operators who have incorporated the improved lead-lag bolt attachment design in the main rotor strap pack assembly.

DATES: Effective November 1, 1979. Compliance schedule—As prescribed in the body of the AD.

ADDRESSES: The applicable service information may be obtained from: Hughes Helicopters, Centinela and Teale Streets, Culver City, California 90230.

Also, a copy of the service information may be reviewed at, or a copy obtained from:

Rules Docket in Room 916, FAA, 800 Independence Avenue, SW., Washington, D.C. 20591, or

Rules Docket in Room 6W14, FAA Western Region, 15000 Aviation Boulevard, Hawthorne, California 90261.

FOR FURTHER INFORMATION CONTACT: Jerry J. Presba, Executive Secretary, Airworthiness Directive Review Board, Federal Aviation Administration, Western Region, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009. Telephone: (213) 536-6351.

SUPPLEMENTARY INFORMATION: This amendment amends Amendment 39-3039, AD 77-19-04 which currently requires repetitive inspection at intervals of 25 hours' time in service on Hughes Model 369D main rotor retention straps in the area of the lead-lag bolt hole.

Subsequent to the issuance of AD 77-19-04, the manufacturer has improved the design of the main rotor blade retention straps in the area of the lead-lag bolt hole. The FAA has determined that this improved design relieves the problem which was the reason for the mandatory inspection interval established by AD 77-19-04.

Therefore, this amendment limits the applicability of AD 77-19-04 to those Hughes Model 369D helicopters with the unimproved main rotor blade retention strap design.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and good cause exists for making the amendment effective in less than thirty (30) days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by amending Amendment 39-3039, AD 77-19-04 to read in pertinent part as follows:

Hughes Helicopters: Applies to Hughes Model 369D helicopters equipped with Main Rotor Strap Pack Assembly, P/N 369D21210, certificated in all categories.

Note.—Figure 3 of Hughes Service Information Notice DN-2.2 dated October 12, 1979, provides guidance to distinguish the Main Rotor Strap Pack Assembly, P/N 369D21210, which is covered by this AD from the P/N 369D21210-501 which is not covered by this AD.

This amendment becomes effective November 1, 1979.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.89)

Issued in Los Angeles, California on October 17, 1979.

William R. Krieger,

Acting Director, FAA Western Region.

[FR Doc. 79-33258 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 79-NW-35-AD; Amdt. 39-3599]

Hughes Model 369D and 369H Helicopters as Modified by Chadwick Inc. STC Nos. SH184NW and SH567NW; Airworthiness Directives**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule.

SUMMARY: FAA Airworthiness Directive (AD) 78-20-03 (Amendment 39-3307 (43 FR 44475)) requires the installation of a drain hole, drain fitting, and drain line on the low side of the hydraulic pump engine mount flange installed on the Chadwick modified Hughes Model 369D and 369H helicopters. That AD is

amended herein to require the addition of a doubler around the fuselage drain hole to prevent possible fatigue cracking and eventual collapse of the undercarriage of the helicopter.

DATE: Effective date November 7, 1979.

ADDRESS: Chadwick Service Bulletin No. 500-79-01 specified in this directive may be obtained upon request from Chadwick Inc., 11969 SW., Herman Road, Sherwood, Oregon 97140. This document may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT: Mr. Mark I. Quam, Engineering and Manufacturing Branch, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, telephone (206) 767-2500.

SUPPLEMENTARY INFORMATION: AD 78-20-03 required the installation of a drain hole, drain fitting, and drain line on the low side of the hydraulic pump engine mount flange, P/N 500-60405-1, installed on the Chadwick modified Hughes Model 369D and 369H helicopters. The installation of this drain system was necessary to prevent hydraulic fluid from entering the helicopter engine transmission after front seal failure of the hydraulic pump assembly, Chadwick P/N 500-60402-9. Subsequent to the issuance of AD 78-20-03, the FAA has determined that a doubler, P/N 500-60487-1, should be installed around the drain hole in accordance with Chadwick Service Bulletin 500-79-01 to prevent possible fatigue cracking of the undercarriage of the helicopter. The manufacturer has concurred with this determination.

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

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending Airworthiness Directive 78-20-03 (Amendment 39-3307, 43 FR 44475), by adding the following:

To prevent possible fatigue cracking of the helicopter undercarriage, accomplish the following: Within the next 50 hours flying time or six months, whichever comes first, after the effective date of this amended AD, install a doubler, P/N 500-60487-1, and grommet, P/N AN931-7-11, in accordance with Chadwick Service Bulletin 500-79-01 dated September 27, 1979, or later FAA approved revisions, or in a manner approved

by the Chief, Engineering and Manufacturing Branch, FAA Northwest Region.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Chadwick Inc., 11969 SW Herman Road, Sherwood, Oregon 97140. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

This amendment becomes effective November 7, 1979.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423) and Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.89).

Note.—The FAA has determined that this document involves a regulation which is not considered to be significant under the provisions of Executive Order 12044 and as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

The incorporation by reference provisions in the document were approved by the Director of the Federal Register on June 19, 1967.

Issued in Seattle, Washington, on October 18, 1979.

C. B. Walk, Jr.,

Director, Northwest Region.

[FR Doc. 79-33260 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Parts 45 and 47

[Docket No. 18604; Amendments Nos. 45-11 and 47-20]

Identification and Registration Marking and Aircraft Registration; Eligibility for Aircraft Registration;

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule. Revocation of Special Federal Aviation Regulation No. 39.

SUMMARY: This amendment adopts rules and procedures for the registration of aircraft owned by resident aliens and by certain domestic corporations that are not United States citizens. These rules and procedures are in response to Congressional legislation which expanded the eligibility for aircraft registration to aircraft owned by these persons. The amendment also codifies FAA administrative practice with respect to registration in the name of a

partnership or a trustee, or in the name of a corporation whose United States citizenship depends on a voting trust.

EFFECTIVE DATE: January 1, 1980.

Section 47.9(f) will become effective 30 days after notice has been published in the Federal Register that the requirements of that paragraph have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

FOR FURTHER INFORMATION CONTACT: Ms. Virginia Swimmer, Acting Chief, Technical Section (AAC-251), FAA Aircraft Registry, Aeronautical Center, P.O. Box 25082, Oklahoma City, Oklahoma 73125, Telephone: (405) 686-2284.

SUPPLEMENTARY INFORMATION:

Interested persons have been afforded an opportunity to participate in the making of this amendment by Notice of Proposed Rule Making NO. 78-18, issued on December 22, 1978 (44 FR 63; January 2, 1979). That notice proposed to amend Part 47 of the Federal Aviation Regulations to provide for: (1) The registration of aircraft by an individual citizen of a foreign country who has been lawfully admitted for permanent residence in the United States (referred to in this amendment as a "resident alien"); (2) the registration of aircraft by a corporation (other than a citizen of the United States) lawfully organized and doing business under the laws of the United States or any State thereof, if the aircraft is based and primarily used in the United States; and (3) a definition of "based and primarily used in the United States." These changes are to reflect recent revisions of section 501(b) of the Federal Aviation Act of 1958 (the Act).

Additionally, certain technical amendments were proposed involving: aspects of registration by partnerships, trustees, and corporations that use voting trusts; the substitution of the term "person" where appropriate; and the provision for immediate termination of a certificate when eligibility has ceased.

A total of five public comments were received in response to the notice. Due consideration was given to all comments received. Except as discussed in this preamble, this amendment and the reasons for it are identical to the proposal and the reasons set forth in the proposal.

Four commenters addressed the definition of "based and primarily used in the United States" in proposed § 47.9(b). One commenter observed that the definition would not permit an aircraft on lease to a United States flag air carrier by a foreign-owned corporation to be registered under section 501(b)(1)(A)(ii) of the Act, since

these aircraft would often log less than the required amount of flight time within the United States. The commenter recommended that the definition be broadened either to include aircraft operated by U.S. air carriers or to allow the counting of flight time between a point in the United States and a point outside the United States, or to do both. The commenter contends, without supporting evidence, that these changes would be consistent with legislative intent. However, the FAA does not agree that the suggested criteria, even if combined, would ensure that the aircraft is used primarily in the United States, as intended by Congress. Under the suggested criteria, most of the aircraft time could, in fact, be outside of the United States.

Another comment, directed at the same definition, urges that a foreign-owned U.S. corporation should be permitted to register new aircraft which it imports from foreign countries, for the ferry flights to the United States. The commenter described certain operational advantages which are not available if the ferry flights for delivery to U.S. purchasers are made under the foreign registration. However, under the rule being adopted, the corporation may register the aircraft prior to the ferry flight if it anticipates that the aircraft will comply with the 60 percent standard during the controlling period following registration.

Two commenters had almost identical comments addressed to proposed § 47.9(b). They criticized the lack of emphasis on the word "based" in the definition provided by that paragraph, and urged the imposition of a requirement that the aircraft must be maintained by an FAA-certificated repair station or mechanic. However, the FAA considers that the requirement that 60 percent of the flight hours of the aircraft be within the United States is sufficient to ensure that the aircraft is based within the United States, a requirement that Congress imposed to prevent the use of U.S. registration as a "flag of convenience." At the same time the rule provides a criterion that is easy to apply. Moreover, U.S. registered aircraft are already required by § 91.163(b) to be maintained in accordance with Part 43. That part specifies those persons who may perform maintenance, including FAA-certificated repair stations and mechanics.

The two commenters also urged the reduction of the percentage of flight hours within the United States from 60 percent to "at least 51 percent." They criticized the 180-day period as too

confining and the reporting requirements as too burdensome, and suggest the use of a one-year period.

After further consideration in light of these comments the FAA has decided that the basic period for the rule should be 6 calendar months. This will simplify the rule without making the period so long that the rule may be abused. However, the reporting requirement stated in the Notice is being retained since it is indispensable for enforcement. The FAA considers the 60 percent rule to be reasonable in the light of the intent of Congress to prevent the use of U.S. registration as a flag of convenience. The proposed percentage is sufficient to ensure that the aircraft is primarily used in the United States.

The commenters also incorrectly assumed that, on flights between a point in, and a point outside, the United States, flight time while the aircraft is in the United States would count toward the accumulated flight hours required by § 47.9(b). As adopted, § 47.9(c) has been revised to make it clear that only the flight hours accumulated on a non-stop flight between two points in the United States are considered flight hours accumulated within the United States.

Some commenters maintained that the record-keeping requirement is proposed § 47.9(e)(2) would be too burdensome for an aircraft operated exclusively within the United States, as in the case of imported aircraft operated in the United States for demonstration purposes. In response to these comments, this provision, adopted as § 47.9(f), provides that, for aircraft used exclusively in the United States while registered in the United States, a signed statement to that effect may be submitted at the end of the reporting period in lieu of a report on the airframe time in service and total flight hours in the United States.

Section 47.9(f) will become effective 30 days after notice has been published in the *Federal Register* that the requirements of that paragraph have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

As adopted, § 47.9(e) specifically provides that the records which the corporation is required to maintain must be made available for inspection by the Administrator upon request. Section 47.9(a)(4) requires that the corporation submit with its application the location where these records will be maintained.

New § 47.41(a)(8)(ii) is being clarified by relating lapse of registration due to non-compliance with the "based and primarily used" requirement to the end of each six-month period.

One comment was received on proposed § 47.7(c) which deals with registration by a trustee when a beneficiary under the trust is neither a U.S. citizen nor a resident alien or when a trustee or beneficiary is directly or indirectly controlled by a foreign interest. Under those circumstances, § 47.7(c)(2)(iii) requires each trustee to submit an affidavit establishing that the trustee is not aware of anything which would give more than 25 percent of the power to influence or limit the trustee's authority to persons who are not United States citizens or resident aliens.

The rule further provides that in those circumstances, the trust agreement, which must be submitted, must provide that if persons who are not United States citizens or resident aliens have the power to direct or remove a trustee, then those persons may not have more than 25 percent of the aggregate power to do so.

The commenter was concerned that the proposed regulation would prohibit nonresident aliens and foreign beneficiaries from participating (in common with other participants) in the ordinary management or direction of the trust even though the requisite 75 percent control is vested in U.S. citizens or resident aliens. In response to this comment, the regulation, as adopted, makes it clear that persons who are neither U.S. citizens nor resident aliens may exercise up to 25 percent of the aggregate power to direct or remove a trustee. In addition, the rule makes it clear that those persons may have a beneficial interest in the trust that exceeds 25 percent of the aggregate beneficial interests.

The commenter also requested that the regulation direct its limitation on control over the trustee to foreign beneficiaries who are not resident aliens, and that the trustee be allowed to take direction from other beneficiaries. The FAA agrees with this comment. Therefore, proposed § 47.7(c)(2)(ii)(A), requiring the trustee to have full authority independent of direction from any beneficiary, has not been adopted. Other provisions of the rule prevent the trustee from taking direction from a foreign beneficiary who is not a resident alien, except as permitted in § 47.7(c)(3).

One commenter believes that the limit on the percentage of foreign beneficiaries who have authority to direct or remove trustees, should not apply to beneficiaries who have only a security interest in the aircraft. However, the rule is intended to apply to these persons since the control which they may exercise over a trustee can be as substantial as that of any other

beneficiary. Accordingly, the rule, as adopted, makes it clear that references to beneficiaries under a trust include any person whose security interest in the aircraft is incorporated in the trust.

It should be noted that it is not the intent of the FAA in any way to change its existing procedure for accepting applications for registration in the name of a trustee wherein the trustees and beneficiaries are all citizens of the United States, regardless of whether the trust is an active or a passive trust.

The revised definition of "owner" used in proposed §§ 47.5(b) and 47.11(a) has not been adopted. The FAA has determined that it is not necessary to revise the existing definition at this time. Accordingly, the language in the current rule has been retained.

In addition to changes made as a result of comments, editorial changes have been made in the amendment for the sake of clarity. Section 45.33 has been amended to conform to revised section 501(b) of the Act. A new § 47.2, Definitions, has been added, bringing together some definitions found in the various sections of the subpart. The provisions on voting trusts in proposed § 47.7 have been incorporated into a new § 47.8.

On December 22, 1978, Special Federal Aviation Regulation No. 39 (44 FR 38) was issued, stating a tentative interpretation of section 501(b)(1)(A)(ii), effective immediately. Interested persons were invited to submit comments, but no comments have been received. This amendment to Part 47 covers the same subject matter, without change in the interpretation of the statute in the Special Federal Aviation Regulation. That special regulation is thus superseded and is being revoked herein.

Adoption of Amendments

Accordingly, Special Federal Aviation Regulation No. 39 (44 FR 38; January 2, 1979) is revoked, effective January 1, 1980, and Parts 45 and 47 of the Federal Aviation Regulations (14 CFR Parts 45 and 47) are amended, effective January 1, 1980, as follows:

PART 45—IDENTIFICATION AND REGISTRATION MARKING

1. By amending § 45.33 to read as follows:

§ 45.33 Sale of aircraft; removal of marks.

When an aircraft that is registered in the United States is sold, the holder of the Certificate of Aircraft Registration shall remove, before its delivery to the purchaser, all United States marks from the aircraft, unless the purchaser is—

(a) A citizen of the United States;

(b) An individual citizen of a foreign country who is lawfully admitted for permanent residence in the United States; or

(c) When the aircraft is to be based and primarily used in the United States, a corporation (other than a corporation which is a citizen of the United States) lawfully organized and doing business under the laws of the United States or any State thereof.

2. By revising the table of contents of Subpart A of Part 47 to read as follows:

PART 47—AIRCRAFT REGISTRATION

Subpart A—General

Sec.	
47.1	Applicability.
47.2	Definitions.
47.3	Registration required.
47.5	Applicants.
47.7	United States citizens and resident aliens.
47.8	Voting trusts.
47.9	Corporations not U.S. citizens.
47.11	Evidence of ownership.
47.13	Signatures and instruments made by representatives.
47.15	Identification number.
47.16	Temporary registration numbers.
47.17	Fees.
47.19	FAA Aircraft Registry.

3. By adding a new § 47.2 to read as follows:

§ 47.2 Definitions.

The following are definitions of terms used in this part:

"Act" means the Federal Aviation Act of 1958 (49 U.S.C. section 1301 *et seq.*).

"Resident alien" means an individual citizen of a foreign country lawfully admitted for permanent residence in the United States as an immigrant in conformity with the regulations of the Immigration and Naturalization Service of the Department of Justice (8 CFR Chapter 1).

"U.S. citizen" means one of the following:

(1) An individual who is a citizen of the United States or one of its possessions.

(2) A partnership of which each member is such an individual.

(3) A corporation or association created or organized under the laws of the United States or of any State, Territory, or possession of the United States, of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 percent of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions.

4. By revising § 47.3(a) to read as follows:

§ 47.3 Registration required.

(a) Section 501(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1401 (b)) defines eligibility for registration as follows:

(b) An aircraft shall be eligible for registration if, but only if—

(1)(A) it is—
(i) owned by a citizen of the United States or by an individual citizen of a foreign country who has lawfully been admitted for permanent residence in the United States; or
(ii) owned by a corporation (other than a corporation which is a citizen of the United States) lawfully organized and doing business under the laws of the United States or any State thereof so long as such aircraft is based and primarily used in the United States; and

(B) it is not registered under the laws of any foreign country; or

(2) it is an aircraft of the Federal Government, or of a State, territory, or possession of the United States or the District of Columbia or a political subdivision thereof.

5. By revising § 47.5 to read as follows:

§ 47.5 Applicants.

(a) A person who wishes to register an aircraft in the United States must submit an Application for Aircraft Registration under this part.

(b) An aircraft may be registered only by and in the legal name of its owner.

(c) Section 501(f) of the Act (49 U.S.C. 1401(f)), provides that registration is not evidence of ownership of aircraft in any proceeding in which ownership by a particular person is in issue. The FAA does not issue any certificate of ownership or endorse any information with respect to ownership on a Certificate of Aircraft Registration. The FAA issues a Certificate of Aircraft Registration to the person who appears to be the owner on the basis of the evidence of ownership submitted pursuant to § 47.11 with the Application for Aircraft Registration, or recorded at the FAA Aircraft Registry.

(d) In this part, "owner" includes a buyer in possession, a bailee, or a lessee of an aircraft under a contract of conditional sale, and the assignee of that person.

6. By adding new §§ 47.7, 47.8, and 47.9 to read as follows:

§ 47.7 United States citizens and resident aliens.

(a) *United States Citizens.* An applicant for aircraft registration under this part who is a U.S. citizen must certify to this in the application.

(b) *Resident aliens.* An applicant for aircraft registration under section 501(b)(1)(A)(i) of the Act who is a resident alien must furnish a

representation of permanent residence and the applicant's alien registration number issued by the Immigration and Naturalization Service.

(c) *Trustees.* An applicant for aircraft registration under section 501(b)(1)(A)(i) of the Act that holds legal title to an aircraft in trust must comply with the following requirements:

(1) Each trustee must be either a U.S. citizen or a resident alien.

(2) The applicant must submit with the application—

(i) A copy of each document legally affecting a relationship under the trust;

(ii) If each beneficiary under the trust, including each person whose security interest in the aircraft is incorporated in the trust, is either a U.S. citizen or a resident alien, an affidavit by the applicant to that effect; and

(iii) If any beneficiary under the trust, including any person whose security interest in the aircraft is incorporated in the trust, is not a U.S. citizen or resident alien, an affidavit from each trustee stating that the trustee is not aware of any reason, situation, or relationship (involving beneficiaries or other persons who are not U.S. citizens or resident aliens) as a result of which those persons together would have more than 25 percent of the aggregate power to influence or limit the exercise of the trustee's authority.

(3) If persons who are neither U.S. citizens nor resident aliens have the power to direct or remove a trustee, either directly or indirectly through the control of another person, the trust instrument must provide that those persons together may not have more than 25 percent of the aggregate power to direct or remove a trustee. Nothing in this paragraph prevents those persons from having more than 25 percent of the beneficial interest in the trust.

(d) *Partnerships.* A partnership may apply for a Certificate of Aircraft Registration under Section 501(b)(1)(A)(i) of the Act only if each partner, whether a general or limited partner, is a citizen of the United States. Nothing in this section makes ineligible for registration an aircraft which is not owned as a partnership asset but is co-owned by—

(1) Resident aliens; or

(2) One or more resident aliens and one or more United States citizens.

§ 47.8 Voting trusts.

(a) If a voting trust is used to qualify a domestic corporation as a U.S. citizen, the corporate applicant must submit to the FAA Aircraft Registry—

(1) A true copy of the fully executed voting trust agreement, which must identify each voting interest of the

applicant, and which must be binding upon each voting trustee, the applicant corporation, all foreign stockholders, and each other party to the transaction; and

(2) An affidavit executed by each person designated as voting trustee in the voting trust agreement, in which each affiant represents—

(i) That each voting trustee is a citizen of the United States within the meaning of section 101(16) of the Act;

(ii) That each voting trustee is not a past, present, or prospective director, officer, employee, attorney, or agent of any other party to the trust agreement;

(iii) That each voting trustee is not a present or prospective beneficiary, creditor, debtor, supplier or contractor of any other party to the trust agreement;

(iv) That each voting trustee is not aware of any reason, situation, or relationship under which any other party to the agreement might influence the exercise of the voting trustee's totally independent judgment under the voting trust agreement.

(b) Each voting trust agreement submitted under paragraph (a)(1) of this section must provide for the succession of a voting trustee in the event of death, disability, resignation, termination of citizenship, or any other event leading to the replacement of any voting trustee. Upon succession, the replacement voting trustee shall immediately submit to the FAA Aircraft Registry the affidavit required by paragraph (a)(2) of this section.

(c) If the voting trust terminates or is modified, and the result is less than 75 percent control of the voting interest in the corporation by citizens of the United States, a loss of citizenship of the holder of the registration certificate occurs, and § 47.41(a)(5) of this part applies.

(d) A voting trust agreement may not empower a trustee to act through a proxy.

§ 47.9 Corporations not U.S. citizens.

(a) Each corporation applying for registration of an aircraft under section 501(b)(1)(A)(ii) of the Act must submit to the FAA Registry with the application—

(1) A certified copy of its certificate of incorporation;

(2) A certification that it is lawfully qualified to do business in one or more States;

(3) A certification that the aircraft will be based and primarily used in the United States; and

(4) The location where the records required by paragraph (e) of this section will be maintained.

(b) For the purposes of registration, an aircraft is based and primarily used in

the United States if the flight hours accumulated within the United States amount to at least 60 percent of the total flight hours of the aircraft during—

(1) For aircraft registered on or before January 1, 1980, the 6-calendar month period beginning on January 1, 1980, and each 6-calendar month period thereafter; and

(2) For aircraft registered after January 1, 1980, the period consisting in the remainder of the registration month and the succeeding 6 calendar months and each 6-calendar month period thereafter.

(c) For the purpose of this section, only those flight hours accumulated during non-stop (except for stops in emergencies or for purposes of refueling) flight between two points in the United States, even if the aircraft is outside of the United States during part of the flight, are considered flight hours accumulated within the United States.

(d) In determining compliance with this section, any periods during which the aircraft is not validly registered in the United States are disregarded.

(e) The corporation that registers an aircraft pursuant to section 501(b)(1)(A)(ii) of the Act shall maintain, and make available for inspection by the Administrator upon request, records containing the total flight hours in the United States of the aircraft for three calendar years after the year in which the flight hours were accumulated.

(f) The corporation that registers an aircraft pursuant to section 501(b)(1)(A)(ii) of the Act shall send to the FAA Aircraft Registry, at the end of each period of time described in paragraphs (b) (1) and (2) of this section, either—

(1) A signed report containing—
(i) The total time in service of the airframe as provided in § 91.173(a)(2)(i), accumulated during that period; and
(ii) The total flight hours in the United States of the aircraft accumulated during that period; or

(2) A signed statement that the total flight hours of the aircraft, while registered in the United States during that period, have been exclusively within the United States.

7. By amending the introductory sentence and paragraph (h) of § 47.11 to read as follows:

§ 47.11 Evidence of ownership.

Except as provided in §§ 47.33 and 47.35, each person that submits an Application for Aircraft Registration under this Part must also submit the required evidence of ownership, recordable under §§ 49.13 and 49.17 of this chapter, as follows:

(h) The trustee of property that includes an aircraft, as described in § 47.7(c), must submit either a certified copy of the order of the court appointing the trustee, or a complete and true copy of the instrument creating the trust. If there is more than one trustee, each trustee must sign the application. The Certificate of Aircraft Registration is issued to a single applicant as trustee, or to several trustees jointly as co-trustees.

§§ 47.33, 47.35 and 47.37 [Amended]

8. By amending §§ 47.33(a), 47.35(a), and 47.37(a) by deleting the words "a citizen of the United States" and substituting the words "a person".

9. By amending §§ 47.33(a)(1), 47.35(a), and 47.37(a)(1) by inserting "47.3, 47.7, 47.8, 47.9," after the words "complies with §§" and by inserting the words "as applicable" after "47.17".

§ 47.41 [Amended]

10. By amending § 47.41 by deleting the word "or" at the end of 47.41(a)(5); by deleting the period at the end of § 47.41(a)(6) and substituting a semicolon; and by adding new paragraphs (a)(7), (8), and (9) to § 47.41 to read as follows:

§ 47.41 Duration and return of Certificate.

(a) * * *

(7) The owner, if an individual who is not a citizen of the United States, loses status as a resident alien, unless that person becomes a citizen of the United States at the same time; or

(8) If the owner is a corporation other than a corporation which is a citizen of the United States—

(i) The corporation ceases to be lawfully organized and doing business under the laws of the United States or any State thereof; or

(ii) A period described in § 47.9(b) ends and the aircraft was not based and primarily used in the United States during that period.

(9) If the trustee in whose name the aircraft is registered—

(i) Loses United States citizenship;

(ii) Loses status as a resident alien and does not become a citizen of the United States at the same time; or

(iii) In any manner ceases to act as trustee and is not immediately replaced by another who meets the requirements of § 47.7(c).

* * *

11. By revising § 47.43(a)(3) and (4) to read as follows:

47.43 Invalid Registration.

(a) * * *

(3) The applicant is not qualified to submit an application under this part; or

(4) The interest of the applicant in the aircraft was created by a transaction that was not entered into in good faith, but rather was made to avoid (with or without the owner's knowledge) compliance with § 501 of the Federal Aviation Act of 1958 (49 U.S.C. 1401).

12. Compliance with § 47.9(f) is not required until 30 days after a notice of approval of the requirements of that paragraph by the Office of Management and Budget is published in the **Federal Register**.

Special Federal Aviation Regulation No. 39 of December 22, 1978, 43 FR 38, is hereby revoked, effective January 1, 1980.

(Sections 307(c), 313(a), 501, 503, 1102, Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(c), 1354(a), 1401, 1403, and 1502), and Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). In addition, the FAA has determined that the expected impact of the regulation is so minimal that it does not require an evaluation.

Issued in Washington, D.C. on October 24, 1979.

Langhorne Bond,
Administrator.

[FR Doc. 79-33330 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-GL-45]

Designation of Federal Airways Area Low Routes, Controlled Airspace, and Reporting Points; Alteration of Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate additional controlled airspace near Huntingburg, Indiana to accommodate several revised instrument approach procedures into the Huntingburg Municipal Airport, Huntingburg, Indiana. The procedures are being revised because of a new terminal very high frequency omnidirectional radio aid (TVOR) installed on the airport.

EFFECTIVE DATE: January 24, 1980.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines,

Illinois 60018, Telephone (312) 694-4500, Extension 456.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions and other aircraft operating under visual weather conditions. The floor of the controlled airspace will be lowered from 1,200 feet above the surface to 700 feet for a distance of approximately one mile south and two miles east and west of that now depicted. The development of revised procedures necessitates the FAA to alter the designated airspace to insure that the procedures will be contained within controlled airspace. The minimum descent altitudes for these procedures may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 47952 of the **Federal Register** dated August 16, 1979, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Huntingburg, Indiana. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective November 29, 1979, as follows:

In § 71.181 (44 FR 442) the following transition area is amended to read:

Huntingburg, Ind.

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of Huntingburg Airport (latitude 38°15'00" N., longitude 86°57'00" W.); and within 3 miles either side of a 091° bearing from the Huntingburg Airport extending from the 6.5 mile radius to 9 miles E of the airport; and within 3 miles either side of a 271° bearing from the Huntingburg Airport extending from the 6.5 mile radius to 9 miles W of the airport.

This amendment is made under the authority of section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation

Act (49 U.S.C. 1655(c)); § 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No. 79-GL-45, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued in Des Plaines, Illinois, on October 10, 1979.

William S. Dalton,

Acting Director, Great Lakes Region.

[FR Doc. 79-32991 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-13-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 231, 261

[Release Nos. 33-6136; 39-542]

No-Action Position Respecting Public Offerings of Debt Securities Registered on Form S-18 Without Qualification of an Indenture Under the Trust Indenture Act

AGENCY: Securities and Exchange Commission.

ACTION: No-Action Position.

SUMMARY: The Commission announces that it will not take enforcement action against persons utilizing Form S-18 to offer \$1,500,000 or less of debt securities for public sale pursuant to the Securities Act of 1933 [15 U.S.C. 77 et seq., as amended by Pub. L. No. 94-29 (June 4, 1975)] without qualifying the trust indenture with respect thereto under the applicable provisions of the Trust Indenture Act of 1939 [15 U.S.C. 77aaa et seq.].

EFFECTIVE DATE: October 29, 1979.

FOR FURTHER INFORMATION CONTACT: Robert Rupp, Office of Small Business Policy, (202) 272-2644, or Norman Schou, Office of the Chief Counsel, (202) 272-2573, Division of Corporation Finance, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission announced today that it will not take enforcement action against any issuer that offers \$1,500,000 or less of debt securities during any consecutive twelve-month period in a public offering

registered on Form S-18 pursuant to the Securities Act of 1933 without qualifying the trust indenture covering such securities under the Trust Indenture Act of 1939 (the "Act").

A trust indenture is required to be used in public offerings of debt securities exceeding \$250,000 by the same issuer in any consecutive twelve-month period. The indenture is not required to be qualified under the Act if the aggregate principal amount outstanding under the indenture is limited to \$1,000,000 during any consecutive period of thirty-six months.

Congress recently authorized the Commission to raise the ceiling on offerings exempt from registration pursuant to Regulation A¹ under Section 3(b)² of the Securities Act of 1933 from \$500,000 to \$1,500,000 in May 1978 and to \$2,000,000 in October 1978.³ In September 1978, the Commission raised the applicable Regulation A ceiling from \$500,000 to \$1,500,000, thereby subjecting certain larger Regulation A offers to the qualification provisions of the Act.

In light of the policy considerations underlying the Congressional authorization to raise the ceiling on Regulation A offers, the Commission has determined that requiring qualification of indentures in these offers would impose an unnecessary burden on small issuers. In this regard, it should be noted that when the \$1,000,000 threshold for qualification of indentures under the Act was adopted in 1939, which has since remained unchanged, the ceiling on offerings permitted to be exempt from registration under Section 3(b) and Regulation A thereunder was only \$100,000. Accordingly, although the Act technically appears to require the use of a trust indenture qualified under the provisions of the Act for any public offering of debt securities of the same issuer exceeding \$1,000,000 in any consecutive period of thirty-six months, the Commission recently stated it would not take any enforcement action against such an issuer for failure to qualify an indenture under the Act pursuant to Regulation A, provided that the indenture limited the amount of securities outstanding under it to \$1,500,000 during any consecutive twelve-month period.⁴

The Commission also recently adopted Form S-18, a simplified registration statement which is available to certain non-reporting corporations to

publicly offer up to \$5,000,000 worth of securities. The adoption of this Form represents an important step in the Commission's ongoing effort to lessen the burden of its rules and regulations on small issuers in a manner consistent with the protection of investors and thereby facilitate capital formation by small businesses. Currently, issuers utilizing Form S-18 for the registration of more than \$1,000,000 aggregate amount of debt securities are required to comply with the filing and qualification provisions of the Act.

However, in view of the basic purpose of Form S-18, to facilitate capital formation by small businesses by limiting the regulatory burdens whenever possible consistent with the protection of investors, the Commission has determined to adopt an enforcement position with respect to S-18 offerings consistent with that previously announced with respect to Regulation A. Accordingly, the Commission will not take any enforcement action against any issuer that offers \$1,500,000 or less of debt securities registered on Form S-18 during any consecutive twelve-month period for failure to qualify an indenture with respect thereto under the Act.

It should be noted that the no-action position taken for Regulation A debt offers relates to \$1,500,000 per indenture during any consecutive twelve-month period, whereas the present no-action position relates to \$1,500,000 of debt securities by the issuer during any consecutive twelve-month period.

Issuers of debt securities registered on Form S-18 in amounts exceeding \$150,000 will remain subject to Section 304 of the Trust Indenture Act which requires that an indenture be used, but that it need not contain the qualifying provisions. Moreover, the staff continues to encourage issuers in such cases to provide for a trustee in order to facilitate the collective enforcement of security holder's rights although use of a trustee is not a statutory requirement in indentures which are not qualified under the Trust Indenture Act.

This no-action position will remain effective until the Congress amends the Trust Indenture Act so as to provide a statutory exemption from qualification or to indicate an intention that qualification is required for small offers. With regard to Regulation A, the Commission has indicated that if the Regulation A ceiling is increased from \$1,500,000 to \$2,000,000, qualification will not be required of any indenture limiting the amount of securities to be outstanding under it to \$2,000,000 in any consecutive twelve-month period. For the reasons outlined above, if the Regulation A ceiling is increased to

\$2,000,000, the no-action position announced today will likewise be extended to debt offers registered on Form S-18 by the issuer of up to \$2,000,000 in any twelve-month period.

Accordingly, Parts 231 and 261 of Title 17 of the Code of Federal Regulations are amended by adding this release thereto.

By the Commission,
George A. Fitzsimmons,
Secretary.

October 16, 1979.

[FR Doc. 79-33239 Filed 10-26-79; 8:45 am]
BILLING CODE 8010-01-M

17 CFR Parts 240 and 249

[Release No. 34-16286]

Reports by National Securities Exchanges and Registered National Securities Associations

AGENCY: Securities and Exchange Commission.

ACTION: Final rules.

SUMMARY: The Commission is amending its rule requiring national securities exchanges and registered national securities associations to report changes in the membership status of their members. It has (a) rescinded the requirement that a national securities exchange or registered national securities association give telegraphic notice of the occurrence of changes in the membership status of any member for which it is the designated examining authority; (b) eliminated the requirement that a copy of the form be filed at the regional office of the Commission for the region in which the member has its principal place of business; (c) revised the form to incorporate certain minor stylistic and technical changes; and (d) amended the description of the form to conform it to a previous amendment of the rule.

EFFECTIVE DATE: October 29, 1979.

FOR FURTHER INFORMATION CONTACT: Ellen C. Kerrigan, Division of Market Regulation, Securities and Exchange Commission, Washington, D.C. 20549, (202) 272-2364.

SUPPLEMENTARY INFORMATION:

Background

In 1974, the Commission adopted Rule 17a-19 (17 CFR § 240.17a-19) and Form X-17A-19 (17 CFR § 249.635) to require national securities exchanges and registered national securities associations to notify the Commission and the Securities Investor Protection Corporation ("SIPC") promptly upon learning that a change in the

¹ 17 CFR 230.251 et seq. (1979).

² 15 U.S.C. 77c(b) (1976).

³ Pub. L. No. 95-283, May 21, 1978 and Pub. L. No. 95-425, October 6, 1978.

⁴ See Securities Act Release No. 33-6059 (April 25, 1979), 44 FR 26739 (May 7, 1979).

membership status of any of their members would occur or, unless notice was previously given, when the change occurred.¹ This rule was one of many adopted to implement proposals submitted in the "SEC Advisory Committee Study on Broker-Dealer Reports and Registration Requirements." One of the recommendations of the Study was that, in regard to financial responsibility and related recordkeeping, a broker-dealer should be examined by and report to only one self-regulatory organization.² The Commission promulgated Rule 17a-19 and Form X-17A-19 to facilitate reassessment of the designation of the examining authority whenever there is a change in membership status affecting a broker-dealer's relationship with its examining authority or with any other national securities exchange or registered national securities association of which it is a member. The information requested by the rule is also useful for the coordination of the Commission's broker-dealer examination and early warning and surveillance programs.

The Commission subsequently amended the rule to eliminate an ambiguity with respect to the timing of the filing of the reports by requiring that reports on Form X-17A-19 be filed within five business days of the change.³ At that time the Commission also added a requirement that the designated examining authority give telegraphic notice within 24 hours of learning that a change in membership status had occurred, unless a notice had been previously given. In addition, the rule was amended to provide that notice be filed with the appropriate regional office as well as Commission headquarters.

The Commission has now rescinded the last two amendments and made certain minor changes in Form X-17A-19. In a related action, the Commission has proposed to eliminate the exemption from filing the form when notice has been previously given.⁴

¹ Securities Exchange Act Release No. 10959, August 9, 1974 [39 FR 30482, August 23, 1974]. Changes in status are initiation, suspension or termination of membership or any other similar change which affects the firm's relationship with the self-regulatory organization. Termination includes, among other things, resignation, withdrawal and expulsion.

² Securities Exchange Act Release No. 10612, January 24, 1974 [39 FR 5204, February 11, 1974].

³ Securities Exchange Act Release No. 13462, April 22, 1977 [42 FR 23786, May 10, 1977].

⁴ Securities Exchange Act Release No. 16287, issued this date.

Rescission of Requirement To Give Telegraphic Notice

Telegraphic notice was prescribed in paragraph (a) of Rule 17a-19. This provision was designed to enable the Commission to respond promptly to possible problems and, in particular, to allow for a prompt redesignation of examining authority when necessary. As a result of recent experience, however, the Commission believes that the requirement is an unnecessary burden on the reporting entities and in certain situations is duplicative.

Currently, whenever a broker-dealer's membership is terminated or suspended, the affected membership body promptly reports the relevant information to the Commission, usually by telephoning Commission staff.⁵ This preliminary communication is followed by the filing of Form X-17A-19 within five days of the change. Under these circumstances, the Commission believes that rescission of the telegraphic notice requirement will not impair its ability to reassess the designation of examining authorities.

Elimination of Requirement To File Form X-17A-19 at Regional Office

Rule 17a-19 is also being amended to eliminate the necessity of filing a copy of Form X-17A-19 at the regional office of the Commission for the region in which the member has its principal place of business. The collateral filing requirement was duplicative and unnecessary in light of the Commission's internal procedures for assuring that the regional offices are informed of the changes.

Conforming Amendments to 17 CFR § 249.635 and Form X-17A-19

Section 249.635 not only serves to incorporate Form X-17A-19 into the *Code of Federal Regulations*, but it also describes the form's use, particularly when it must be filed. In 1977, when Rule 17a-19 was amended to require the filing of this report within five business days of a change in status, § 249.635 and the instructions to Form X-17A-19 were not correspondingly revised. Therefore, 17 CFR § 249.635 is being amended to conform to Rule 17a-19.

Modifications to Form X-17A-19

Certain other technical modifications, including a redesigned format, have been made to Form X-17A-19 to

⁵ Also, Rule 17a-5(b)(5) requires each national securities exchange to report promptly to the Commission whenever there is action that causes a member to cease being a member in good standing. The Commission is proposing to extend that requirement to registered national securities associations. See Securities Exchange Act Release No. 16287, issued this date.

facilitate the reporting of information. Several items requesting information have been deleted because the information is provided in other reports submitted to the Commission.⁶ Two items have been added to provide clearer and more complete information to the Commission staff and SIPC.⁷

Statutory Basis and Competitive Considerations

The changes described above either relieve national securities exchanges and registered national securities associations of a regulatory burden or are minor and technical in nature. Consequently, the Commission finds, in accordance with the provisions of 5 U.S.C. §§ 553(b)(B) and 553(d), that prior notice and public procedure are unnecessary or contrary to the public interest and that good cause exists for making these amendments effective immediately upon publication in the *Federal Register* (October 29, 1979). It appears to the Commission that no burden on competition will be imposed by these amendments.

The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, particularly Sections 17(a) and 23(a) thereof, 15 U.S.C. 78q(a) and 78w(a), hereby amends § 240.17a-19, § 249.635 and related Form X-17A-19.

Text of Amendments

1. Section 240.17a-19 of 17 CFR is amended to read as follows:

§ 240.17a-19 Form X-17A-19 Report by national securities exchanges and registered national securities associations of changes in the membership status of any of their members.

Every national securities exchange and every registered national securities association shall file with the Commission at its principal office in Washington, D.C., and with the Securities Investor Protection Corporation such information as is required by § 249.635 of this chapter on Form X-17A-19(a) promptly upon

⁶ For example, the Commission has eliminated a question which asked when the last examination of the terminated or suspended firm was conducted by any self-regulatory organization. The examining entities provide the Commission with that information through other reports.

⁷ The revised form includes categories for reinstatement from suspension and change of address. A change of address, though not explicitly a change in membership status, may be significant in determining whether the designated examining authority should be changed. In order to lessen the reporting burden and eliminate multiple reports in those instances when a broker-dealer is a member of more than one reporting organization, the form provides that address changes need only be reported by the current designated examining authority.

learning that the initiation of the membership of any person or the suspension or termination of the membership of any member will occur or (b) within 5 business days of the occurrence of one or more of such events (unless a notice of such event previously has been filed). Nothing in this section shall be deemed to relieve a national securities exchange of its responsibilities under § 249.17a-5(b)(5) except that, to the extent a national securities exchange promptly files a report on Form X-17A-19 including therewith, *inter alia*, information sufficient to satisfy the requirements of § 240.17a-5(b)(5), it shall not be required to file a report pursuant to § 240.17a-5(b). Upon the occurrence of the events described in this section, every national securities exchange and every registered national securities association shall notify in writing such member of its responsibilities under § 240.17a-5(b).

2. Section 249.635 of 17 CFR is amended to read as follows:

§ 249.635 - Form X-17A-19, report by national securities exchanges and registered national securities associations of changes in the membership status of any of their members.

This form shall be completed and filed by each national securities exchange or registered national securities association as required by § 240.17a-19 of this chapter (a) promptly upon learning that the initiation of the membership of any person or the suspension or termination of the membership of any member will occur or (b) within 5 business days of the occurrence of one or more of such events (unless a notice of such event previously has been filed).

By the Commission.

George A. Fitzsimmons,
Secretary.

October 22, 1979.

[FR Doc. 79-33243 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

17 CFR Part 240

[Release No. 34-16282]

Adoption of Rule To Make Available to the Municipal Securities Rulemaking Board Copies of Reports of Compliance Examinations of Municipal Securities Brokers and Municipal Securities Dealers

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Commission is adopting a rule to establish a system for making

available to the Municipal Securities Rulemaking Board copies of reports of compliance examinations of municipal securities brokers and municipal securities dealers. The Securities Exchange Act of 1934 directs the Commission to make available to the Municipal Securities Rulemaking Board, upon request, copies of reports of examinations made by the Commission, or furnished to it by other appropriate regulatory agencies or associations, subject to such limitations as the Commission establishes by rule as necessary or appropriate in the public interest or for the protection of investors.

EFFECTIVE DATE: Effective for examinations begun on or after December 1, 1979.

FOR FURTHER INFORMATION CONTACT: Marcia L. MacHarg, Esq., Office of Self-Regulatory Oversight, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, (202) 272-2413.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission announced today that it has adopted Rule 15Bc7-1 [17 CFR § 240.15Bc7-1] in order to establish a system for making available to the Municipal Securities Rulemaking Board (the "MSRB") copies of, or specific data from reports of, compliance examinations of municipal securities brokers and municipal securities dealers, pursuant to Section 15B(c)(7) of the Securities Exchange Act of 1934 (the "Act") [15 U.S.C. 78c-4(c)(7)]. Section 15B(c)(7) directs the Commission to make available to the MSRB, upon request, copies of reports of examinations made by the Commission, or furnished to it by the National Association of Securities Dealers, Inc. ("NASD") or by the appropriate bank regulatory agencies, subject to such limitations as the Commission establishes by rule as necessary or appropriate in the public interest or for the protection of investors.

Background and Summary

The Securities Acts Amendments of 1975 (the "1975 Amendments")¹ provided for the establishment of the MSRB for the purpose of adopting rules, subject to Commission approval, relating to trading in municipal securities and the activities of municipal securities brokers and municipal securities dealers ("municipal securities professionals"). Compliance examinations are a source of current information which the MSRB may use to

monitor the activities of municipal securities professionals,² and Section 15B(c)(7) of the Act provides a mechanism for giving the MSRB access, upon request, to reports of such examinations.³ On February 16, 1979, the MSRB submitted a written request to the Commission pursuant to Section 15B(c)(7) of the Act for copies of reports of examinations, or information contained in reports of examinations, of municipal securities brokers and municipal securities dealers made by or furnished to the Commission. In response to this request, the Commission proposed and published for comment Rule 15Bc7-1.⁴ The Rule will make information from reports of examinations available to the MSRB, subject to limitations designed to protect the confidentiality of such information,⁵ and will establish procedures for furnishing the information to the MSRB.

² MSRB rule G-16 provides that municipal securities brokers and municipal securities dealers shall be examined in accordance with Section 15B(c)(7) at least once every two years. Section 15B(c)(7) provides that compliance examinations shall be conducted by the Commission, the NASD, and the appropriate bank regulatory agency, as defined in Section 3(a)(34)(A) of the Act [15 U.S.C. 78c(a)(34)(A)]. The Comptroller of the Currency (the "Comptroller"), the Board of Governors of the Federal Reserve System (the "FRB"), and the Federal Deposit Insurance Corporation (the "FDIC") are the appropriate regulatory agencies for municipal securities dealers which are banks or separately identifiable departments or divisions of banks (as defined in MSRB rule G-1) regulated by those agencies. The Commission is the appropriate regulatory agency for municipal securities brokers and the remaining municipal securities dealers and routinely examines such of those persons which are not members of the NASD. The NASD conducts compliance examinations of its members.

³ Section 15B(c)(7)(B) of the Act reads as follows: A registered securities association shall make a report of any examination conducted pursuant to subsection (b)(2)(E) of this section and promptly furnish the Commission a copy thereof and any data supplied to it in connection with such examination. Subject to such limitations as the Commission, by rule, determines to be necessary or appropriate in the public interest or for the protection of investors, the Commission shall, on request, make available to the Board a copy of any report of an examination of a municipal securities broker or municipal securities dealer made by or furnished to the Commission pursuant to this paragraph or Section 17(c)(3) of this title.

⁴ Securities Exchange Act Release No. 15885 (May 30, 1979) [44 FR 32616].

⁵ Information contained in bank examination reports is exempted from the public disclosure requirements of the Administrative Procedure Act. See 5 U.S.C. 552(b)(8). See also 17 CFR § 200.80(b)(8) which provides that examination reports furnished to the Commission by a regulatory entity responsible for a financial institution constitute nonpublic matter. In addition, there is a statutory prohibition, applicable to each federal bank regulatory agency, against disclosure of the contents of confidential bank examination reports unless expressly permitted by law. See, e.g., 12 CFR § 4.18, which prohibits disclosure of material in confidential examination reports prepared by the Comptroller under penalty of law.

¹ Pub. L. No. 94-29 (June 4, 1975).

Comments on Rule 15Bc7-1

Five comment letters were received concerning the proposed Rule. The staffs of two bank regulatory agencies, the FDIC and the Comptroller, generally endorsed the proposed Rule.⁶ The FDIC staff indicated that the limitations of the proposed Rule designed to preserve the confidentiality of information appear satisfactory. The Comptroller staff suggested several technical changes in the proposed Rule.⁷

In its comment letter the NASD urged that the alternative of providing an entire examination report, instead of a separate form, should be available.⁸ Rule 15Bc7-1 permits the submission of the entire examination report. Nevertheless, the use of a separate form will substantially ease the Commission's processing burden under the Rule and the Commission encourages the use of such a form.

The NASD also argued that information concerning apparent violations of applicable rules should be disclosed to the MSRB only after the NASD District Business Conduct Committee (the "DBCC") has had an opportunity to review the examination report. The NASD believes that DBCC review of the report is necessary in order "to determine the completeness of the report of examination, whether further examination is necessary, and whether there are any apparent violations of applicable securities regulations." The Commission believes that the Rule should continue to require the examiner's findings rather than the DBCC's analysis of those findings, since examiner data will provide the MSRB with the descriptive information which could be useful in analyzing the need for rulemaking. The NASD also suggested that the information that would be

required by subparagraph (b)(8) of the proposed Rule, examiner comments concerning questionable practices, is unnecessary. Nevertheless, the Commission believes that this type of information will be particularly useful to the MSRB in assessing the need for additional rulemaking, since the examiner may be able to perceive variations from standard practices or, perhaps, problems created by standard practices.

The Operation of the Rule

Rule 15Bc7-1 creates a mechanism for providing the MSRB with examination information concerning municipal securities professionals, Bank regulators, the NASD, and those persons responsible for the administration of the SECO program at the Commission will provide examination information to the Commission⁹ which will forward information from the entire examination report or the separate form to the MSRB. As described below, the MSRB will be responsible for instituting and maintaining adequate procedures for ensuring the confidentiality of any information made available to it pursuant to Rule 15Bc7-1.

Two alternatives for complying with Rule 15Bc7-1 are available to examining organizations. Such organizations may furnish an entire compliance examination report. Any information identifying the subject of the examination or associated persons would be deleted by the Commission prior to forwarding copies of complete reports to the MSRB. On the other hand, examining entities may submit a separate form which contains all of the information required by the Rule.¹⁰ In order to ease the Commission's processing burden and to further protect the identity of the examinee, the

Commission has revised the Rule to require that only one of the two copies of each separate form submitted to the Commission shall contain the name and registration number of the examinee.¹¹ Accordingly, when a separate form is used, one copy to be forwarded to the MSRB will not contain any information identifying the examinee, while the other copy to be retained by the Commission will contain the examinee's name and registration number. As a result, the separate form option, which the Commission anticipates all of the examining organizations will use, provides an additional safeguard against disclosure, since the copy of the separate form to be supplied to the MSRB will be furnished to the Commission without identifying information.

Rule 15Bc7-1 requires the MSRB to establish, by rule, procedures to maintain the confidentiality of all examination information furnished under the Rule. On August 22, 1979, the MSRB filed proposed MSRB rule A-17 to establish such procedures.¹² Under the proposed rule, only MSRB staff authorized by the MSRB's Executive Director and its General Counsel would have access to the examination reports, although summaries of the examination information may be prepared for MSRB members. Any staff member with access to the reports would be required to execute a written agreement not to reveal the contents of the reports to any unauthorized person. In addition, the proposed MSRB rule would require that the examination reports be kept in locked cabinets on the premises of the MSRB.

The Commission has determined that the limitations imposed by the Rule on the availability of information are appropriate in the public interest. The Commission has also determined, pursuant to Section 23(a)(2) of the Act [15 U.S.C. 78w(a)(2)], that the adoption of Rule 15Bc7-1 does not impose any burdens on competition that are not necessary or appropriate in furtherance of the purposes of the Act. The Rule will make available to the MSRB relevant and useful information contained in reports of examinations. The limitations in the Rule alleviate concerns that the

⁶ See letter dated June 25, 1979, from Joseph T. Lynam, III, Attorney, Office of the General Counsel, FDIC, to George A. Fitzsimmons; letter dated June 25, 1979, from Owen Carney, Director, Investment Securities Division, Comptroller of the Currency, to George A. Fitzsimmons; and letter dated August 30, 1979, from Owen Carney to Catherine McGuire of the Division of Market Regulation (File No. S7-784B).

⁷ The Comptroller staff pointed out an implicit reference in the rule to the NASD as an "appropriate regulatory agency." The Commission has clarified, in the rule, that the reference therein to "appropriate regulatory agency" does not include the NASD. Paragraph (b)(3)(i) was clarified to require the examining organization to provide only financial information which is already available from the examination report.

⁸ See letter dated July 19, 1979, from Gordon S. Macklin, President, NASD, to George A. Fitzsimmons (File No. S7-784B). The concerns expressed in that letter were reiterated in a letter dated September 5, 1979, from Frank J. Wilson, Senior Vice President, Regulatory Policy and General Counsel, NASD, to Anne E. Chafer, Chief, Municipal Securities Branch.

⁹ Examination information should be sent to the Branch Chief, Broker-Dealer and Investment Adviser Registration, Office of Reports and Information Services, Securities and Exchange Commission, 1100 L Street, Washington, D.C. 20549. Such information will be retained in Commission files for three years.

¹⁰ The information required in a separate form falls into four general categories. First, the MSRB would be provided with sufficient information to categorize the report by the examining organization and by the type or scope of the examination. Second, the MSRB would be provided with appropriate information indicating the size of the municipal securities broker or dealer and the nature of its securities activities. Third, the MSRB would be provided with the examiner's characterizations of the trading activities of the municipal securities professional, including observations of apparent violations of any applicable provision of the Act and rules and regulations thereunder, and any corrective action taken or recommended. Fourth, the MSRB would be provided with the examiner's observations concerning any municipal securities trading practices which seem unusual or inappropriate.

¹¹ In addition to that change and the revisions discussed *supra* at note 7, the Commission has made certain other technical changes in the proposed Rule. Paragraph (a)(4) of the Rule has been revised, thereby eliminating the need for the originally proposed paragraph (c). In addition, a reference to "broker" was added to paragraph (b)(4) in order to indicate that it applies to examinations of both brokers and dealers.

¹² File No. SR-MSRB-79-9. See Securities Exchange Act Release No. 16142 (Aug. 27, 1979).

information could be used to competitive advantage.

Statutory Basis

The Securities and Exchange Commission, acting pursuant to the Act, and particularly Section 15B, 17, and 23 thereof [15 U.S.C. 78o-4, 78q, and 78w], hereby adopts § 240.15Bc7-1 of Title 17 of the Code of Federal Regulations. Rule 15Bc7-1 will become effective for all examinations begun on or after December 1, 1979.

17 CFR 240 is amended by adding § 240.15Bc7-1 which reads as follows:

§ 240.15Bc7-1 Availability of examination reports.

(a) Upon written request, copies of any report of an examination of a municipal securities broker or municipal securities dealer made by the Commission or furnished to it by an appropriate regulatory agency pursuant to Section 17(c)(3) of the Act or by a national securities association pursuant to Section 15B(c)(7)(B) of the Act shall be made available to the Municipal Securities Rulemaking Board (the "Board") by the Commission within thirty days after receiving such report, subject to the following limitations:

(1) The Board shall establish by rule and shall maintain adequate procedures for ensuring the confidentiality of any information made available to it by the Commission pursuant to Section 15B(c)(7)(B) of the Act;

(2) Information made available to the Board shall not identify any municipal securities broker, municipal securities dealer, or associated person which is the subject of an examination report;

(3) If information is made available to the Board by the Commission, the Commission may furnish the Board with such information in any manner it deems appropriate, provided that, if the Commission furnishes to the Board a separate form, rather than a copy of any report of an examination, that form shall contain such of the information set forth in paragraph (b) as is available from the examination report;

(4) If information to be made available to the Board is furnished to the Commission on a separate form prepared by an appropriate regulatory agency other than the Commission or by a national securities association, that form, rather than a copy of any report of an examination, will be made available to the Board: provided that (i) two copies of such form are furnished to the Commission, (ii) both copies contain the information set forth in paragraph (b), (iii) one copy of such form, to be furnished to the Board, is completed so that information contained therein does

not identify any municipal securities broker, municipal securities dealer, or associated person which is the subject of the examination, and (iv) one copy of such form, to be retained by the Commission, contains the name and registration number of the municipal securities broker or municipal securities dealer which is the subject of the examination.

(b) Separate forms made available to the Board by the Commission pursuant to paragraph (a)(3) of this section, or furnished to the Commission by another appropriate regulatory agency or a national securities association pursuant to paragraph (a)(4) of this section, shall contain the following information:

(1) The name of the agency or association conducting the examination;

(2) The type or scope of the examination;

(3)(i) Appropriate financial data, if available, which indicates the size of the municipal securities broker or municipal securities dealer, such as dollar volume, trading volume, or other revenue data; (ii) If an examination of a municipal securities dealer which is a bank or a separately identifiable department or division of a bank, designation of the appropriate total asset category (under \$100,000,000, between \$100,000,000 and \$300,000,000, between \$300,000,000 and \$500,000,000, between \$500,000,000 and \$1,000,000,000, between \$1,000,000,000 and \$5,000,000,000, in excess of \$5,000,000,000) of the bank; and

(iii) If an examination of a broker or dealer, whether the examination is of a main office or a branch office; if an examination of a main office of a broker or dealer, the tentative net capital of the broker or dealer;

(4) If an examination of a broker or dealer, whether or not the broker or dealer engages solely in transactions in municipal securities and other exempted securities;

(5) The number of municipal securities principals, municipal securities representatives, and, if an examination of a broker or dealer, the number of financial and operations principals associated with the broker or dealer;

(6) Observations concerning apparent violations of any applicable provision of the Act and the rules and regulations thereunder, including the rules of the Board, identifying the applicable provision or rule and setting forth a description of the circumstances of the apparent violation, including whether or not the violations appear to be of a continuing nature;

(7) Corrective action taken or recommended, if any; and

(8) Comments, if any, of the examiner concerning questionable practices

relating to municipal securities broker or municipal securities dealer activities, whether or not covered by provisions of the Act and the rules and regulations thereunder, including the rules of the Board.

(c) Copies of any report of an examination of a municipal securities broker or municipal securities dealer made by the Commission or furnished to it pursuant to Section 15B(c)(7)(B) or Section 17(c)(3) of the Act, or separate forms made available to the Commission pursuant to paragraph (a)(3) or paragraph (a)(4) of this section will be maintained in a nonpublic file.

By the Commission.

George A. Fitzsimmons,
Secretary.

October 16, 1979.

[FR Doc. 79-33240 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 2, 3, 4, 141, and 260

[Docket No. RM79-38; Order No. 53]

Discontinuation of the Use of Certain FERC Forms; Final Rule

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final Rule.

SUMMARY: Notice is hereby given that the Federal Energy Regulatory Commission (Commission) is amending its regulations to discontinue the use of fifteen data collection forms no longer needed by the Commission to carry out its regulatory responsibilities.

DATES: Effective October 19, 1979: Forms Nos. 6, 7, 9, 17, 23B, 38, 45, 64, 237A, 237B, and ICC-ARC-41 are discontinued, and the amendments to the Commission's regulations which relate to these forms become effective.

Effective January 1, 1980: Forms Nos. 1M, 13, Unnumbered (RO309), and Unnumbered (RO327) are discontinued, and the amendments to the Commission's regulations which relate to these forms become effective.

FOR FURTHER INFORMATION CONTACT: Barbara K. Christin, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Room 8113, Washington, D.C. 20426, (202) 357-8079.

October 23, 1979.

I. Background

On April 19, 1979, the Federal Energy Regulatory Commission (Commission) issued a Notice of Proposed Rulemaking (44 FR 24577, April 26, 1979) to discontinue the use of fifteen data collection forms no longer needed by the Commission to carry out its regulatory responsibilities. Having reviewed the comments received on the April 19th Notice, the Commission hereby amends its regulations to discontinue the fifteen forms described in that Notice.

In the Notice of Proposed Rulemaking, the Commission stated that, although the Commission was proposing to discontinue the collection of the data in these forms, the Energy Information Administration (EIA) or the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) might wish to continue to collect some of the data elements in order to discharge their respective statutory or delegated responsibilities. In order to assure sufficient time for EIA or ERA to justify the need for and receive OMB approval of the collection of such data, this final rule provides for a delayed effective date for the discontinuation of those forms which EIA or ERA has expressed an interest in collecting.

II. Forms To Be Discontinued

Twenty-five comments were received in this docket. Based upon a review of these comments and its own analysis, the Commission will discontinue collection of the fifteen forms described below.

A. Forms that serve no regulatory purpose. The twenty-five comments received in this docket supported the Commission's proposal with respect to discontinuing the following nine forms:

Form No	Title as shown in CFR	18 CFR §§
6.....	Initial Cost Statement for Licensed Projects.	3.142(a)(23) and 141.11
7.....	Statement of Actual Legitimate, Original Cost of Construction.	3.142(a)(24) and 141.12
9.....	Annual Report for Licensees of Privately Owned Major Projects (Utility and Industrial).	3.142(a)(25) and 141.13
23B.....	Quarterly Electric Utility Generation and Fuel Planning Report (Expired 8-31-78).	3.142(a)(42) and 141.300
38.....	No CFR title. Title of form: Electric Generating Station and Substation Data and Location.	(None—internal use only)
45.....	Report of New Non-Jurisdictional Sales of Natural Gas.	3.170(a)(30) and 260.20

Form No	Title as shown in CFR	18 CFR §§
64.....	Natural Gas Companies, Annual Report of Producer Expenditures, Exploration and Development Activity, Production, Reserve Additions, and Revenues (Expired 12-31-78).	3.170(a)(27) and 260.21
237A.....	Weekly Fuel Emergency Report, Revised (Coal).	3.142(a)(45) and 141.60
ICC ARC-41...	No CFR title. Title of form: Report of Expenditures for Additions and Betterments—Oil Pipeline Companies.	(None—internal use only)

Several commenters objected to the discontinuation of the following two forms for reasons unrelated to the Commission's regulatory need for the data.

Form No	Title as shown in CFR	18 CFR §§
17.....	Monthly Report of Natural Gas Pipeline Curtailments.	None
237B.....	Weekly Fuel Emergency Report, Revised (Oil).	3.142(a)(45) and 141.60

The reasons given for continued collection of these two forms focused on the public's interest in the information. The Commission recognizes that the public might have some interest in the information collected by way of these two forms, but does not believe that this reason by itself justifies continued collection of the information by the Commission. As stated above, the data collected in these forms is not needed by the Commission to perform its regulatory responsibilities.

Since the effect of this final rule is to eliminate a requirement imposed on industries regulated by the Commission, the Commission finds good cause to waive the 30 day requirement set forth in 5 U.S.C. 553(d) and to make this final rule effective immediately. Thus, the eleven forms described above are discontinued as of the date of issuance of this rule.

B. Forms identified for collection by EIA and ERA. Several comments expressed a need for some of the information contained in the following four forms and requested that, if the Commission should discontinue these forms, EIA or ERA assume sponsorship of the forms and continue to collect the information.

Form No.	Title as shown in CFR	18 CFR §§
1M.....	Annual Report for Municipal Electric Utilities Having Annual Electric Operating Revenues of \$250,000 or More.	3.142(a)(22) and 141.7
13.....	Summary for National Electric Rate Book.	3.142(a)(32), 141.26
Unnumbered (GAO authorization No. RO309).	Untitled. Information reported: Reliability and adequacy of electric services—report by regional councils on coordinated regional bulk power supply programs.	2.11 (c), (d)
Unnumbered (GAO authorization No. RO327).	Untitled. Information reported: Actions for minimizing the consequences of bulk power supply interruptions or shortages—report on contingency plans for operating in emergency situations and for possible load reductions or curtailment.	2.10(b)

EIA has indicated to the Commission that it plans to continue to collect from municipalities the information analogous to that requested by Form 1M. In addition, EIA will continue to collect, on behalf of ERA, the data contained in Forms 13, Unnumbered (RO309), and Unnumbered (RO327).

To allow EIA time to receive OMB approval for collection of the information, the Commission will comply with EIA's request to continue these forms until the end of calendar year 1979. Accordingly, the effective date for discontinuing the above four forms is January 1, 1980.

III. Other Amendments

In the April 19th Notice, the Commission proposed to amend Part 4 of its regulations to eliminate the requirements for filing Forms 6, 7, and 9 with the Commission. As discussed in the April 19th proposal, under Part 4 of the regulations the actual legitimate original cost of and the net investment in a project is determined by the Commission after an audit is conducted by Commission staff. Forms 6, 7, and 9 are unnecessary because the information reported therein is later obtained by Commission audit.

Under the regulations proposed in April, prior to an audit, a licensee of a licensed project would have to file a letter instead of Forms 6, 7, and 9. The letter would have to state that all the information needed for the Commission's determination was contained in the project's books of accounts and was recorded in compliance with the Commission's

Uniform System of Accounts. The final regulations incorporate the letter procedure proposed in April.

Two comments suggested minor alterations in the wording of the proposed regulations. One of these comments suggested a simplification in the wording of the proposed § 4.20. The Commission has incorporated this change in the final regulations.

The other comment expressed concern that the proposed §§ 4.1, 4.10, and 4.20 would require a project to bear the cost of duplication of any records which must be made available to the public under those provisions. The Commission agrees that the person who requests the information should bear the costs of duplication, and the final regulations reflect this change.

The Commission emphasizes that the Part 4 regulations, as amended by this final rule, place no additional burden on projects subject to the regulations. The final regulations do not require projects to keep their books in any greater detail than is presently required under the Uniform System of Accounts.

IV. Effective Date

For the reasons stated above, Forms Nos. 6, 7, 9, 17, 23B, 38, 45, 64, 237A, 237P, and ICC-ARC-41, are discontinued immediately. The amendments to the Commission's regulations which relate to these forms are also made effective immediately.

In addition, for the reasons stated above, Forms Nos. 1M, 13, Unnumbered (R0309), and Unnumbered (R0327), will be discontinued as of January 1, 1980. The amendments to the Commission's regulations related to these forms will become effective January 1, 1980.

(Department of Energy Organization Act, (42 U.S.C. 7101, *et seq.*); E.O. 12009, 42 FR 46267.)

In consideration of the foregoing, Title 18 of the Code of Federal Regulations is amended in Parts 2, 3, 4, 141, and 260 of Chapter I, as set forth below, effective October 19, 1979, except as otherwise indicated.

By the Commission.

Kenneth F. Plumb,
Secretary.

PART 2—GENERAL POLICY AND INTERPRETATIONS

§ 2.10 [Amended]

1. Effective January 1, 1980, § 2.10 is amended by deleting paragraph (b) in its entirety and deleting the designation "(a) Actions." from the remaining paragraph.

§ 2.11 [Amended]

2. Effective January 1, 1980, § 2.11 is amended by deleting paragraphs (c) and (d) and Appendix A-1 in their entirety.

PART 3—ORGANIZATION, OPERATION, INFORMATION AND REQUESTS

§ 3.142 [Amended]

3. Section 3.142 is amended in paragraph (a) by deleting subparagraphs (23), (24), (25), (42), and (45) in their entirety. Effective January 1, 1980, subparagraphs (22) and (32) are deleted in their entirety.

§ 3.170 [Amended]

4. Section 3.170 is amended in paragraph (a) by deleting subparagraphs (27) and (30) in their entirety.

PART 4—LICENSES, PERMITS, AND DETERMINATION OF PROJECT COSTS

5. The table of sections for Part 4 is amended by deleting the entry for § 4.2 and by amending the titles of §§ 4.7 and 4.25 to read: "Findings."

6. Section 4.1 is amended to read as follows:

§ 4.1 Initial cost statement.

(a) *Notification of Commission.* When a project is constructed under a license issued under the Federal Power Act, the licensee shall, within one year after the original project is ready for service, file with the Commission a letter, in quadruplicate, declaring that the original costs have been booked in compliance with the Commission's Uniform System of Accounts and that the books of accounts are ready for audit.

(b) *Licensee's books.* The licensee's books of accounts for each project shall be maintained in such a fashion that each year's additions, betterments, and deletions to the project may be readily ascertained.

(c) *Availability of information to the public.* The information made available to the Commission in accordance with this section must be available to the public for inspection and copying when specifically requested.

(d) *Compliance with the Act.* Compliance with the provisions of this section satisfies the filing requirements of section 4(b) of the Federal Power Act (16 U.S.C. 797(b)).

§ 4.2 [Deleted]

7. Section 4.2 is deleted in its entirety.

8. Section 4.3 is amended to read as follows:

§ 4.3 Report on project cost.

(a) *Scheduling an audit.* When the original cost declaration letter, filed in

accordance with § 4.1 is received by the Commission, its representative will schedule and conduct an audit of the books, cost records, engineering reports, and other records supporting the project's original cost. The audit may include an inspection of the project works.

(b) *Project records.* The cost records shall be supported by memorandum accounts reflecting the indirect and overhead costs prior to their spread to primary accounts as well as all the details of allocations including formulas utilized to spread the indirect and overhead costs to primary accounts.

(c) *Report by Commission Staff.* Upon completion of the audit, a report will be prepared for the Commission setting forth the audit findings and recommendations with respect to the cost as claimed.

9. Section 4.6 is amended to read as follows:

§ 4.6 Burden of proof.

The burden of proof to sustain each item of claimed cost shall be upon the licensee and only such items as are in the opinion of the Commission supported by satisfactory proof may be entered in the electric plant accounts of the licensee.

10. Section 4.7 is amended to read as follows:

§ 4.7 Findings.

(a) *Commission determination.* Final action by the Commission will be in the form of an order served upon all parties to the proceeding. One copy of the order will be furnished to the Secretary of Treasury by the Commission.

(b) *Adjustments to licensee's books.* The licensee's books of account for the project shall be adjusted to conform to the actual legitimate cost as revised by the order of the Commission. These adjustments and the project may be audited by Commission representatives, as scheduled.

11. Section 4.10 is amended to read as follows:

§ 4.10 Valuation data.

(a) *Notification of Commission.* In every case arising under section 23(a) of the Federal Power Act that requires the determination of the fair value of a project already constructed, the licensee shall, within six months after the date of issuance of a license, file with the Commission a letter, in quadruplicate.

(b) *Contents of letter.* The letter referred to in paragraph (a) shall contain a statement to the effect that an inventory and appraisal in detail, as of the effective date of the license, of all property subject thereto and to be so

valued has been completed. The letter shall also include a statement to the effect that the actual legitimate original cost, or if not known, the estimated original cost, and accrued depreciation of the property, classified by prime accounts as prescribed in the Commission's Uniform System of Accounts, have been established.

(c) *Licensee's books.* The licensee's books of account for each project shall be maintained in such a fashion that each year's additions, betterments, and deletions to the projects may be readily ascertained.

(d) *Availability of information to the public.* The information made available to the Commission in accordance with this section must be available for inspection and copying by the public when specifically requested.

12. Section 4.14 is amended to read as follows:

§ 4.14 Hearing upon report.

(a) *Public hearing.* After the expiration of the time within which a protest may be filed, a public hearing will be ordered in accordance with § 1.20 of this chapter.

(b) *Commission determination.* After the conclusion of the hearing, the Commission will make a finding of fair value, accompanied by an order which will be served upon the licensee and all parties to the proceeding. One copy of the order shall be furnished to the Secretary of the Treasury by the Commission.

(c) *Adjustment to licensee's books.* The licensee's books of account for the project shall be adjusted to conform to the fair value of the project as revised by the order of the Commission. These adjustments and the project may be audited by Commission representatives, as scheduled.

13. Section 4.20 is amended to read as follows:

§ 4.20 Initial statement.

(a) *Notification of Commission.* In all cases where licenses are issued for projects already constructed, but which are not subject to the provisions of section 23(a) of the Act (49 Stat. 846; 16 U.S.C. 816), the licensee shall, within 6 months after the date of issuance of license, file with the Commission a letter, in quadruplicate.

(b) *Contents of letter.* The letter referred to in paragraph (a) of this section shall contain a statement to the effect that an inventory in detail of all property included under the license, as of the effective date of such license, has been completed. The letter shall also include a statement to the effect that actual legitimate original cost, or if not

known, the estimated original cost, and accrued depreciation of the property, classified by prime accounts as prescribed in the Commission's Uniform System of Accounts, have been established.

(c) *Licensee's books.* The licensee's books of account for each project shall be maintained in such a fashion that each year's additions, betterments, and deletions to the project may be readily ascertained.

(d) *Availability of information to the public.* The information made available to the Commission in accordance with this section must be available for inspection and copying by the public when specifically requested.

(e) *Compliance with the Act.* Compliance with the provisions of this section satisfies the filing requirements of section 4(b) of the Federal Power Act (16 U.S.C. 797(b)).

14. Section 4.25 is amended to read as follows:

§ 4.25 Findings.

(a) *Commission determination.* Final action by the Commission will be in the form of an order served upon all parties to the proceeding. One copy of the order shall be furnished to the Secretary of Treasury by the Commission.

(b) *Adjustment to licensee's books.* The licensee's books of account for the project shall be adjusted to conform to the actual legitimate cost as revised by the order of the Commission. These adjustments and the project may be audited by Commission representatives, as scheduled.

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

15. The table of sections for Part 141 is amended by deleting the entries for §§ 141.11, 141.12, 141.13, 141.60, and 141.300.

16. Effective January 1, 1980, the table of sections for Part 141 is amended by deleting the entries for §§ 141.7 and 141.26.

§ 141.7 [Deleted]

17. Effective January 1, 1980, § 141.7 is deleted in its entirety.

§ 141.11 [Deleted]

18. Section 141.11 is deleted in its entirety.

§ 141.12 [Deleted]

19. Section 141.12 is deleted in its entirety.

§ 141.13 [Deleted]

20. Section 141.13 is deleted in its entirety.

§ 141.26 [Deleted]

21. Effective January 1, 1980, § 141.26 is deleted in its entirety.

§ 141.60 [Deleted]

22. Section 141.60 is deleted in its entirety.

§ 141.300 [Deleted]

23. Section 141.300 is deleted in its entirety.

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

24. The table of sections for Part 260 is amended by deleting the entries for §§ 260.20 and 260.21.

§ 260.20 [Deleted]

25. Section 260.20 is deleted in its entirety.

§ 260.21 [Deleted]

26. Section 260.21 is deleted in its entirety.

[FR Doc. 79-33237 Filed 10-20-79; 8:45 am]

BILLING CODE 6450-01-M

18 CFR Part 271

[Docket No. RM79-19; Order No. 45]

Treatment of Certain Production-Related Costs of Natural Gas to be Sold and Transported Through the Alaska Natural Gas Transportation System; Erratum Notice; Regulations and Statement of Policy

October 24, 1979.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Erratum Notice to Final Rule.

SUMMARY: In the Federal Energy Regulatory Commission's Order No. 45, issued August 24, 1979 (44 Fed. Reg. 51554; Sept. 4, 1979) and entitled "Treatment of Certain Production-Related Costs for Natural Gas to be Sold and Transported through the Alaska Natural Gas Transportation System", the word "rollover" was inadvertently omitted from regulations prescribing exclusions of certain natural gas from the allowance provisions of section 110 of the NGPA. This notice corrects that omission.

FOR FURTHER INFORMATION CONTACT: John Conway, Office of the General Counsel, Federal Energy Regulatory Commission, Room 8100K, 825 North Capitol Street, N.E., Washington, D.C. 20426, (202) 357-8150.

SUPPLEMENTARY INFORMATION: On August 24, 1979 the Commission issued Order No. 45 which, among other things, amended § 271.1105 of the Commission's regulations issued under the NGPA. The

amendment, to be effective December 5, 1979¹ provides for the treatment of certain production-related costs borne by sellers of natural gas produced at Prudhoe Bay, Alaska for transport through the Alaska Natural Gas Transportation System. In amending § 271.1105 the Order as originally printed, omitted the word "rollover" from the provisions of § 271.1105(b)(2). The second clause of § 271.1105(b) reprinted at page 74 of Order No. 45 (44 Fed. Reg. 51567), should read as follows:

§ 271.1105 [Amended].

(b) * * *

"(2) is subject to an existing intrastate contract, an intrastate rollover contract or a successor to an existing intrastate contract; or"

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33319 Filed 10-25-79; 8:45 am]
BILLING CODE 6450-01-M

18 CFR Parts 272 and 274

[Docket No. RM79-44]

Interim Rules Defining and Deregulating Certain High-Cost Natural Gas

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Interim rules.

SUMMARY: The Federal Energy Regulatory Commission hereby adopts interim regulations defining and deregulating high-cost gas described in section 107(c) (1), (2), (3) and (4) of the Natural Gas Policy Act of 1978, and prescribing the filing requirements for such gas. Further comments are solicited on the rule.

EFFECTIVE DATE: November 1, 1979.

COMMENT DATE: Additional comments are due November 26, 1979.

ADDRESS: All comments should reference Docket No. RM79-44 and be addressed to: Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Mr. Victor Zabel, Office of Pipeline and Producer Regulation, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, (202) 275-4568. Mr. Phillip Yates, Office of the general Counsel, Federal Energy Regulatory Commission, 825

North Capitol Street NE., Washington, D.C. 20426, (202) 357-8078.

October 24, 1979.

I. Background

On June 13, 1979, the Federal Energy Regulatory Commission (Commission) issued a notice of proposed rulemaking in Docket No. RM79-44 (44 FR 34969, June 18, 1979). In that notice, the Commission promulgated proposed definitions for certain categories of high-cost natural gas as defined in section 107 of the Natural Gas Policy Act of 1978 (15 U.S.C. 3301 *et seq.*) (NGPA). Specifically, the Commission proposed definitions for natural gas produced from geopressed brine (section 107(c)(2)), occluded natural gas produced from coal seams (section 107(c)(3)), and natural gas produced from Devonian shale (section 107(c)(4)). Further, the Commission indicated that it would prescribe filing requirements for these categories of natural gas similar to those established for other categories in Subpart B of Part 274 of our regulations.

Twenty-seven written comments were received in response to the notice, and two parties addressed the definitions in the public hearing held on September 25, 1979 in this docket. Each proposed definition has been changed in response to the comments received.

II. Analysis of Comments and Discussion of Amendments

(A) Section 107(c)(2)—Natural Gas Produced From Geopressed Brine.

Five commenters addressed the proposed definition for natural gas produced from geopressed brine. The proposal read as follows:

"Natural gas produced from geopressed brine" means: natural gas dissolved in: subsurface (sic) brine aquifers with reservoir geopressures substantially in excess or normal saltwater hydrostatic pressures, such geopressures being due, in part, to the formation waters bearing a portion of the weight of the sedimentary over (sic) overburden.

Three commenters objected to the use of the phrase "substantially in excess of normal saltwater hydrostatic pressures." The Commission agrees that the phrase should be replaced with a quantifiable standard. As noted in the proposal, the word "geopressed" connotes pressures in excess of normal hydrostatic pressures. Since 0.465 pounds per square inch (psi) per vertical foot is the normal salt water hydrostatic pressure gradient, the Commission has determined pressures in excess of that

pressure to be "geopressed".¹ The Commission also agrees with a commenter's suggestion that *initial* reservoir pressures should be used in measuring the hydrostatic pressure gradient because reservoir pressures may change after production begins. Commenters also suggested that we should delete the phrase prescribing the cause for the higher geopressures since the cause of geopressures is not relevant to the statutory definition. We agree; nothing in the statute indicates that the cause of the pressure is relevant to qualification under this category of gas. Therefore, any reservoir with an initial pressure gradient in excess of 0.465 psi per vertical foot will qualify as geopressed, regardless of the cause of the geopressure.

The Commission cannot agree with a suggestion that natural gas production from a "natural gas cap" (i.e., gas which is freed from solution, forming a cap at the top of the reservoir) should qualify as production from geopressed brine. The statute requires that the gas be produced from the brine. Gas not dissolved in brine, such as gas caps, may be economically produced through less expensive conventional production techniques and is not a high-cost gas. Therefore, if the gas has broken free from the brine before initial production (before any fluids are withdrawn from the reservoir), it will not qualify under this definition.

Some commenters also suggested that the definition of "geopressed brine" should be expanded to include gas produced from waters that are not "brine". The Commission has no authority to abrogate a statutory requirement. However, the nature of the comment did point out the need to adopt some standard for determining when water is "brine". The commission considers "brine" to be water which contains at least 10,000 parts of Sodium Chloride per million parts of water and has incorporated this standard in the definition.²

(B) Section 107(c)(3)—Occluded Natural Gas Produced From Coal Seams

Ten commenters addressed the definition of occluded natural gas produced from coal seams, which read as follows:

"Occluded natural gas produced from coal seams" means: natural gas released during a mechanical degradation process from

¹ National Gas Survey, Sub-Task Force I—Gas Dissolved in Water, DOE/FERC 0029, March 1979, page 13.

² See Figure 11, page 43, Potential Supply of Natural Gas in the United States, Potential Gas Committee.

¹ Order Granting Rehearing for the Purpose of Further Consideration and Staying of Order No. 45 and Order No. 31-A, Docket Nos. RM79-19, and RM78-12 (issued October 19, 1979).

entrapment between the seams and in the micropores of beds of coal.

Several of the written comments objected to the requirement that the gas be released during a "mechanical degradation process" on the grounds that the requirement is too restrictive. We agree that the phrase "mechanical degradation process" may be interpreted to preclude processes such as drilling or fracturing and therefore should be deleted. The definition promulgated herein allows gas produced by processes such as drilling or fracturing to qualify as occluded natural gas. However, we do not intend to include in the definition methane produced by the underground gasification of coal. Such gas is not "natural," and the phrase "naturally occurring natural gas," in the interim rule, is intended to preclude such gas from qualifying.³

Further, the Commission cannot exclude from the definition, as one commenter suggested, occluded natural gas from coal seams which may not be particularly expensive to produce. The statute establishes a category for occluded natural gas from coal seams without reference to the actual cost of production. The Commission must follow the statutory guideline.

Several commenters suggested that the definition inadvertently included natural gas which is found in strata between seams of coal. In order to avoid such a result, the final rule has been amended to include only gas which is produced from the coal seam.

(C) Section 107(c)(4)—Natural Gas Produced From Devonian Shale

The proposed definition of natural gas produced from Devonian shale read as follows:

Natural gas "produced from Devonian shale" means: natural gas produced from the fractures, micropores and bedding planes of shales deposited during the Paleozoic Devonian Period as generally found in the subsurface of the Appalachian Basin and in surface outcrops around (sic) its periphery. For the purpose of this definition, Devonian shale is defined as that shale stratigraphic interval that lies between the base of the Mississippian Berea Sand or, if absent, the base of the Osage Series, and the top of the Onondaga limestone formation or its chert equivalent, the top of the Hunton group of carbonates.

Nine parties commented on the proposed definition. Most suggested that it was too limited, because it excluded those Devonian shales not found in the

³Two comments requested that the Commission include in the definition a reference to the source of the gas. We do not feel that origin of the gas is significant, so long as the gas occurs naturally.

Appalachian basin. The Commission agrees that there is no basis upon which to exclude such Devonian shales from the definition. Consequently, the Commission has expanded the definition to include natural gas produced from any shale deposited during the Paleozoic Devonian Period.

Other commenters suggested that the definition should be expanded to include natural gas that is produced from shales other than "Devonian" or from lithologies, other than shales, that were laid down during the Paleozoic Devonian Period. The Commission does not have the authority to expand the definition as these commenters suggest and therefore does not adopt the suggestion.

The Commission is cognizant of the fact that both coal and Devonian shale lithologies may contain "stringers" of potentially gas producing rock between the seams of coal or Devonian shale. If natural gas is produced from one of these stringers it would not qualify under these definitions. Production from these stringers would not be deregulated, and would have to be priced at the maximum lawful price applicable to the well. If such gas and deregulated gas were produced from a single well, pricing for gas from such a partially deregulated well would be based on a reasonable allocation of production from the different producing intervals. The Commission invites comments on how such allocation should be determined.

III. Requirements for Filing With Jurisdictional Agencies

As indicated in the notice issued June 13, 1979, we are promulgating for gas subject to section 107(c)(2) similar to those imposed for other categories of gas. In order for natural gas to qualify as high-cost natural gas under section 107(c) (2), (3) or (4), the gas must be qualified in accordance with the procedures mandated by section 503 of the NGPA. Under Part 274 of our regulations, producers must submit certain information to the appropriate jurisdictional agency. See 18 CFR 270.102(b)(12). After review of this information, the jurisdictional agency determines whether the gas qualifies under the section of the NGPA for which the producer has filed. The jurisdictional agency then submits a notice of the determination to the Commission. If the Commission does not reverse or remand the jurisdictional agency determination within 45 days, that determination becomes "binding with respect to such natural gas." See NGPA section 503(d)(1), and Part 275 of our regulations.

In order to verify the specific geological parameters of the definitions, new filing requirements must be imposed. The gamma ray log was suggested in the comments for identifying gas produced from coal seams and Devonian shales. This test will enable the jurisdictional agency and the Commission to differentiate between those strata that qualify under these definitions and those that do not.

For natural gas produced from geopressured brine, the producer must submit an FERC Form 121, a well completion report, a bottom-hole pressure test report, or other information to establish that the initial reservoir geopressure gradient is in excess of 0.465 pounds per square inch per vertical foot, and evidence⁴ to establish that the gas from the well was in solution in a brine before production.

For occluded natural gas produced from coal seams, the producer must submit an FERC Form 121, a gamma ray log, a well completion report, and evidence to establish that the producing interval is a coal seam.

For natural gas produced from Devonian shale, the producer must submit an FERC Form 121, a gamma ray log, a well completion report, and a reference to a standard stratigraphic chart or text establishing that the producing interval is a Devonian shale.

IV. Deregulation Under the Interim Rule

Pursuant to section 121(b) of the NGPA, the first sale price of high-cost natural gas as described in section 107(c) (1), (2), (3) and (4) become deregulated on the effective date of the incremental pricing rule required under section 201 of the NGPA. That rule, issued in Docket No. RM79-14 on September 28, 1979, becomes effective on November 1, 1979; therefore, Part 272 and the amendments to Part 274 becomes effective on November 1, 1979. The proposal issued in this docket did not discuss issues concerning the effective date of deregulation for each qualifying well, interim collection of the deregulated rate pending final determination, and the proper method of treating pipeline passthrough of the costs of its own production of deregulated gas. These issues must be resolved in any final rule; therefore, the Commission issues this rule as an interim rather than a final rule and invites further comments on these issues.

Under the interim rule, the price which may be charged for gas which a jurisdictional agency determines to be

⁴This evidence could be results of a laboratory test of a bottom-hole sample.

high-cost gas defined in this rule becomes deregulated when the jurisdictional agency eligibility determination concerning that gas becomes final; i.e., when the determination is no longer subject to Commission action. See 18 CFR 273.102. Under the interim rule, the Commission will not allow collection of the deregulated rate so long as the final determination is pending. Between the time the application for determination is made, and the time the determination becomes final the gas will continue to be subject to any otherwise applicable maximum lawful price. Once the determination becomes final, the parties to the sale may make retroactive price adjustments for deliveries which took place between the later of November 1, 1979, or the time the application was filed and the time the determination became final. However, such adjustment may be made only if specifically authorized by the contract. Such adjustments may not exceed the aggregate amount by which the deregulated contract price exceeds the price collected between the date the application was filed (or November 1, 1979, if later) and the date the determination became final; plus interest on such aggregate amount (determined at the rate prescribed in § 154.102(d)(2)).

Additionally, § 272.102(c) of the interim rule provides that no portion of the price paid for deregulated gas may represent consideration for gas regulated under Part 271. Section 272.102(c) is designed to preclude circumvention of the Commission's ceiling price regulations under Part 271 of its NGPA regulations, by requiring "unbundling" of gas sales transactions so that regulated and unregulated transactions are separately priced.

Although it has not done so in the interim rule, the Commission is considering allowing interim collection of the lesser of the contract price or the section 102 maximum lawful price under the final rule. Once the determination becomes final, the parties to the contract would be able to make retroactive collections of the amount (if any) by which the contract price exceeds the section 102 maximum lawful price. The Commission is specifically soliciting comments on this proposal.

The Commission also requests comments on the proper way to treat the pass-through in purchased gas adjustment clauses of the first sale acquisition costs of an interstate pipeline affiliate's production of gas deregulated under Part 272. The Commission is also soliciting comments

on whether pipeline or affiliate production qualifying under section 107(c)(1) through (4) should receive the deregulated price or be subject to a ceiling price if it is not accorded first sale treatment but is priced by reference to the NGPA under § 2.66a.⁵ If it should be subject to a ceiling price, what price should that be?

Finally, the Commission requests comments on all other portions of the interim rule and on all other aspects of the implementation of Subtitle B of Title I of the NGPA.

V. Comment Procedures, Public Hearings and Effective Date

Because section 121(b) of the NGPA deregulates the natural gas described in sections 107(c)(1), (2), (3), and (4) on November 1, 1978, (the effective date of the incremental pricing rule required under section 201) the Commission finds good cause to make this rule effective on November 1, 1979. However, since the public has not had a full opportunity to comment on all aspects of the rule, it is being issued as an interim rule and comments will be accepted through the close of business on November 26, 1979. If the additional comments received convince the Commission that amendments to this rule are appropriate they will be issued in the final rule. If no amendments are adopted this rule will become effective as a final rule and such notice will be published in the **Federal Register**.

Interested persons may submit comments concerning this interim rule by submitting written data, views or arguments to the Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before November 19, 1979. Each person submitting a comment should include his name and address, identify Docket No. RM79-44, and give reasons for any recommendations. An original and 14 conformed copies should be filed with the Secretary of the Commission. Comments should indicate the name, title, mailing address, and telephone number of one person to whom communications concerning the proposal may be addressed. Written comments will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426, during regular business hours.

⁵ Considered at the Commission's meeting of October 10, 1979 to be issued as a Notice of Proposed Rulemaking (Undocketed).

The Commission intends to hold a public hearing on this interim rule, as required by section 502(c) of the NGPA. The date and location of such hearing will be announced shortly. The regulations proposed in this interim rule shall not become final until the Commission has had an opportunity to receive oral presentation of relevant data, views and arguments.

In consideration of the foregoing, Subchapter H, Chapter I, title 18, Code of Federal Regulations, is amended by adding a new Part 272 and revising Part 274 as set forth below, effective as an interim rule November 1, 1979.

By the Commission. Commissioner Sheldon was present for the quorum and not voting.

Kenneth F. Plumb,
Secretary.

1. Subchapter H is amended by adding a new Part 272 in the Table of Contents to Subchapter H and in the text of the regulations to read as follows:

PART 272—DEREGULATED NATURAL GAS

Sec.

272.101 Definitions.

272.102 Deregulation.

Authority: (Natural Gas Act, as amended, 15 U.S.C. 717 *et seq.*; Department of Energy Organization Act, (42 U.S.C. 7107, *et seq.*); E.O. 12009, 42 FR. 46267; Natural Gas Policy Act of 1978, (15 U.S.C. 3301 *et seq.*)

§ 272.101 Definitions.

For purposes of this subpart:

(a) "Natural gas produced from geopressured brine" means natural gas dissolved before initial production of natural gas in subsurface brine aquifers with at least 10,000 parts of Sodium Chloride per million parts of water and an initial reservoir geopressure gradient in excess of 0.465 pounds per square inch for each vertical foot of depth.

(b) "Occluded natural gas produced from coal seams" means naturally occurring natural gas released from entrapment from the fractures, pores and bedding planes of coal seams.

(c) "Natural gas produced from Devonian Shale" means natural gas produced from the fractures, micropores and bedding planes of shales deposited during the Paleozoic Devonian Period.

(d) "Deep, high-cost natural gas" means natural gas which meets the definition in § 271.703 of this subchapter.

§ 272.102 Deregulation.

(a) *Final eligibility determination.* No maximum lawful price under this subchapter applies to any first sale of natural gas with respect to which an eligibility determination has become final (within the meaning of § 273.102)

that the natural gas qualifies under one of the categories of natural gas defined in § 272.101.

(b) *Retroactive collection.* After the eligibility determination has become final (within the meaning of § 273.102), the seller may retroactively charge and collect the aggregate amount by which the deregulated contract price exceeds the price actually collected for deliveries of natural gas made during the period between the date the application for determination was filed, or November 1, 1979, if later, and the date the eligibility determination became final; plus interest on such aggregate amount (determined at the rate prescribed in § 154.102(d)(2)). Such collections may be made only if specifically authorized by contract.

(c) *Circumvention of maximum lawful prices.* No portion of the price paid for natural gas which qualifies under one of the categories of natural gas defined in § 272.101 may represent consideration for natural gas which is subject to a maximum lawful price under Part 271 of this chapter.

PART 274—DETERMINATIONS BY JURISDICTIONAL AGENCIES

§ 274.205 High-cost natural gas. [Amended]

2. Section 274.205 is amended by inserting the designation "(a) *Deep, high-cost natural gas.*" at the beginning of the text, and by redesignating paragraphs (a), (b), (c), (d), (e), and (f) as subparagraphs (1), (2), (3), (4), (5) and (6), respectively.

3. Section 274.205 is further amended by adding paragraphs (b), (c) and (d) to read as follows:

(b) *Natural gas produced from geopressured brine.* A person seeking a determination for purposes of Part 272 that natural gas is produced from geopressured brine shall file an application with the jurisdictional agency which contains the following items:

- (1) FERC Form No. 121;
- (2) The well completion report;
- (3) A bottom-hole pressure test report and other information establishing the initial reservoir pressure gradient;
- (4) Evidence to establish that, before production, the gas from the well was in solution in a brine aquifer with at least 10,000 parts of Sodium Chloride per million parts of water; and
- (5) If the jurisdictional agency so requires, certified copies of records relied upon by the applicant including copies of the agency's official files.

(c) *Occluded natural gas produced from coal seams.* A person seeking a

determination for purposes of Part 272 of this chapter that natural gas is occluded natural gas produced from coal seams shall file an application with the jurisdictional agency which contains the following items:

- (1) FERC Form No. 121;
- (2) The well completion report;
- (3) A gamma ray log;
- (4) Evidence to establish that the natural gas was produced from a coal seam; and
- (5) If the jurisdictional agency so requires, certified copies of records relied upon by the applicant including copies of the agency's official files.

(d) *Natural gas produced from Devonian shale.* A person seeking a determination for purposes of Part 272 of this chapter that natural gas is produced from Devonian shale shall file an application with the jurisdictional agency which contains the following items:

- (1) FERC Form No. 121;
- (2) The well completion report;
- (3) A gamma ray log;
- (4) A reference to a standard stratigraphic chart or text establishing that the producing interval is a Devonian shale; and

(5) If the jurisdictional agency so requires, certified copies of records relied upon by the applicant including copies of the agency's official files.

[FR Doc. 79-33256 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

18 CFR Part 294

[Docket No. RM79-52]

Interim Procedures for Shortages of Electric Energy and Capacity Under Section 206 of the Public Utility Regulatory Policies Act of 1978; Amendment

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Amendment to interim regulations.

SUMMARY: The Federal Energy Regulatory Commission hereby adopts regulations which extend through a period ending April 30, 1980 its interim regulations implementing procedures for shortages of electric energy and capacity under section 206 of the Public Utilities Regulatory Policies Act of 1978. Under the regulations as amended, each public utility now serving firm power wholesale customers must report to the Commission, the utility's customers, and appropriate State authorities any shortages of electric energy or capacity anticipated to occur prior to April 30, 1980. Also, the regulations require each

public utility to report any modification of its plans for accommodating shortages anticipated to occur before April 30, 1980.

EFFECTIVE DATE: October 23, 1979.

FOR FURTHER INFORMATION CONTACT:

Adam Wenner, Office of General Counsel, 825 North Capitol Street NE., Room 8104-C, Washington, D.C. 20426, (202) 357-8033.
Susan Tomasky, Office of General Counsel, 825 North Capitol Street NE., Room 8100-E, Washington, D.C. 20426, (202) 357-8033.

October 23, 1979.

On June 15, 1979, the Commission issued interim regulations¹ implementing in part Section 206 of the Public Utilities Regulatory Policies Act of 1978 (PURPA). Section 206 of PURPA amends the Federal Power Act to require public utilities to report to the Commission anticipated shortages of electric energy or capacity and to submit to the Commission and to appropriate State authorities contingency plans to accommodate any shortages which may occur prior to September 30, 1979.

Paragraph (b) of the interim regulations requires each public utility serving firm power wholesale customers to submit by July 23, 1979, a "brief statement indicating how it would accommodate any shortages of electric energy or capacity affecting its firm power customers, should such a shortage occur prior to September 30, 1979."²

Paragraph (c) of the interim regulations requires each utility to report immediately any shortage of electric energy or capacity which the utility anticipates will occur. In that report the utility must provide the Commission with certain information, including information regarding any procedures for accommodating a particular shortage, if they differ from the procedure set out in the utility's statement submitted pursuant to paragraph (b) of the interim regulations.

Initially, the interim regulations were intended to deal with shortages anticipated to occur prior to September 30, 1979. For this reason, paragraph (a) provides a limited definition of "anticipated shortages of electric capacity or energy", which includes only those situations which will result in

¹ Interim Regulations, Docket No. RM79-52 (issued June 15, 1979).

² This language was adopted by an Amendment to Interim Regulations, Docket No. RM79-52 (issued August 1, 1979) in order to make clear the Commission's intent that all public utilities serving firm customers must submit plans to accommodate any possible shortages. Before this amendment, the language appeared to suggest that only those utilities which anticipated shortages prior to September 30, 1979, were obliged to file accommodation reports under section 206 of PURPA.

shortages "anticipated to occur prior to September 30, 1979." The purpose of this amendment is to extend the reporting requirements for a period ending April 30, 1980, so that the Commission will be advised of any anticipated shortages which may occur during the winter period.

Accordingly, the Commission hereby amends the interim regulations as follows: first, the reporting requirements of paragraph (c) are extended through April 30, 1980, by amending the definition of "anticipated shortages of electric energy or capacity" in paragraph (a) to include those situations anticipated to occur prior to April 30, 1980. Second, if a plan to accommodate a shortage occurring prior to April 30, 1980, differs from the plan submitted pursuant to paragraph (b) of the interim regulations, the utility is hereby required to file a supplemental statement setting forth those changes. A utility need not file a statement of its plan to accommodate shortages prior to April 30, 1980, if that plan does not vary from that set out in the statement already filed pursuant to § 294.101(b).

(Public Utility Regulatory Policies Act of 1978, Pub. L. 95-617, 92 Stat. 3117; Federal Power Act, 16 U.S.C. 792 *et seq.*; E.O. 12009, 42 FR 46267; Administrative Procedure Act, 5 U.S.C. 553).

In consideration of the foregoing, Part 294 of Subchapter K, Chapter I, Title 18 of the Code of Federal Regulations is amended as set forth below, effective immediately.

By the Commission.

Kenneth F. Plumb,

Secretary.

Section 294.101 is amended in paragraphs (a) and (b) to read as follows:

§ 294.101 Shortages of electric energy and capacity.

(a) *Definition of shortages of electric energy and capacity.* For purposes of this section, the term "anticipated shortages of electric or energy" means:

(1) Any situation anticipated to occur prior to April 30, 1980, in which the generating and bulk purchased power capability of a public utility will not be sufficient to meet its anticipated demand plus appropriate reserve margins and this shortage would affect the utility's capability adequately to supply electric services to its firm power wholesale customers; or

(2) Any situation anticipated to occur prior to April 30, 1980, in which the energy supply capability of a public utility is not sufficient to meet its customers' energy requirements and this shortage would affect the utility's

capability adequately to supply electric services to its firm power wholesale customers.

(b) *Accommodation of shortages.* (1) Each public utility now serving firm power wholesale customers, shall, by July 23, 1979, submit a brief statement indicating how it would accommodate any shortages of electric energy or capacity affecting its firm power wholesale customers, if such shortages were to occur prior to September 30, 1979.

(2) This statement shall:

(i) Describe how the utility would assure that direct and indirect customers are treated without undue prejudice or disadvantage; and

(ii) It shall also identify any agreement, law, or regulation which might impair the utility's ability to accommodate such a shortage.

(3) Each utility shall file a copy of its statement with any appropriate State regulatory agency and all firm power wholesale customers.

(4) If prior to April 30, 1980, a plan for accommodating any shortages of electric energy or capacity affecting its firm power wholesale customers as described in the brief statement submitted pursuant to subparagraph (1) of this paragraph is modified, the utility must submit to the Commission and the persons described in subparagraph (3) of this paragraph within 15 days of any such modification, a supplemental statement informing the Commission of those modifications.

[FR Doc. 79-33238 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 4, 7, 22, 148

[T.D. 79-276]

Panama Canal Zone; Customs Regulations Amended

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: Under various sections of the Customs Regulations, special privileges, not otherwise available in connection with Customs transactions originating or taking place in foreign territory, are granted because of the involvement of the Panama Canal Zone in the transaction. Other sections of the regulations provide affirmatively that the Canal Zone shall be treated as foreign territory in connection with Customs transactions originating or

taking place there. Now that the Panama Canal Treaty of 1977 has entered into force, the Canal Zone has ceased to exist, and the territory which it encompassed has been transferred to the Republic of Panama.

This document conforms the Customs Regulations to reflect the change in status of the Canal Zone, to remove any special privileges accorded because of Canal Zone involvement in the transaction, and to delete as unnecessary any references to the Canal Zone as foreign territory.

EFFECTIVE DATE: October 1, 1979.

FOR FURTHER INFORMATION CONTACT:

Jerry C. Laderberg, Carriers, Drawback and Bonds Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5706).

SUPPLEMENTARY INFORMATION:

Background

Panama Canal Treaty of 1977

Under the Panama Canal Treaty of 1977 (*International Legal Materials*, Vol. XVI, No. 5, Sept. 1977, p. 1022) (the "Treaty"), effective October 1, 1979, the Panama Canal Zone (the "Canal Zone") has ceased to exist, and the territory which it encompassed has been transferred to the Republic of Panama.

On June 16, 1978, instruments of ratification, with reservations, were exchanged between the United States and the Republic of Panama. Although Article II provided that the Treaty would enter into force 6 calendar months from the date of exchange of the instruments of ratification, Reservation (A)(5) of the United States instrument of ratification provided that the transfer of the Canal Zone to Panama would not be effective earlier than March 31, 1979, and that the Treaty would not enter into force before October 1, 1979, unless Congress enacted implementing legislation before March 31, 1979. Because Congress did not enact implementing legislation before March 31, 1979, the Treaty entered into force, and the transfer of the Canal Zone to Panama took place on October 1, 1979.

Regulations Relating to Customs Treatment of the Canal Zone

Under various sections of Parts 4, 7, 22, and 148, Customs Regulations (19 CFR Parts 4, 7, 22, 148), special privileges, not otherwise available in connection with Customs transactions originating or taking place in foreign territory, are granted because of the involvement of the Canal Zone in the transaction. Other sections provide affirmatively that the Canal Zone shall be treated as foreign territory in

connection with actions originating or taking place there.

When the Treaty became effective on October 1, 1979, the Canal Zone became part of the Republic of Panama. Customs transactions originating or taking place there now will be treated as if they had originated or taken place in any other foreign territory.

Because of the transfer of the Canal Zone to the Republic of Panama, the following amendments are made to the Customs Regulations:

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. Section 4.4 provides that for purposes of the laws relating to reports of arrival and entry of vessels, the Canal Zone shall be regarded as foreign territory, but that vessels merely transiting the Canal Zone without transacting business there shall not be required to report their arrival or to enter because of the transit. This section is amended to provide that, effective October 1, 1979, vessels which merely transit the Panama Canal shall not be required to enter merely because of such transit, but shall be required to report arrival, as provided in section 433, Tariff Act of 1930, as amended (19 U.S.C. 1433), and § 4.2, Customs Regulations.

2. Footnote 26 to § 4.14(a), which provides that the Canal Zone and the Virgin Islands are not "foreign countries" within the meaning of section 466, Tariff Act of 1930, as amended (19 U.S.C. 1466), and that equipment, repair parts, or materials there purchased, and repairs there made, on a vessel of the United States, are not dutiable, is amended to delete the reference to the Canal Zone. Effective October 1, 1979, such repairs and equipment and other purchases made in the former Canal Zone shall be subject to declaration, entry, and the payment of duty, as provided for in §§ 4.7(d), 4.14 and 4.15, Customs Regulations.

3. Section 4.20(e), which provides that the fact that a vessel passes through the Canal Zone does not affect the rate of tonnage tax otherwise applicable to the vessel, is amended by substituting "Panama Canal" for "Canal Zone". The transfer of the Canal Zone to Panama neither increased nor diminished the rate of tonnage tax otherwise applicable to a vessel which merely transits the Panama Canal.

4. Section 4.21(b)(15), which provides that a vessel shall not be liable to the payment of tonnage tax or light money merely because the vessel is entering directly from the Canal Zone (among other places), is amended by deleting the words "the Canal Zone.". Effective

October 1, 1979, vessels entering directly from the territory which formerly comprised the Canal Zone, but which now is part of the Republic of Panama, shall be subject to tonnage tax and light money, as provided for in § 4.20, Customs Regulations.

5. Section 4.60(c) provides that for the purposes of the laws relating to clearance of vessels, (1) the Canal Zone is foreign territory; (2) the certificate of clearance on Customs Form 1378 shall be modified by striking out "to a foreign port" and substituting "to the Canal Zone"; (3) vessels which merely will transit the Canal Zone without transacting any business there shall not be required to be cleared because of such transit; and (4) a vessel under enrollment and license or license is permitted to trade with the Canal Zone.

With the transfer of the Canal Zone to the Republic of Panama, the statement that the Canal Zone is foreign territory serves no useful purpose, and there is no reason to modify the certificate of clearance, as at present. Nor will vessels under enrollment and license or license be permitted to trade with what formerly was the Canal Zone; instead a register shall be required (see § 4.64). However, vessels which merely transit the Panama Canal Zone without transacting any business there shall not be required to be cleared merely because of such transit. Section 4.60(c) is amended accordingly.

6. The reference to the Canal Zone in footnote 102 to § 4.64, which provides that a vessel of the United States may be cleared for Guantanamo Bay Naval Station or the Canal Zone under enrollment and license or license, is deleted. Because the former Canal Zone now is part of the Republic of Panama, a register will be required, as noted above.

7. The reference to the Canal Zone is deleted from § 4.84(f), which provides that no vessel owned by a corporation which qualifies as a citizen under the Act of September 2, 1958 (46 U.S.C. 883-1) shall, while under demise or bareboat charter from such corporation, be granted clearance or permitted to depart in trade with contiguous territory or with the Canal Zone. As the former Canal Zone now is foreign territory, the reference to the Canal Zone in § 4.84, which relates to trade with non-contiguous territory, no longer is appropriate.

No change has been made in § 4.30(a), which provides in general that no passengers, cargo, baggage, or other articles shall be unladen from a vessel which arrives directly or indirectly from any port or place outside the customs territory of the United States or from a

vessel which transits the Panama Canal until the district director of Customs shall have issued a permit or special license therefor on Customs Form 3171. It is intended to continue to require a permit or special license before passengers, cargo, baggage, or other articles may be unladen from a vessel which transits the Panama Canal.

PART 7—CUSTOMS RELATIONS WITH INSULAR POSSESSIONS AND GUANTANAMO BAY NAVAL STATION

Footnote 1 to the heading to Part 7, Customs Regulations, provides that (1) all laws affecting imports from foreign countries shall apply to articles and persons coming from the Canal Zone, Isthmus of Panama, and seeking entry into any State or Territory or the District of Columbia (citing section 126, title 19, United States Code); (2) the customs administration of the Canal Zone is under the jurisdiction of the Governor of the Panama Canal; and (3) the text of the treaty between the United States and the Republic of Panama may be found in 33 Stat. 2234.

This footnote is deleted for the following reasons:

1. Effective October 1, 1979, the Canal Zone, upon its transfer to the Republic of Panama, became part of a foreign country; and the distinction to which 19 U.S.C. 126 is addressed no longer will be applicable.

2. Article III, paragraph 6, of the Treaty provides that the Republic of Panama shall be responsible for providing, in all areas comprising the former Canal Zone, services of a general jurisdictional nature such as customs and immigration, in accordance with the Treaty and related agreements.

3. Article I, paragraph 1, of the Treaty provides that upon its entry into force, the Treaty terminates and supersedes all treaties, conventions, agreements and exchanges of notes between the United States and Panama concerning the Panama Canal which were in force before the entry into force of the Treaty.

Part 22—Drawback

1. Section 22.2, which provides that the Canal Zone and Guantanamo Bay Naval Station shall be considered foreign territory for drawback purposes, is amended by deleting the reference to the Canal Zone. The reference no longer is necessary because of the transfer of the Canal Zone to the Republic of Panama.

2. Section 22.22(c), which provides that the Canal Zone shall be considered foreign territory for the purpose of allowing drawback under § 22.22(a), which relates to drawback of interna-

revenue tax paid upon the exportation of flavoring extracts and medicinal or toilet preparations (including perfumery) manufactured or produced in the United States in part from domestic tax-paid alcohol, is deleted for the same reason.

3. The designation "11" to footnote 11 to deleted § 22.22(c) is deleted, and present footnote 11 (with an editorial change as described below) is made a second paragraph to footnote 10 to § 22.22(b).

4. Section 22.27(b), which provides that the Panama Canal Zone and Guantanamo Bay Naval Station shall be considered foreign territory for the purpose of allowing drawback on merchandise on which the duties have been paid and which has remained continuously in bonded warehouse or otherwise in Customs custody since importation, is amended by deleting the reference to the Canal Zone for the same reason that similar amendments have been made to §§ 22.2 and 22.22(c).

Editorial Changes to Part 22 Unrelated to Implementation of the Panama Canal Treaty

1. Footnote 3 to § 22.2 states that there is no authority of law for the allowance of drawback of Customs duty on articles manufactured or produced in the United States and shipped to certain territories and possessions of the United States, including Alaska and Hawaii. Because Alaska and Hawaii have attained Statehood, footnote 3 to § 22.2 is amended by deleting the references to Alaska and Hawaii.

2. Former footnote 11 to § 22.22(c), now the second paragraph of footnote 10 to 22.22(b), provides that there is no authority of law for the allowance of drawback of internal-revenue tax on flavoring extracts or medicinal or toilet preparations (including perfumery) manufactured or produced in the United States and shipped to certain territories and possessions of the United States, including Alaska and Hawaii. This footnote also is amended by deleting the references to Alaska and Hawaii.

PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

Section 148.3 provides that passengers' baggage and effects and purchases of officers and crewmembers landed in the United States from vessels which have transited the Panama Canal are subject to Customs examination and treatment in the same manner as arrivals from a foreign country.

At the time of its transfer to the Republic of Panama, the Canal Zone became part of a foreign country. Accordingly, § 148.3 is amended by

substituting the words "any other foreign territory" for "a foreign country".

Inapplicability of Public Notice Requirements

Because these amendments merely conform the Customs Regulations to changes required by the Panama Canal Treaty of 1977, notice and public procedure are unnecessary under 5 U.S.C. 553.

Petitions for Amendments

Because these amendments merely reflect changes which became effective on October 1, 1979, the date the Panama Canal Treaty of 1977 entered into force, they are being published as a final rule. Recognizing the need to assess their effects, Customs will evaluate their impact as soon as sufficient experience has been acquired, with a view to making appropriate revisions.

Customs will entertain petitions from the public for amendments to this rule. Petitions should be addressed to the Commissioner of Customs, Attention: Regulations and Research Division, Room 2335, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229. Petitions submitted will be available for public inspection in accordance with § 103.8(b), Customs Regulations (19 CFR 103.8(b)), during regular business hours, at the Regulations and Research Division.

Inapplicability of E.O. 12044

This document is not subject to the Treasury Department directive of November 8, 1978 (43 FR 52120), implementing E.O. 12044, "Improving Government Regulations", because the amendments to the regulations were in process before May 22, 1978, the effective date of the directive.

Drafting Information

The principal authors of this document were Paul G. Hegland and John Elkins, Regulations and Research Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices and the Departments of State and Treasury participated in its development.

Amendments to the Regulations

Parts 4, 7, 22, and 148, Customs Regulations (19 CFR 4, 7, 22, 148), are amended as set forth below.

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. Section 4.4 and the heading to that section are amended to read as follows:

§ 4.4 Panama Canal; report of arrival required.

Vessels which merely transit the Panama Canal without transacting any business there shall be required to report their arrival because of such transit. The report of arrival shall be made in accordance with § 4.2(a).

2. Footnote 26 to Part 4 is amended to read as follows:

²⁶ The Virgin Islands is not a "foreign country" within the meaning of section 466, Tariff Act of 1930, as amended, and equipment, repair parts, or materials there purchased or repairs there made on a vessel of the United States are not dutiable.

§ 4.20 [Amended]

3. Section 4.20(e) is amended by substituting "Panama Canal" for "Canal Zone".

§ 4.21 [Amended]

4. Section 4.21(b)(15) is amended by deleting "the Canal Zone,".

5. Section 4.60(c) is amended to read as follows:

§ 4.60 Vessels required to clear.

(c) Vessels which merely transit the Panama Canal without transacting any business there shall not be required to be cleared because of such transit.

6. Footnote 102 to Part 4 is amended by deleting "or the Canal Zone".

7. Section 4.84(f) is amended by placing a period after "territory" and deleting "or with the Canal Zone." (R.S. 251, as amended, sec. 433, 624, 46 Stat. 711, 759 (19 U.S.C. 66, 1433, 1624))

PART 7—CUSTOMS RELATIONS WITH INSULAR POSSESSIONS AND GUANTANAMO BAY NAVAL STATION

Footnote 1 to Part 7 is deleted.

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

PART 22—DRAWBACK

1. Section 22.2 and the heading to that section are amended to read as follows:

§ 22.2 Guantanamo Bay.

Guantanamo Bay Naval Station shall be considered foreign territory for drawback purposes.³

2. Footnote 3 to Part 22 is amended by deleting "Alaska," and "Hawaii,".

3. Footnote 10 to Part 22 is amended by adding a second paragraph to read as follows:

There is no authority of law for the allowance of drawback of internal-revenue tax on flavoring extracts or medicinal or toilet preparations (including perfumery) manufactured or produced in the United

States and shipped to Wake Island, Midway Island, Kingman Reef, Canton Island, Enderbury Island, Johnston Island, or Palmyra Island.

§ 22.22 [Amended]

- 4. Section 22.22(c) is deleted.
- 5. Footnote 11 to Part 22 is deleted.
- 6. Section 22.27(b) is amended to read as follows:

§ 22.27 Drawback allowed.

(b) Guantanamo Bay Naval Station shall be considered foreign territory for the purpose of allowing drawback under this section.¹³

7. Footnote 13 to Part 22 is amended by deleting "Alaska," and "Hawaii,".

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

§ 148.3 [Amended]

Section 148.3 is amended by substituting "any other foreign territory" for "a foreign country".

(R.S. 251, as amended sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

R. E. Chasen,

Commissioner of Customs.

Approved: October 16, 1979.

Richard J. Davis,

Assistant Secretary of the Treasury.

[FR Doc. 79-33268 Filed 10-26-79; 8:45 am]

BILLING CODE 4810-22-M

DEPARTMENT OF STATE

22 CFR Part 11

[Departmental Regs. 108.782]

Appointment of Foreign Service Officers

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: These amendments reflect a change in policy being followed by the Department of State and the Board of Examiners of the Foreign Service in the appointment of Foreign Service officers through lateral entry.

EFFECTIVE DATE: January 1, 1979.

FOR FURTHER INFORMATION CONTACT: Leonardo Neher, (202) 235-9392.

SUPPLEMENTARY INFORMATION: The following summary highlights the major amendments to § 11.11(h)(7) of title 22, Code of Federal Regulations:

1. Establishes for lateral entrants the same language proficiency which Career Candidates must now meet for commissioning as Foreign Service officers.

2. Exempts all Foreign Service Reserve officers appointed under the Affirmative Action Junior Officer Program, the Mustang Program, and the Mid-Level Hiring Program prior to January 1, 1979, from the new language proficiency requirement for lateral entry.

3. Specifies that the Bureau of Personnel is responsible for ensuring that all Foreign Service Reserve officers appointed under these programs have opportunity to gain the required language proficiency through training and other assignments.

Other paragraphs are amended to reflect editorial changes stemming from amendments mentioned above.

Compliance with 5 U.S.C. 553 (80 Stat. 383) as to notice of proposed rulemaking and delayed effective date is unnecessary because the amendment to 22 CFR 11.11 is beneficial to individuals applying for lateral entry into the Foreign Service and involves management functions which are exempt from 5 U.S.C. 553.

Accordingly, part 11 of Title 22, Code of Federal Regulations, is amended as set forth below.

The introductory paragraph of § 11.11, paragraphs (a), (d)(2)(i) and (h)(7) are amended to read as follows:

§ 11.11 Lateral entry appointments to Foreign Service officers to classes 1 through 7.

Appointment of Foreign Service officers, under the provisions of section 517 of the Foreign Service Act of 1946, as amended, are governed by the regulations in this section, except that paragraphs (d)(4) through (f), paragraphs (h)(6) and (h)(8), paragraph (i) and paragraph (j) of this section do not apply to candidates who, on or after January 1, 1979, (a) were appointed to the Foreign Service under the Affirmative Action Junior Officer Program, or (b) were accepted into the Mustang Program. Such candidates are subject to the commissioning and tenure process of the Career Candidate Program (see Foreign Affairs Manual Circular No. 749 or successor regulation).

(a) *Purpose of lateral entry appointment.* (1) The lateral entry program is a means by which the intake of Foreign Service officers through the junior Foreign Service officer examination can be supplemented to meet total requirements for Foreign Service officers. Lateral entry appointments are made ordinarily only to classes 1 through 6, insuring retention of the career principle of entry primarily at classes 7 and 8 through competitive examination. Additional appointments may be made to class 7 from a career Foreign Service Staff or Foreign Service

Reserve officer category of the Department of State who are receiving a base salary equivalent to that of an FSO-7 and who are currently serving in the Foreign Service under the Mustang Program or the Affirmative Action Junior Officer Program.

(d) *Eligibility requirements.* * * *

(2) *Service.* (i) On the date of application, or in the case of a candidate specified in the introductory paragraph of this section, on the date of commissioning action by the Commissioning and Tenure Board, a candidate must have completed at least 3 years of service (4 years if under age 31) in a position of responsibility in a Federal Government agency or agencies. For this purpose, a position of responsibility is defined as service as a Foreign Service Reserve or Foreign Service Reserve Unlimited officer at class 7, as Foreign Service Staff officer at class 6, in the Civil Service at GS-9, or in the Armed Forces of the United States at the grade of first lieutenant or lieutenant junior grade, or higher: The duties and responsibilities of the position occupied by the applicant must have been similar or closely related to that of a Foreign Service officer in terms, knowledge, skills, abilities, and overseas work experience. To be eligible, an applicant must have been or currently be in a grade or classes comparable to FSO-6 (FSO-7) if the applicant is a career Foreign Service Staff or Foreign Service Reserve officer of the Department of State currently serving in the Foreign Service under the Mustang Program or the Affirmative Action Junior Officer Program, or be receiving a base salary at least equal to the first salary step of that class.

(h) * * *

(7) *Language proficiency.* (i) No candidate may be commissioned unless or until the Candidate has demonstrated a foreign language capability, as evidenced by achievement in at least one language of the tested rating prescribed in 3 FAM 874. However, in appropriate cases, the Board may render a favorable decision conditional upon subsequent achievement of the prescribed language rating before expiration of Candidate status. In such cases, the Board's action will not take effect until and unless the required language rating is achieved.

(ii) The foregoing language proficiency requirement does not apply to candidates appointed as Foreign Service Reserve officers under the Mustang Program, the Affirmative Action Junior Officer Reserve Program, or the Mid-

Level Entry Program prior to January 1, 1979. All such candidates for career status who pass the lateral entry oral examination, however, are required to take a test intended to gauge either their fluency in foreign languages or their aptitude for learning them. An apparent aptitude for learning foreign language is a factor that will be considered in determining whether a candidate should be recommended for appointment. The Board of Examiners shall inform all such candidates of the provisions of 3 FAM 874, which sets a promotion limitation until officers have achieved the specified language proficiency.

(iii) The Bureau of Personnel is responsible for ensuring that all candidates appointed as Foreign Service Reserve officers under any of the lateral entry FSO-candidate programs have opportunity as Career Candidates to attain the required proficiency by assignment to one of the standard language training courses at the Foreign Service Institute, followed by an assignment of at least 18 months in a country where the language is spoken, within the period of a candidate's initial Foreign Service Reserve appointment.

(Secs. 212, 302, 303, 516, 517, 60 Stat. 1001, as amended, 1002, 1008, as amended; 22 U.S.C. 827, 842, 843, 911)

Dated: October 15, 1979.

For the Secretary of State.

Ben H. Read,

*Under Secretary for Management,
Department of State.*

[FR Doc. 79-33292 Filed 10-26-79; 8:45 am]

BILLING CODE 4710-15-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD7-79-12]

Safety Zone; Vicinity of U.S. Naval Shipyard, Charleston, S.C.

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment to the Coast Guard Safety Zone regulations establishes a safety zone on the waters of the Cooper River in the vicinity of Pier CHARLIE, U.S. Naval Shipyard, Charleston, S.C. The Safety Zone shall encompass Navy Yard Reach of the Cooper River from Five Hundred Yards North of Pier CHARLIE, U.S. Naval Shipyard, to Five Hundred Yards South of Pier CHARLIE, U.S. Naval Shipyard. This Safety Zone is being established for the protection of personnel and equipment during the modernization of

Pier CHARLIE. Vessels entering the Safety Zone shall be operated at "NO WAKE" speeds. This Safety Zone shall be in effect during daylight hours only.

EFFECTIVE DATE: This amendment is effective on 1 September 1979 and shall remain in effect until the completion of construction or 1 June 1981 whichever is earlier.

ADDRESS: Comments should be submitted to Capt. R. F. Bennett, COTP Charleston, 196 Tradd Street, Charleston, S.C. 29402. Comments will be available for inspection at this address.

FOR FURTHER INFORMATION CONTACT: Capt. R. F. Bennett, COTP, 196 Tradd Street, Charleston, S.C. 29402 (803) 724-4218.

SUPPLEMENTARY INFORMATION: This Safety Zone is being enforced by patrol craft representing the Captain of the Port, Charleston, S.C., and "NO WAKE" signs will be posted at each end of the Safety Zone. An opportunity to comment on this Safety Zone as a proposed rule has not been provided and this amendment is effective in less than 30 days from the date of publication. Good cause exists for making the zone effective immediately and a determination has been made that to do otherwise would be both impracticable and contrary to the public interest. Due to the fact that construction has already begun there is not sufficient time to allow an opportunity for public comment or to provide for a delayed effective date. Following these administrative procedures would prevent timely establishment of the Safety Zone and thus would thwart the purpose of the Zone.

Although this safety zone is published as a final rule, public comment is nevertheless desirable to assure the requirements concerning this zone are workable and reasonable. Accordingly, persons wishing to comment may do so by submitting written comments to the above listed address. Commentors should include their names and addresses, identify the docket number for this Safety Zone [CGD7-79-11] and give their reasons for the comments. Said comments should be submitted on or before December 13, 1979 in order to receive timely consideration. Based upon comments received, this regulation may be revised.

DRAFTING INFORMATION: The principal person involved in the drafting of this rule is LCDR. J. A. Moon, Chief, Port Operations Department, Marine Safety Office, Charleston, S.C.

In consideration of the above, Part 165 of Title 33 of the Code of Federal

Regulations is amended by adding § 165.711 to read as follows:

§ 165.711 Cooper River, Charleston Harbor, S.C.

The waters of the Cooper River, within Navy Yard Reach, from Five Hundred Yards North of Pier CHARLIE, U.S. Naval Shipyard, to Five Hundred Yards South of Pier CHARLIE, U.S. Naval Shipyard is a Safety Zone. Vessels entering this zone shall be operated at "NO WAKE" speeds. "NO WAKE" signs are posted at each end of the Safety Zone. This Safety Zone shall be in effect during daylight hours only.

(92 Stat. 1475, (33 USC 1225) 49 CFR 1.46(n)(4).)

Dated: October 9, 1979.

R. F. Bennett

*Captain, U.S. Coast Guard, COTP Charleston,
Charleston, S.C.*

[FR Doc. 79-33120 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[CGD-8-79-02]

Safety Zone; Houston Ship Channel

AGENCY: U.S. Coast Guard, DOT

ACTION: Final rule.

SUMMARY: This amendment to the Coast Guard's Safety Zone Regulations establishes an approximately 1.7 mile length of the Houston Ship Channel Between Houston and Galveston, Texas, as a safety zone. This safety zone is established for salvage operations on the remains of the M/V Chevron Hawaii (KNFD 549197) which exploded and burned on September 1, 1979. The effect of this action is to allow the Coast Guard Vessel Traffic Service Houston/Galveston to control entry and transit of the zone by all vessels. This Federal Register entry restates the Eighth Coast Guard District Notice to Mariners Number 4827-79 and Marine Safety Broadcasts.

DATES: This amendment is effective from September 21, 1979 until completion of the salvage operations on or about February 1, 1980, but in any event, not later than March 1, 1980.

FOR FURTHER INFORMATION CONTACT: Lt. H. Lee, c/o U.S. Coast Guard, Captain of the Port, P.O. Box 446, Galena Park, TX 77547. Tel (713) 672-6630/9.

SUPPLEMENTARY INFORMATION: This amendment is issued without publication of a notice of proposed rule making and is effective in less than 30 days from the date of publication; these public procedures are impractical, because delay in establishing the zone

would seriously hamper the safety, and effectiveness of the salvage activities.

DRAFTING INFORMATION: The principal person involved in the drafting of the rulemaking is Lt. H. D. Lee, Project Officer, c/o USCG, Captain of the Port, Houston, P.O. Box 446, Galena Park, Texas 77547. In consideration of the above, Part 165 of Title 33 of the Code of Federal Regulations is amended by adding § 165.802 to read as follows:

§ 165.802 Vicinity from Light 145 (LLNR 3049) to Wisco Barge Terminal Slip, (mile 42.1) Houston Ship Channel.

(a) The waters of the Houston Ship Channel from Light 145 (LLNR 3049) to Wisco Barge Terminal Slip (Mile 42.1 Houston Ship Channel) constitutes a safety zone.

(b) Vessel traffic in the safety zone described in paragraph (a) of this section is permitted only as follows: Upon receipt of permission from the Officer of the Day, Coast Guard Vessel Traffic Center, Tel: (713) 674-8488 and Channel 12 (156.600 megahertz) and Channel 13 (156.650 megahertz) a vessel may enter and transit the zone. All vessels shall maintain a minimum of one mile spacing and shall proceed at the slowest safe speed while in the safety zone. All vessels shall not meet or overtake other vessels in the safety zone.

(92 Stat. 1475 (33 U.S.C. 1225); 49 CFR 1.46(n) (4))

Dated: September 15, 1979.

Ralph W. H. Bartels,

Captain, U.S. Coast Guard, Captain of the Port, Houston, TX.

[FR Doc. 79-33318 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 952

Rules of Practice; Miscellaneous Amendments

AGENCY: United States Postal Service (Judicial Officer).

ACTION: Final rule.

SUMMARY: The rules of practice in proceedings relative to false representation and lottery orders do not at present provide a method whereby persons located outside the United States may (1) receive notice of the initiation of false representation or lottery proceedings against them, (2) be given an opportunity to interpose a defense, or (3) be permitted to survey mail subject to a false representation or lottery order issued against them. The Judicial Officer of the Postal Service

issues this final rule changing the rules of practice to provide such a method.

The final rule also revises the prehearing discovery part of the same rules of practice in order to eliminate unnecessary delay, speed the disposition of complaints, and enable both parties more fully to be apprised of the merits of the case.

Finally, a number of minor revisions are made to the rules to resolve problems encountered in practice.

EFFECTIVE DATES: October 29, 1979, except that §§ 952.7(b) and 952.8(c) will become effective on December 29, 1979.

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

SUPPLEMENTARY INFORMATION: Acting in accordance with authority delegated to him by 39 CFR 224.1(c)(4)(ii)(D), the Judicial Officer of the Postal Service adopts a partial revision, as outlined above in the Summary, of the rules of practice in proceedings relative to false representation and lottery orders. The effective date of §§ 952.7(b) and 952.8(c) is delayed to permit changes to be made in foreign mail handling procedures made necessary by these revisions.

Accordingly, 39 CFR is amended as follows:

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

1. Section 952.5 is amended to read as follows:

§ 952.5 Complaints.

When the General Counsel of the Postal Service or his designated representative believes that a person is using the mails in a manner requiring formal administrative action under 39 U.S.C. 3005, he shall prepare and file with the Recorder a complaint which names the person involved; states the name, address and telephone number of the attorney representing Complainant; states the legal authority and jurisdiction under which the proceeding is initiated; states the facts in a manner sufficient to enable the person named therein to make answer thereto; and recommends the issuance of an appropriate order. The person so named in the complaint shall be known as the "Respondent", and the General Counsel shall be known as the "Complainant." The term "person" (1 U.S.C. 1) shall include any name, address, number or other designation under or by use of which the Respondent seeks remittances of money or property through the mail.

2. Section 952.7 is amended to read as follows:

§ 952.7 Notice of answer and hearing.

(a) When a complaint is filed against a Respondent whose mailing address is within the United States, the Recorder shall issue a notice of answer and hearing stating the date for filing an answer which shall not exceed 15 days from the service of the complaint, the time and place of the hearing and a reference to the effect of failure to file an answer or appear at the hearing. (See §§ 952.10 and 952.11.) Whenever practicable, the hearing date shall be within 30 days of the date of the notice.

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

3. In § 952.8 strike out the words "Docket Clerk" in the second sentence of paragraph (b) and insert "Recorder" in lieu thereof; and amend paragraph (a) and add new paragraph (c) to read as follows:

§ 952.8 Service.

(a) Where the Respondent's mailing address is within the United States, the Recorder shall cause a notice of answer

and hearing and a copy of the complaint to be transmitted to the postmaster at any office of address of the Respondent or to the inspector in charge of any division in which the Respondent is doing business, which shall be delivered to the Respondent or his agent by said postmaster or a supervisory employee of his post office or a postal inspector. A receipt acknowledging delivery of the notice shall be secured from the Respondent or his agent and forwarded to the Recorder, U.S. Postal Service, Washington, D.C. 20260, to become a part of the official record.

(c) Where the only address against which Complainant seeks relief is outside the United States, a copy of the complaint, the tentative decision, and a copy of these rules of practice shall be sent by registered air mail, return receipt requested, by the Recorder to the address cited in the complaint. A written statement by the Recorder noting the time and place of mailing shall be accepted as evidence of service in the event a signed return receipt is not returned to the Recorder.

4. In § 952.9 strike out the words "Docket Clerk" wherever they appear in paragraph (c) and insert "Recorder" in lieu thereof; and amend paragraph (a) to read as follows:

§ 952.9 Filing documents for the record.

(a) Each party shall file with the Recorder pleadings, motions, proposed orders and other documents for the record. The Recorder shall cause copies to be delivered promptly to other parties to the proceeding and to the presiding officer.

5. In § 952.10 amend paragraph (d) to read as follows:

§ 952.10 Answer.

(d) The answer shall set forth the Respondent's address and telephone number or the name, address and telephone number of its attorney.

6. In § 952.11 amend paragraph (b) to read as follows:

§ 952.11 Default.

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

§ 952.12 [Amended]

7. In § 952.12 strike out the words "Docket Clerk" in paragraph (a) and insert "Recorder" in lieu thereof.

8. In § 952.17 add paragraph (b)(10) to read as follows:

§ 952.17 Presiding Officers.

(b) * * * * *
(10) Rule upon applications and requests filed under § 952.21.

9. In § 952.18 amend paragraph (a) to read as follows:

§ 952.18 Evidence.

(a) Except as otherwise provided in these rules, the Federal Rules of Evidence shall govern. However, such rules may be relaxed to the extent that the presiding officer deems proper to insure a fair hearing. The presiding officer shall exclude irrelevant, immaterial or repetitious evidence.

10. In § 952.21 amend paragraphs (a), (b), (f) and (g) and add new paragraphs (h), (i) and (j) to read as follows:

§ 952.21 Depositions, interrogatories, requests for admission of fact and production of documents.

(a) Not later than 5 days after the filing of Respondent's answer, any party may file application with the Recorder for the taking of testimony by deposition. In support of such application the applicant shall submit under oath or affirmation a statement setting out the reasons why such testimony should be taken by deposition, the time and the place, and the name and address of the witness whose deposition is desired, the subject matter of the testimony of each witness and its relevancy.

(b) If the application is granted, the order for the taking of the deposition will specify the time and place thereof, the name of the witness, and require that the deposition be taken before a person authorized to administer oaths as required by paragraph (f).

(f) Within the United States or within a territory or insular possession, subject to the dominion of the United States, depositions or interrogatories may be taken or certified before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held; within a foreign country, depositions or interrogatories may be taken or certified before a secretary of an embassy or legation, consul general, vice consul or consular agent of the United States, or any other person designated in the order for the taking of a deposition.

(g) Depositions may also be taken and submitted on written interrogatories in substantially the same manner as depositions taken by oral examination. When a deposition is taken upon written interrogatories and cross-interrogatories, none of the parties except a witness who is a party shall be present or represented, and no person, other than the witness, a stenographic reporter, and the officer shall be present at the examination of the witness, which fact shall be certified by the officer, who shall propound the interrogatories and cross-interrogatories to the witness in their order and reduce the testimony to writing in the witness' own words. For good cause shown or by stipulation of the parties, written interrogatories and cross-interrogatories propounding questions of fact may be answered by the witness in writing, without the presence of an officer and without being recorded by a stenographic reporter, provided the answers are sworn to by the witness before a person authorized to administer an oath prescribed by paragraph (f).

(h) Not later than 5 days after the filing of Respondent's answer, any party may serve on the other party a request for the admission of specified facts. In the event the party served refuses timely to respond to the request for admissions, the presiding officer for good cause shown may require the party served to admit or deny each requested fact. The factual propositions set out in the request shall be deemed admitted upon the failure of a party to respond to the presiding officer's order for admission or denial.

(i) Not later than 5 days after the filing of Respondent's answer, either party may file an application for the production of documents or objects. The application shall state the cause therefor and specifically identify the documents or objects and their relevance and materiality to the cause or causes in issue. The presiding officer may order the other party to produce and permit the inspection and photographing of any designated documents or objects not privileged which are reasonably calculated to lead to the discovery of admissible evidence. If the parties cannot themselves agree thereon, the presiding officer shall specify such terms and conditions in making the inspection and taking the copies and photographs.

(j) Failure of a party to comply with an order pursuant to this rule may result in the presiding officer's ruling that the disobedient party may not support or oppose designated charges or defenses or may not introduce designated matters in evidence. The presiding officer may

also infer from the disobedient party's failure to comply with the order that the facts to which the order related would, if produced or admitted, be adverse to such party's interests. The admissibility of matter adduced by operation of § 952.21 shall be governed by § 952.18.

11. In § 952.22 strike out the words "Administrative Law Judge" in the last sentence of paragraph (b) and insert "presiding officer" in lieu thereof; and amend paragraph (a) to read as follows:

§ 952.22 Transcript.

(a) Hearings shall be stenographically reported by a contract reporter of the Postal Service under the supervision of the assigned presiding officer. Argument upon any matter may be excluded from the transcript by order of the presiding officer. A copy of the transcript shall be a part of the record and the sole official transcript of the proceeding.

Copies of the transcript shall be supplied to the parties to the proceeding by the reporter at rates not to exceed the maximum rates fixed by contract between the Postal Service and the reporter. Copies of parts of the official record including exhibits admitted into evidence, other than the transcript, may be obtained by the Respondent from the Recorder upon the payment of reasonable copying charges. Items that cannot reasonably be photocopied may be photographed and furnished in that form to Respondent.

§ 952.23 [Amended]

§ 952.25 [Amended]

12. In paragraph (a) of § 952.23, and paragraphs (e) and (g) of § 952.25 strike out the words "Docket Clerk" and insert "Recorder" in lieu thereof.

13. § 952.26 is amended to read as follows:

§ 952.26 Judicial Officer.

The Judicial Officer is authorized (a) to act as presiding officer at hearings, (b) to render tentative decisions, (c) to render final Agency decisions, (d) to issue Postal Service orders for the Postmaster General, (e) to refer the record in any proceeding to the Postmaster General or the Deputy Postmaster General for final Agency decision, (f) to remand a case to the presiding officer for consideration, (g) to revise or amend these rules of practice. In determining appeals from initial decisions or exceptions to tentative decisions (see § 952.24 (a) and (b) *supra*), the entire official record will be considered before a final Agency decision is rendered. Before rendering a final Agency decision, the Judicial Officer may order the hearing reopened

for the presentation of additional evidence by the parties.

§ 952.28-§ 952.30 [Amended]

§ 952.33 [Amended]

14. In §§ 952.28, 952.29, 952.30 and 952.33 strike out the words "Docket Clerk" wherever they appear therein and insert "Recorder" in lieu thereof.

(39 U.S.C. 204, 401(2))

W. Allen Sanders,

Associate General Counsel for General Law and Administration.

[FR Doc. 79-33269 Filed 10-26-79; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 65

[FRL 1340-5]

Delayed Compliance Order for Dayton Press, Inc.

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: By this rule, the Administrator of U.S. EPA disapproves a Delayed Compliance Order to Dayton Press, Inc. The Order requires the Company to bring air emissions from eight printing presses at Dayton, Ohio into compliance with certain regulations contained in the federally approved Ohio State Implementation Plan (SIP). Because this Order is disapproved, Dayton Press, Inc.'s Order will not preclude suits under the Federal enforcement and citizen suit provisions of the Clean Air Act (Act) for violations of the SIP regulations covered in the Order.

DATES: This rule takes effect October 29, 1979.

FOR FURTHER INFORMATION CONTACT: Bertram Frey, Attorney, United States Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, Telephone (312) 353-2082.

SUPPLEMENTARY INFORMATION: On April 6, 1979 the Regional Administrator of U.S. EPA's Region V Office published in the Federal Register (44 FR 20719) a notice setting out the provisions of a proposed Delayed Compliance Order for Dayton Press, Inc. The notice asked for public comments and offered the opportunity to request a public hearing on the proposed Order. Several comments were received and considered by Region V, U.S. EPA before reaching this decision.

Therefore, a Delayed Compliance Order issued by the Ohio Environmental Protection Agency to Dayton Press, Inc. is disapproved by the Administrator of U.S. EPA pursuant to the authority of section 113(d)(2) of the Act, 42 U.S.C. 7413(d)(2). The U.S. EPA has determined that this Order does not meet the requirements of section 113(d)(4) because:

1. Subparagraph (A) of section 113(d)(4) requires that the source will expeditiously use new means of emission limitation which is determined to be adequately demonstrated upon expiration of the Order. Dayton Press has proposed the installation of catalytic incineration systems (CRPC) to control hydrocarbon emissions from seven printing presses. According to the schedule incorporated into the Ohio Order, the first system would achieve compliance by April 21, 1978, and then undergo testing to determine whether all performance guarantees are met. If so, the remaining units would be installed. The U.S. EPA believes that the first unit may qualify as a new means of emission limitation, but once it has been found to operate satisfactorily, the units in the second group should no longer be considered new means. Consequently, U.S. EPA has concluded that the requirement of subparagraph (A) of section 113(d)(4) is not met. U.S. EPA also notes that the April 21, 1978, date was not met. Nor has Dayton Press any present plans to install any additional presses with the CRPC systems as required under the Order.

2. Before an order can be issued, section 113(d)(4)(B) requires that the new means of emissions limitation is not likely to be used unless the Order is granted. As the U.S. EPA interprets subparagraph (B), this unlikelihood must be casually related to the fact that the proposed means is new. Dayton Press has made a commitment only to control the first press. Only if first unit testing proves the new means successful, would the company thereafter proceed to install the remaining units that are the subject of the Order. U.S. EPA is of the opinion that the requirement of subparagraph (B) may be met for the first press to be controlled but not for the remaining presses. The requirement to control the remaining seven presses is made contingent upon successful first unit testing rather than the issuance of Order. Accordingly, the U.S. EPA does not believe that the requirements of section 113(d)(4)(B) are satisfied.

3. Paragraph 12 of the Findings of Fact of the Order states the conclusion that "Dayton Press would not likely use the CRPC system [new means] of emission

control on the press and dryer equipment listed in [the] Order . . . unless the Order is issued." Upon inquiry with the State of Ohio, U.S. EPA has determined that Ohio concluded that the subparagraph (B) requirement was met, because if the Order was not issued, Dayton Press would likely resort to litigation to avoid or delay installation of control. The U.S. EPA does not believe that the likelihood of litigation satisfies the requirements of section 113(d)(4)(B). The record does not contain any affirmative demonstration that the test of section 113(d)(4)(B) has been met. Moreover, U.S. EPA emphasizes that the Order does not address thirty (30) other presses on the premises that are the subject of a Notice of Violation issued to Dayton Press by U.S. EPA on October 14, 1977.

For these reasons the U.S. EPA disapproves this Order. Publication of this notice of final rulemaking constitutes final Agency action for the purposes of judicial review under section 307(b) of the Act.

Dated: October 16, 1979.
 Douglas M. Costle,
 Administrator.

In consideration of the foregoing, Chapter 1 of Title 40 of the Code of Federal Regulations is amended as follows:

PART 65—DELAYED COMPLIANCE ORDERS

By adding the following entry to the table in § 65.402:

§ 65.402 [Amended]

U.S. EPA disapproval of State Delayed Compliance Orders. The State Order identified below has been disapproved by the Administrator in accordance with Section 113(d)(2) of the Act and with this Part. With regard to this Order, the Administrator has determined that it does not satisfy the applicable requirements of Section 113(d) of the Act.

Source	Location	Order	Date of FR proposal	SIP regulation involved	Final compliance date
Dayton Press, Inc.	Dayton, Ohio	None	4/6/79	OAC 3745-17-07, OAC 7745-21-07.	5/31/80

[FR Doc. 79-33492 Filed 10-26-79; 8:45 am]
 BILLING CODE 6560-01-M

40 CFR Parts 85 and 86

[FRL 1247-8]

Change of Designation of Mobile Source Enforcement Division

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: Pursuant to a reorganization within the Office of Mobile Source and Noise Enforcement, all references to Mobile Source Enforcement Division are being changed to Field Operations and Support Division, Manufacturers Operations Division, or Office of Mobile Source and Noise Enforcement, as appropriate.

DATES: Effective October 29, 1979.

FOR FURTHER INFORMATION CONTACT: Robert A. Weissman, Attorney-Advisor, Office of Mobile Source and Noise Enforcement, (202) 755-4835.

SUPPLEMENTARY INFORMATION: On August 21, 1979, the Administrator of the Environmental Protection Agency approved a restructuring of the mobile source enforcement program within the Office of Mobile Source and Noise Enforcement. The Mobile Source Enforcement Division has been replaced by the Field Operations and Support Division and the Manufacturers Operations Division.

The Field Operations and Support Division develops, provides, and directs enforcement programs for the control of in-use mobile source emissions and fuels and fuel additives. The Manufacturers Operations Division develops, provides, and directs enforcement programs related to motor vehicle and motor vehicle engine manufacturers and non-commercial importers for the control of mobile source emissions.

As a result of this reorganization, the designation Mobile Source Enforcement Division as it appears in Title 40 of the Code of Federal Regulations is no longer appropriate. We are therefore changing all references to Mobile Source

Enforcement Division to Field Operations and Support Division, Manufacturers Operations Division, or Office of Mobile Source and Noise Enforcement.

Since this is a rule of agency organization no prior notice and public procedure are required.

Under Executive Order 12044 EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Dated: October 23, 1979.
 Douglas M. Costle,
 Administrator.

Accordingly, notice is hereby given that 40 CFR Parts 85 and 86 are amended as follows:

§ 85.1709 [Amended]

1. In § 85.1709, the name "Mobile Source Enforcement Division" is changed to "Manufacturers Operations Division."

§ 85.1807 [Amended]

2. In § 85.1807(a)(6)(ii), the name "Mobile Source Enforcement Division" is changed to "Office of Mobile Source and Noise Enforcement".

3. In § 85.1807(b)(1)(i), the name "Mobile Source Enforcement Division" is changed to "Manufacturers Operations Division."

4. In § 85.1807(c)(2), the name "Mobile Source Enforcement Division" is changed to "Manufacturers Operations Division".

§ 85.1906 [Amended]

5. In § 85.1906(a), the name "Mobile Source Enforcement Division" is changed to "Manufacturers Operations Division".

§ 86.605 [Amended]

6. In § 86.605(e), the name "Mobile Source Enforcement Division" is changed to "Manufacturers Operations Division".

§ 86.613 [Amended]

7. In § 86.613(c)(1), the name "Mobile Source Enforcement Division" is changed to "Manufacturers Operations Division".

8. In § 86.613(e)(2), the name "Mobile Source Enforcement Division" is

changed to "Manufacturers Operations Division".

[FR Doc. 79-33311 Filed 10-26-79; 8:45 am]

BILLING CODE 6560-01-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 101

[FPMR Temp. Reg. E-47, Supp. 6]

ADP and Telecommunications; Appendix—Temporary Regulations Teleprocessing Services Program

AGENCY: Automated Data and Telecommunications Service, General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This supplement extends to September 30, 1980, the expiration date of FPMR Temporary Regulation E-47, Teleprocessing Services Program (TSP), and cancels Supplement 5. This regulation revises the scope of the program and provides a dollar threshold of \$200,000 for mandatory benchmarks. The intent of this regulation is to revise the language to ensure an easier and simpler procurement process for TSP and to extend the TSP to allow time for codification.

DATES: Effective date: October 1, 1979. Expiration date: September 30, 1980.

FOR FURTHER INFORMATION CONTACT: L. Perlman, Policy and Evaluation Division (202-566-0834).

SUPPLEMENTARY INFORMATION: The General Service Administration has determined that this regulation will not impose unnecessary burdens on the economy or on individuals and, therefore, is not significant for the purposes of Executive Order 12044.

Supplement 5 (44 FR 27393, May 10, 1979) to FPMR Temporary Regulation E-47 is canceled and deleted from the appendix at the end of Subchapter E—41 CFR Chapter 101.

(Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486 (c)))

In 41 CFR Chapter 101, this temporary regulation is added to the appendix at the end of Subchapter E to read as follows:

October 9, 1979.

Federal Property Management Regulations, Temporary Regulation E-47, Supplement 6

To: Heads of Federal agencies.

Subject: Teleprocessing Services Program.

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation E-47 and makes changes in the scope and the mandatory dollar threshold for benchmarking teleprocessing services.

2. *Effective date.* This regulation is effective October 1, 1979.

3. *Expiration date.* This supplement expires on September 30, 1980.

4. *Explanation of changes.*

a. This supplement revises the expiration date in paragraph 3 of FPMR Temporary Regulation E-47 to September 30, 1980, and cancels Supplement 5.

b. Paragraph 4 of E-47 is revised by amending the fourth sentence and adding a "Note" at the end of the paragraph to read as follows:

4. *Scope of TSP.* The TSP shall be the mandatory method by which Federal agencies acquire teleprocessing services from the private sector. Services covered by the TSP include interactive and remote batch processing. The TSP also provides for the acquisition of training, documentation, software packages, and analyst/programer support incidental to the acquisition and use of teleprocessing services. Facilities management services, arrangements where title to ADP equipment is vested at any time in the Federal Government, or ADP equipment that is 100 percent reimbursed by the Government under a cost-type arrangement are not covered under this program. At this time, local batch services are not included.

Note.—Services may be acquired under paragraph 5b(2) (Basic agreements) from vendors who dedicate all or part of the teleprocessing networks to satisfy an agency's requirements only when the solicitation document permits dedicated system proposals. If an agency desires to consider offers that involve a dedicated system, the solicitation document shall indicate that a dedicated system offer will be considered and shall include all of the evaluation factors that are to be used in selecting the successful proposal. Specifically, the solicitation document shall indicate the factors and the methodology that are to be used in evaluating dedicated system proposals versus time and resources used proposals to determine which proposal represents the lowest overall cost to the Government, price and other factors considered. In cases where an agency has a requirement for a dedicated system, prior approval from GSA is required.

c. Paragraph 5(b)(1)(b) is revised by deleting the sixth sentence and amending the seventh sentence to change the dollar threshold for benchmarking to read as follows:

(b) Selection of a source of services from among the multiple award schedule contracts shall be based on an economic evaluation to determine which vendor meets the requirement at the lowest system life cost. The system life cost includes all quantitative costs, including the price of teleprocessing services plus incidental support services from the vendor during the planned period of the application life, together with conversion and communications costs, if applicable. While the schedule contracts have annual terms and incremental discount rates, user system life cost estimates will be based upon rates and discounts known as being achieved at the time of evaluation. Agencies should use benchmarks in estimating costs instead of depending on pricelists only. Benchmarks are mandatory for large requirements. If the

annual cost exceeds \$200,000, all technically capable firms shall be benchmarked. Guidelines for source selection entitled "User Source Selection Considerations" are available from GSA regional ASCD and will be made available to agencies granted delegations to use the TSP.

d. Paragraph 5d is amended to change the FPMR reference in the last line to FPR 1-4.1105.

R. G. Freeman III,

Administrator of General Services.

[FR Doc. 79-33172 Filed 10-26-79; 8:45 am]

BILLING CODE 6820-25-M

41 CFR Ch. 101

[FPMR Temp. Reg. G-38, Supp. 1]

Requirements for Reporting Transportation Payment Data; Temporary Regulations

AGENCY: Transportation and Public Utilities Service, General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This supplement extends to October 1, 1981, the expiration date of FPMR Temporary Regulation G-38, relating to requirements for reporting transportation payment data.

DATES: Effective date: October 1, 1979. Expiration date: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Miles B. Manchester, Assistant Commissioner, Office of Transportation Audits (202-275-5466).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this regulation will not impose unnecessary burdens on the economy or on individuals and, therefore, is not significant for the purposes of Executive Order 12044.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)))

In 41 CFR Chapter 101, this temporary regulation is listed in the appendix at the end of Subchapter G.

October 17, 1979.

[Federal Property Management Regs.;
Temporary Reg. G-38; Supplement 1]

Requirements for Reporting Transportation Payment Data

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation G-38.

2. *Effective date.* This regulation is effective October 1, 1979.

3. *Expiration date.* This supplement expires on October 1, 1981.

4. *Explanation of change.* The expiration date in paragraph 3 of FPMR Temporary Regulation G-38 is revised to October 1, 1981.

R. G. Freeman III,

Administrator of General Services.

[FR Doc. 79-33241 Filed 10-26-79; 8:45 am]

BILLING CODE 6820-AM-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

45 CFR Part 90

Age Discrimination Act of 1975; Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance

AGENCY: Department of Health,
Education, and Welfare.

ACTION: Notice of Effective Date of Act's
Prohibition of Age Discrimination.

SUMMARY: The Department of Health,
Education, and Welfare gives notice that
the effective date of the Age
Discrimination Act's prohibition of age
discrimination is July 1, 1979, the date
the Act's general implementing
regulations became effective. (44 FR
33768, June 12, 1979, to be codified at 45
CFR Part 90)

The general regulations establish
standards for determining what is age
discrimination and procedures for
enforcing the Act. Recipients and
beneficiaries under all programs
receiving Federal financial assistance
are therefore on notice that complaints
alleging acts of age discrimination
occurring on or after July 1, 1979 may be
filed from July 1, 1979 forward.
Complaints concerning recipients and
beneficiaries of Federal financial
assistance from HEW should be
addressed to:

Director, Division of Field Management,
Office for Civil Rights, Department of
Health, Education, and Welfare, 330
Independence Avenue, S.W., Washington,
D.C. 20201.

HEW will screen all complaints and
refer those deemed sufficient under the
Act and general regulations to the
Federal Mediation and Conciliation
Service (FMCS) for mediation. The
FMCS will begin mediating complaints
on November 1, 1979.

The Act states that a complainant
may file a civil action 180 days from the
date the complaint was filed if the
agency has taken no action, or upon the
date the agency makes a determination
in favor of the recipient. For purposes of
exhaustion of administrative remedies
within HEW, the 180 day period will run
from the date the complaint is filed with
HEW. In cases where HEW has taken

no action on a complaint and 180 days
have passed, the complainant retains
the option either to file a civil action, or
to pursue the complaint through HEW's
administrative process.

EFFECTIVE DATE: July 1, 1979.

FOR FURTHER INFORMATION CONTACT:

Bayla F. White, Director Age
Discrimination Task Force, Room 711-E,
Hubert Humphrey Building, 200
Independence Avenue, S.W.,
Washington, D.C. 20201, (202) 245-7543.

Dated: October 15, 1979.

Richard I. Beattie,

General Counsel.

[FR Doc. 79-33312 Filed 10-26-79; 8:45 am]

BILLING CODE 4110-12-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

[Service Order No. 1327-A]

Car Service; Brillion & Forest Junction Railroad Co. Authorized To Operate Over Tracks Abandoned by Chicago and North Western Transportation Co.

AGENCY: Interstate Commerce
Commission.

ACTION: Service Order No. 1327-A.

SUMMARY: Brillion and Forest Junction
Railroad Company authorized to operate
over tracks of Chicago and North
Western Transportation Company, has
received its certificate of public
convenience and necessity from the
Interstate Commerce Commission. Since
no further emergency exists, Service
Order No. 1327 is vacated effective 11:59
p.m., October 19, 1979.

FOR FURTHER INFORMATION CONTACT:

J. Kenneth Carter, (202) 275-7840.

Decided: October 19, 1979.

Upon further consideration of Service
Order No. 1327 (43 FR 22212; 44 FR 3711
and 42699), and good cause appearing
therefor:

*It is ordered, § 1033.1327 Brillion &
Forest Junction Railroad Company
authorized to operate over tracks
abandoned by Chicago and North
Western Transportation Company,
Service Order No. 1327 is vacated
effective 11:59 p.m., October 19, 1979.*

(49 U.S.C. (10304-10305 and 11121-11126))

It is further ordered, That copies of
this order shall be served upon the
Association of American Railroads, Car
Service Division, as agent of the
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
order shall 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. Robert S.
Turkington not participating.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 79-33270 Filed 10-26-79; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1033

[Service Order Nos. 1390 and 1395]

Car Service; Chicago, Milwaukee, St. Paul, and Pacific Railroad Co. Authorized to Operate Over Tracks of Consolidated Rail Corp. and to Operate Over Tracks of Indiana Harbor Belt Railroad Co.

AGENCY: Interstate Commerce
Commission.

ACTION: Service Order No. 1390-1395.

SUMMARY: The People of the State of
Illinois, Illinois Commerce Commission,
seek reconsideration of Service Order
No. 1395; to vacate Service Order No.
1390; and petition for stay of the
operation of Service Order No. 1395.
Heaton Grain Company, Inc. et al. seeks
to vacate Service Order Nos. 1390 and
1395. The City of Danville, Illinois, asked
that it be permitted to join in the petition
of the State of Illinois.

The Commission voted to deny the
petitions.

FOR FURTHER INFORMATION CONTACT: J.
Kenneth Carter, (202) 275-7840.

Decided: October 17, 1979.

In a petition filed August 31, 1979, the
People of the State of Illinois, Illinois
Commerce Commission, seeks
reconsideration of Service Order No.
1395; to vacate Service Order No. 1390;
and petition for stay of the operation of
Service Order No. 1395. In a petition
filed September 5, 1979, Heaton Grain
Company, Inc. et al. seek to vacate
Service Order Nos. 1390 and 1395. The
Chicago, Milwaukee, St. Paul and Pacific
Railroad Company responded to both
petitions.

Service Order No. 1390 was issued on
July 31, 1979, by the Railroad Service
Board authorizing the Chicago,
Milwaukee, St. Paul and Pacific Railroad
Company (MILW) to operate over tracks
of Consolidated Rail Corporation (CR)
between Gibson, Indiana, and Terre

Haute, Indiana. Service Order No. 1395 was issued on August 28, 1979, authorizing MILW to operate over Indiana Harbor Belt Railroad Company (IHB) track between North Harvey, Illinois, and Gibson, Indiana.

The State of Illinois states there is no emergency or other inability of the MILW such that the carrier cannot operate on its own tracks from the Chicago area to Terre Haute. Heaton Grain Company, Inc. et al. states that no evidence exists that the existing MILW Chicago-Fayette line is inoperable or that immediate rehabilitation of that line is necessary in order to keep that line in service.

The City of Danville, Illinois, has asked that it be permitted to join in the petition of the People of the State of Illinois, Illinois Commerce Commission, asking for reconsideration of Service Order No. 1395, and their petition to vacate Service Order No. 1390, and the petition for stay of the operation of Service Order No. 1395.

The City of Danville states that a minimum of four MILW trains will pass through Danville daily, thereby increasing traffic congestion.

Mr. Paul V. Cruikshank, Vice President-Operations of the MILW submitted an affidavit in support of the Trustee's Motion and Application for authority to enter into a trackage rights agreement with CR for use of CR tracks between Gibson, and Terre Haute. This affidavit was also submitted in support of Service Order No. 1390. Mr. Cruikshank referred to the rapid deterioration of this line and that interim efforts have been made to arrest the deterioration. He said the line requires complete rehabilitation.

Of the 138 miles of MILW trackage between South Chicago Heights, Illinois, and Fayette, Indiana, the train operation has been slowed considerably because of the excessive number of slow orders. Trains are restricted to 10 miles per hour over 54 miles of this track due to the deteriorated condition of the track. This percentage of slow track greatly increases transit time and impedes efficient train operations. Mr. Cruikshank submitted another affidavit to the Reorganization Court in August. A copy of this affidavit was submitted as part of the MILW response to Heaton Grain in which he said the MILW line between Faithorn, Illinois, and Fayette, Indiana, does not meet FRA minimum safety standards.

The financial condition of the MILW has been precarious for the last several months as evidenced by the requests to and decisions of the United States District Court for the Northern District of Illinois, Eastern Division. In Mr.

Cruikshank's affidavit submitted in support of Service Order No. 1390, he said the cost of the rehabilitation of this line is estimated to be \$15,300,000 and would require the immediate flow of internal funds for the rehabilitation. He also said that the fact that the MILW's trackage is in a corridor of consolidation potential with no other railroad utilizing it, the MILW would not be in a position to request external governmental funding for the rehabilitation.

The local shippers on this line will continue to be served on an as-needed basis.

In the opinion of the Commission, an emergency does exist justifying the issuance of these service orders due to the deterioration of the track; the excessive amount of track restricted to speed of 10 miles per hour; the financial condition of the MILW; and the immediate need to dispense internal funds for the rehabilitation of this line. Another justification for the issuance of these orders is the fact that the shippers will continue to be served until a final decision is made on the abandonment of this line. Also the trackage rights application and abandonment application will be decided on their own merits and will not be affected by these service orders.

It is ordered, that the petitions are denied.

By the Commission, Chairman O'Neal, Vice Chairman Stafford and Commissioners Gresham, Clapp, Christian, Gaskins, and Alexis; Commissioner Trantum dissenting.

Agatha L. Mergenovich,
Secretary.

COMMISSIONER TRANTUM, dissenting:

The record does not appear to support the finding of an "emergency." Moreover, these service orders will delay the rationalization process in the Chicago-Terre Haute corridor.

[FR Doc. 79-33271 Filed 10-26-79; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

National Wildlife Refuges in Arkansas, Louisiana, and Mississippi; Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special Regulations.

SUMMARY: The Director has determined that the opening to hunting of certain national wildlife refuges in Arkansas, Louisiana, and Mississippi is compatible with the objectives for which the areas

were established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public. In addition, managed big game hunts are designed to keep population levels compatible with habitat capabilities. This document establishes special regulations effective for the upcoming hunting seasons for certain migratory birds, upland game, and big game species.

DATES: Effective October 29, 1979, for 1979-1980 hunting seasons. See State regulations for waterfowl seasons.

FOR FURTHER INFORMATION CONTACT: The Area Manager or appropriate refuge manager at the address or telephone number listed below:

Russell D. Earnest, Area Manager, U.S. Fish and Wildlife Service, 200 E. Pascagoula St., Suite 300, Jackson, Mississippi 39201, Telephone (601) 969-4900.

Raymond R. McMaster, Refuge Manager, White River National Wildlife Refuge, Box 308, 704 S. Jefferson St., DeWitt, Arkansas 72042, Telephone (501) 946-1468.

Daniel Doshier, Refuge Manager, Upper Ouachita National Wildlife Refuge, P.O. Box 3065, Monroe, Louisiana 71201, Telephone (318) 325-1735.

Herbert Bell, Refuge Manager, Panther Swamp National Wildlife Refuge, P.O. Box 107, Yazoo City, Mississippi 39194, Telephone (601) 746-8511.

Supplementary Information

Alton Dunaway is the primary author of these special regulations.

General Conditions

1. Hunting is permitted on national wildlife refuges indicated below in accordance with 50 CFR Part 32, all applicable state regulations, the general conditions, and the following special regulations:

The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer such areas for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, the Refuge Recreation Act requires: (a) That any recreational use permitted will not interfere with the primary purpose for which the area was established; and (b) that funds are available for the development, operation, and maintenance of the permitted forms of recreation. The recreational use authorized by these regulations will not interfere with the primary purposes for which these refuges were established. This determination is based upon consideration of, among other things, the Service's Final Environmental Statement on the Operation of the National

Wildlife Refuge System published in November, 1976. Funds are available for the administration of the recreational activities permitted by these regulations.

2. A list of special conditions applying to the individual refuge hunts and a map of the hunt area(s) are available at each refuge headquarters. Portions of refuges which are closed to hunting are designated by signs and/or delineated on maps.

3. Access points on certain refuges are limited to designated roads or other specified areas. Vehicle use on all refuge areas is restricted to designated roads and lanes.

4. Only steel shot ammunition may be used during refuge migratory waterfowl hunts. Possession of lead or other toxic shot in any gauge is prohibited during such hunts.

5. Persons under age 16 must be under the close supervision of an adult. For safety reasons, the ratio should be one adult to one juvenile, but in no case should one adult have more than two juveniles under his supervision.

6. Unless otherwise specified, dogs are not permitted on refuge areas during hunts.

7. Retriever dogs are allowed during waterfowl hunts, but they must be under the control of the handler at all times.

§ 32.12 Special regulations; migratory game bird hunting for individual wildlife refuge areas.

Arkansas

White River National Wildlife Refuge

(1) Ducks and coots only may be hunted on Tuesdays, Thursdays, and Saturdays during the regular State seasons on approximately 11,100 acres. Hunters may begin hunting one-half hour before sunrise and must depart the hunting area before 12 noon. Waterfowl hunting will not be permitted when other refuge hunts are scheduled for the same area.

(2) The construction and use of blinds is prohibited.

(3) Camping in refuge campgrounds for the purpose of waterfowl hunting is not permitted.

(4) Decoys may not be left overnight.

(5) The maximum outboard motor size allowed is 10 h.p.

(6) Open fires are prohibited in the hunting area.

(7) Firearms must be unloaded and encased when traveling to and from the hunting area.

(8) Waterfowl may be drawn but not plucked or dressed on the refuge.

Louisiana

Upper Ouachita National Wildlife Refuge

(1) Ducks and coots only may be hunted from one-half hour before sunrise until 12 noon during the regular statewide seasons.

(2) Permits are required.

(3) Vehicle access and parking is restricted to marked roads and designated parking areas.

(4) Hunters may not enter the refuge until one hour before legal shooting time.

(5) Only portable blinds or blinds constructed of natural materials are permitted.

(6) Boats may not be left overnight.

Mississippi

Panther Swamp National Wildlife Refuge

(1) Ducks and coots only may be hunted from one-half hour before sunrise until 12 noon on Mondays, Wednesdays, and Saturdays during the regular State seasons.

(2) Woodcock and snipe may be hunted from one-half hour before sunrise until 12 noon from December 15, 1979, through January 31, 1980, on the same refuge areas open to duck hunting. No Sunday hunting is permitted.

(3) Duck hunters are required to check out at the designated check station after each day's hunt.

§ 32.22 Special regulations; upland game hunting for individual wildlife refuge areas.

Louisiana

Upper Ouachita National Wildlife Refuge

(1) Species permitted: squirrel—October 6, 1979, through January 6, 1980; rabbit—October 3, 1979, through November 21, 1979, and February 1, 1980, through February 28, 1980. Beagles are allowed only during the February, 1980, rabbit season. Raccoon October 6, 1979, through October 31, 1979 and November 23, 1979, through November 30, 1979, from 6 p.m. to 6 a.m. daily.

(2) Dogs are required during raccoon hunts; not more than two dogs per hunter are permitted.

(3) Permits are required.

(4) Vehicle access and parking is restricted to marked roads and designated parking areas.

(5) Hunters may not enter the refuge until one hour before legal hunting time.

Mississippi

Panther Swamp National Wildlife Refuge

(1) Species permitted: squirrel—September 29, 1979, through December 23, 1979; rabbit—October 6, 1979, through February 28, 1980; raccoon and opossum—February 1, 1980, through February 15, 1980, from 4 p.m. until 7 a.m. daily. Beaver may be taken as an incidental species.

(2) The use of dogs is permitted during the raccoon and opossum hunts, and beagles will be allowed for rabbit hunting only from February 16, 1980, through February 28, 1980.

(3) Sunday hunting is prohibited.

(4) The use of citizen band radio devices to aid in the pursuit or taking of wild game is prohibited.

§ 32.32 Special regulations; big game hunting for individual wildlife refuge areas.

Louisiana

Upper Ouachita National Wildlife Refuge

(1) *Archery deer hunts:* October 1, 1979 through January 6, 1980.

(2) *Gun deer hunts:* November 3, 1979, through November 21, 1979, and December 15 and 16, 1979. Deer of either sex may be taken only on December 3, 1979 and December 15, 1979.

(3) Only portable stands are permitted.

(4) Permits are required.

(5) Vehicle access and parking is restricted to marked roads and designated parking areas.

(6) Hunters may not enter the refuge until one hour before legal hunting time.

Mississippi

Panther Swamp National Wildlife Refuge

(1) *Archery deer hunts:* October 6, 1979, through October 30, 1979, November 1, 1979, through November 16, 1979, and January 16, 1980, through January 31, 1980; either sex.

(2) *Primitive weapons deer hunt:* December 4, 1979, through December 15, 1979; either sex.

(3) *Gun deer hunts:* November 17, 1979, through December 1, 1979, December 16, 1979, through December 23, 1979, and December 26, 1979, through January 15, 1980.

(4) Sunday hunting is prohibited.

(5) Only portable stands are permitted.

(6) The use of citizens band radio devices to aid in the pursuit or taking of any game species is prohibited.

The provisions of these special regulations supplement the regulations

which generally govern hunting on wildlife refuge areas and which are set forth in Title 50, *Code of Federal Regulations*, Part 32. The public is invited to offer suggestions and comments at any time.

Dated: October 4, 1979.

James H. Stewart,
Acting Area Manager.

[FR Doc. 79-33278 Filed 10-26-79; 8:45 am]

BILLING CODE 4310-55-M

50 CFR Part 32

Opening Sea Rim National Wildlife Refuge, Tex., to Sport Migratory Game Bird Hunting

AGENCY: U.S. Fish and Wildlife Service, Department of the Interior.

ACTION: Special Regulation.

SUMMARY: The Area Manager has determined that the opening to migratory game bird hunting of Sea Rim National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public. This document establishes special regulations effective for the upcoming hunting season.

DATES: Each Monday, Wednesday, Friday and Saturday during the regular waterfowl hunting season established in the State of Texas (excluding the early teal season).

FOR FURTHER INFORMATION CONTACT: Refuge Manager, Anahuac National Wildlife Refuge, P.O. Box 278, Anahuac, TX 77514; (713) 267-3337.

General

Sport migratory game bird hunting is permitted on the Sea Rim National Wildlife Refuge, Texas, only on the areas designated by signs as being open to hunting. These areas comprising 8,850 acres are delineated on maps available at the Anahuac Refuge headquarters and from the office of the Area Manager, U.S. Fish and Wildlife Service, 300 E. 8th St., Room G-121, Austin, Texas 78701.

The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer such areas for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, the Refuge Recreation Act requires (1) that such recreational use will not interfere with the primary purpose for which the areas were established, and (2) that funds are

available for the development, operation, and maintenance of the permitted forms of recreation.

The recreational use authorized by these regulations will not interfere with the primary purposes for which the Sea Rim National Wildlife Refuge was established. This determination is based upon consideration of, among other things, the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November 1976. Funds are available for the administration of the recreational activities permitted by these regulations.

Public hunting shall be in accordance with all applicable Federal and State laws and regulations subject to the following conditions:

§ 32.12 Special regulations; big game; for individual Wildlife refuge area.

Texas

Sea Rim National Wildlife Refuge, P.O. Box 278, Anahuac, TX, 77514, Telephone number (713-267-3337). Migratory Waterfowl. Special Conditions: (1) Hunting hours will be from one-half hour before sunrise until 12 o'clock noon each day of the hunt. No firearms are permitted on the refuge prior to 3:00 a.m. or after 1:00 p.m. daily. (2) No hunting will be permitted closer than 150 yards to any road, highway or building. (3) Access to the refuge is by foot or by outboard or inboard powered boats, canoes, mudboats or skiffs, and by airboats with engines of 10 horsepower or less. All motorcycles and marsh buggies, and all airboats with engines of more than 10 horsepower are not permitted within the refuge. (4) During the migratory bird hunting season on Sea Rim National Wildlife Refuge, it will be illegal to possess 12 gauge shotshells loaded with lead shot.

The provisions of this special regulation supplement the regulations which govern public hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

Note.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

August 29, 1979.

James J. Hubert,
Acting Area Manager Austin, Texas.

[FR Doc. 79-33279 Filed 10-26-79; 8:45 am]

BILLING CODE 4310-55-M

50 CFR Part 32

Opening of Swan River National Wildlife Refuge, Montana, to hunting of migratory birds

AGENCY: U.S. Fish and Wildlife Service, Department of the Interior.

ACTION: Special Regulations.

SUMMARY: The Director has determined the opening of a portion of Swan River National Wildlife Refuge to hunting is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public. This document establishes special regulation for the upcoming migratory bird hunting season.

DATES: As set for the Montana portion of the Pacific Flyway through December 31, 1979.

FOR FURTHER INFORMATION CONTACT:

Robert C. Brown, Refuge Manager, National Bison Range, Moiese, Montana, Telephone 406/644-2354.

SUPPLEMENTARY INFORMATION: The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer such areas for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established.

In addition, the Refuge Recreation Act requires that funds are available for the development, operation, and maintenance of the permitted forms of recreation.

The recreational use authorized by these regulations will not interfere with the primary purposes for which the Swan River National Wildlife Refuge was established. This determination is based upon consideration of, among other things, the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November 1976, and the environmental assessment approved by the Regional Director, Region 6 on 5-16-79. Funds are available for the administration of the recreational activities permitted by the regulations.

§ 32.12 Special regulations; migratory game birds, for individual wildlife refuge areas.

Montana

Swan River National Wildlife Refuge

Hunting for migratory birds is permitted on Swan River National Wildlife Refuge, Montana, only on the areas designed by signs as being open to hunting. The hunting area comprising

616 acres is delineated on maps available at Creston National Fish Hatchery, Kalispell, Montana; National Bison Range, Moiese, Montana; and from the Area Manager, U.S. Fish and Wildlife Service, Billings, Montana. Hunting shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern migratory game bird hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

Dated: October 15, 1979.

Robert C. Brown,

Refuge Manager, National Bison Range.

[FR Doc. 79-33280 Filed 10-26-79; 8:45 am]

BILLING CODE 4310-55-M

50 CFR Parts 32, 33

Opening of Certain National Wildlife Refuges to Hunting and Sport Fishing

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule adds Upper Ouachita National Wildlife Refuge, Louisiana, and Panther Swamp National Wildlife Refuge, Mississippi, to the list of refuge areas open for the hunting of migratory game birds, upland game, and big game. White River National Wildlife Refuge, Arkansas, Swan River National Wildlife Refuge, Montana, and Sea Rim National Wildlife Refuge, Texas, are added to the list of refuge areas open to migratory game bird hunting. Aransas National Wildlife Refuge, Texas, is added to the list of refuge areas open to sport fishing. The Director has determined that this action would be in accordance with the provisions of all laws applicable to the areas, would be compatible with principles of sound wildlife management, would otherwise be in the public interest and that such use is compatible with the management objectives established for each refuge. Hunting and sport fishing, subject to annual special regulations, will provide additional public recreational opportunities.

EFFECTIVE DATE: October 29, 1979.

FOR FURTHER INFORMATION CONTACT: Ronald L. Fowler, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240, 202-343-4305.

SUPPLEMENTARY INFORMATION: Ronald L. Fowler is also the primary author of this final rule. As a general rule, most

areas within the National Wildlife Refuge System are closed to hunting or sport fishing until officially opened by rulemaking. On August 24, 1979, there was published (44 FR 49707) a notice of proposed rulemaking adding White River National Wildlife Refuge, Arkansas, to the list of open areas for migratory game bird hunting. On September 6, 1979, a second proposed rulemaking was published (44 FR 52011) adding Upper Ouachita National Wildlife Refuge, Louisiana, Panther Swamp National Wildlife Refuge, Mississippi, Swan River National Wildlife Refuge, Montana, and Sea Rim National Wildlife Refuge, Texas to the list of open areas for the hunting of migratory game birds. It was also proposed to add Upper Ouachita National Wildlife Refuge and Panther Swamp National Wildlife Refuge to the lists of open areas for the hunting of upland game, and big game. The proposed rulemaking also included the addition of Aransas National Wildlife Refuge, Texas, to the list of areas open to sport fishing. In each instance the public was provided a 30-day comment period and was advised that pursuant to the requirements of Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), an environmental assessment had been prepared on each of these proposals. These assessments are available for public inspection and copying at room 2341, Department of the Interior, 18th and C Streets, NW., Washington, D.C. 20240, or by mail addressing the Director at the address given above. On the basis of these assessments, the Director has determined that this rulemaking does not constitute a major Federal action significantly affecting the human environment.

Nine letters were received concerning the proposed opening of White River National Wildlife Refuge to migratory game bird hunting. The proposal was endorsed by two State game and fish agencies and one national conservation organization. Thirty individuals signed petitions supporting the proposal. Two individuals objected to the proposal. The proposal to open Swan River National Wildlife Refuge to migratory game bird hunting was endorsed by a national conservation organization and received qualified support in a letter signed by four individuals. Each of the other proposals was endorsed by a national conservation organization.

The following issue was raised concerning the hunt at White River National Wildlife Refuge:

1. The refuge was established for the protection of migratory waterfowl and this legacy must be preserved.

Response: The White River National Wildlife Refuge was established by Executive Order 7173 on September 4, 1935 "as a refuge and breeding ground for migratory birds and other wildlife * * *". To most people the word "refuge" includes the idea of providing a haven of safety for wildlife—a place of protection. As such, hunting might seem an inconsistent use of the refuge system. However, refuges were established primarily to safeguard species and populations and their habitats, not just individual animals. As provided for in the National Wildlife Refuge System Administration Act of 1966 and other applicable laws, and under carefully designed regulations, hunting is consistent with the concept of providing habitat in refuges for healthy populations of wildlife and is compatible with sound wildlife management principles and practices. The proposal includes the opening of approximately 11,145 acres, or roughly 10 percent of the 113,000 acre refuge. Waterfowl hunting would be allowed on Tuesday, Thursday, and Saturday mornings to ensure that the area is not overhunted and provide a quality hunting experience. Except for the other scheduled hunts which normally end around the second week in December, the remaining 101,845 acres are closed to all recreational activities after October 31. This closed area will continue to provide a sanctuary where waterfowl may loaf, feed, and roost. A continual review of the hunting program and its effect on waterfowl populations of the refuge will be possible through the collection of harvest data along with annual population surveys. This will permit action to be taken to provide further protection or modification to the hunting plan if the need is indicated.

The following concerns were raised concerning the opening of the Swan River National Wildlife Refuge to migratory game bird hunting:

1. Half of the refuge should remain closed to hunting.

Response: The hunting plan provides for the opening of 40 percent (630) acres of the refuge to migratory game bird hunting.

2. Permits should not be required to hunt certain blinds.

Response: It is expected that approximately 60 percent of the hunting pressure will occur during the first two weekends of the hunting season. Hunting pressure after that time should be light with few individuals accounting for the majority of the hunting.

Consequently, permits will not be required at this time.

The director has determined that the proposed use is compatible with the major purposes for which the areas were established and that funds are available for the development, operation and maintenance of the permitted forms of recreation. This action will be in accordance with the provisions of all laws applicable to the area, will be compatible with the principles of sound wildlife management and will otherwise be in the public interest.

Because of the time limitation involved to coordinate the State and Federal hunting regulations and the rapid approach of the hunting season, the U.S. Fish and Wildlife Service has concluded that "good cause" exists within the meaning of 5 U.S.C. 553(d)(3), of the Administrative Procedure Act to expedite the implementation of this rulemaking, therefore the effective date of this final rule is October 29, 1979.

Note.—The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Accordingly, after consideration of all interests and concerns, §§ 32.11, 32.21, 32.31, and 33.4 of 50 CFR Parts 32 and 33 are amended by the addition of Upper Ouachita National Wildlife Refuge, Panther Swamp National Wildlife Refuge, White River National Wildlife Refuge, Swan River National Wildlife Refuge, Sea Rim National Wildlife Refuge, and Aransas National Wildlife Refuge as follows:

§ 32.11 List of open areas; migratory game birds.

* * * * *

Arkansas

* * * * *

White River National Wildlife Refuge

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Louisiana

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Upper Ouachita National Wildlife Refuge

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Mississippi

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Panther Swamp National Wildlife Refuge

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Montana

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Swan River National Wildlife Refuge

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Texas

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Sea Rim National Wildlife Refuge

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§ 32.21 List of open areas; upland game.

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Louisiana

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Upper Ouachita National Wildlife Refuge

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Mississippi

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Panther Swamp National Wildlife Refuge

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§ 32.31 List of open areas; big game.

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Louisiana

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Upper Ouachita National Wildlife Refuge

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Mississippi

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Panther Swamp National Wildlife Refuge

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§ 33.4 List of open areas; sport fishing.

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Texas

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Aransas National Wildlife Refuge

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Dated: October 24, 1979.

Lynn A. Greenwalt,
Director, Fish and Wildlife Service.

[FR Doc. 79-33261 Filed 10-26-79; 8:45 am]

BILLING CODE 4310-55-M

50 CFR Part 32

Hunting; National Wildlife Refuges in Louisiana

AGENCY: Fish and Wildlife Service
ACTION: Amendment to Special Regulations.

SUMMARY: The Fish and Wildlife Service has determined that the hunting of migratory waterfowl with toxic shot on

national wildlife refuges in Louisiana is not compatible with the objectives for which these areas were established. Previously published special regulations would have permitted migratory waterfowl hunting on national wildlife refuges within the state of Louisiana. These regulations are amended to exclude migratory waterfowl hunting during the 1979-80 Louisiana migratory waterfowl seasons on national wildlife refuges. This amendment is enacted because the Service is prohibited from enforcing regulations requiring the use of steel shot for hunting waterfowl on national wildlife refuges in Louisiana. The intended effect of the action is to prevent the continued deposition of toxic lead shot on these important migratory waterfowl wintering areas.

DATES: November 3, 1979, through January 28, 1980.

FOR FURTHER INFORMATION CONTACT: The Regional Director, Area Manager, or appropriate refuge manager at the address or telephone number listed below:

Kenneth E. Black, Regional Director, U.S. Fish & Wildlife Service, Richard B. Russell Federal Building, 75 Spring Street S.W., Atlanta, Georgia 30303, Telephone (404) 221-3588.

Russell D. Earnest, Area Manager, U.S. Fish & Wildlife Service, 200 East Pascagoula Street, Suite 300, Jackson, Mississippi 39201, Telephone (601) 969-4900.

Daniel Doshier, Refuge Manager, D'Arbonne National Wildlife Refuge and Upper Ouachita National Wildlife Refuge, P.O. Box 3065, Monroe, Louisiana 71201, Telephone (318) 325-1735.

Bobby W. Brown, Refuge Manager, Lacassine National Wildlife Refuge, Route 1, Box 186, Lake Arthur, Louisiana 70549, Telephone (318) 774-2750.

John R. Walther, Refuge Manager, Sabine National Wildlife Refuge, MRH Box 107, Hackberry, Louisiana 70645, Telephone (318) 762-5135.

SUPPLEMENTARY INFORMATION: The Service holds that hunting is a legitimate and necessary tool of effective wildlife management and is a recognized and legitimate recreational activity. Hunting programs are permitted on individual national wildlife refuges where such uses are compatible with the objectives of these refuges. The Service has the responsibility of employing the most biologically sound and least wasteful methods of harvesting annual surpluses of game populations on lands it manages. The problem of lead poisoning in waterfowl is widely recognized by wildlife management agencies and conservation organizations in the United States. The annual loss of waterfowl from this cause is estimated at three to four percent of the continental migratory waterfowl population. The Mississippi

Flyway Council and the Service have for many years recognized this problem and at the same time encouraged the development and use of a non-toxic shot that is presently being used throughout the country. Federal migratory bird refuges were acquired and are managed for the protection and perpetuation of the waterfowl resources, therefore, it would be inconsistent with the purposes for which these refuges were established to allow the continued deposition of toxic lead shot on these important wintering areas. Special regulations published on September 6, 1979, (44 FR 51985) for Lacassine and Sabine National Wildlife Refuges, on September 20, 1979, for D'Arbonne National Wildlife Refuge, and on October 29, 1979, for Upper Ouachita National Wildlife Refuge permit migratory waterfowl hunting and makes the use of steel shot ammunition mandatory during refuge waterfowl hunts. The Fish and Wildlife Service does not enforce regulations requiring the use of steel shot for hunting waterfowl unless approval is obtained from the appropriate state regulatory authority. This applies to steel shot regulations throughout the state including those on national wildlife refuges.

Because this authority was not granted by the state of Louisiana, the Service has determined that it is in the best interest of waterfowl populations utilizing the affected national wildlife refuges to close these areas in Louisiana to waterfowl hunting during the 1979-80 seasons.

§ 32.12 Special Regulations; migratory game bird hunting for individual wildlife refuge areas.

Louisiana

Sabine, Lacassine, D'Arbonne, and Upper Ouachita National Wildlife Refuges

These National Wildlife Refuges will be closed to all waterfowl hunting during the 1979-80 Louisiana state waterfowl seasons.

The provisions of this special regulation supplements the regulations which generally govern hunting on national wildlife refuges and which are set forth in Title 50, *Code of Federal Regulations*, Part 32. The public is invited to offer suggestions and comments at any time.

Dated: October 23, 1979.

Kenneth E. Black,
Regional Director.

[FR Doc. 79-33277 Filed 10-26-79; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 258

Fishermen's Protective Act Procedures; Provision for Fees

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration.

ACTION: Final regulation.

SUMMARY: Section 7 of the Fishermen's Protective Act, as amended (22 U.S.C. 1971-1980), authorizes among other things, the Secretary of Commerce to establish by regulation fees which shall be paid by the owners of vessels entering into guarantee agreements under Section 7 of the Act. These fees established annually are credited to the Fishermen's Guarantee Fund and used to carry out the provisions of Section 7 of the Act. This amendment establishes fees for the agreement year October 1, 1979 through September 30, 1980.

EFFECTIVE DATE: October 1, 1979.

ADDRESS: Financial Services Division, F25, National Marine Fisheries Service, Washington, D.C. 20235.

FOR FURTHER INFORMATION CONTACT: Mr. Michael L. Grable, Chief, Financial Services Division, F25, National Marine Fisheries Service, Washington, D.C. 20235, (202) 634-4688.

SUPPLEMENTARY INFORMATION: Section 7 of the Act guarantees to owners of vessels entering into guarantee agreements payment of certain costs and losses resulting from (1) the seizure of a vessel of the United States by a foreign country on the basis of rights or claims in territorial waters or the high seas which are not recognized by the United States, or (2) if recognized by the United States (a) are unrelated to fishery conservation and management, (b) fail to consider traditional fishing practices of U.S. vessels, (c) are more onerous than those which the United States applies to foreign fishing vessels in U.S. fishery conservation zone, or (d) fail to allow U.S. fishing vessels equitable access to such country's fishery conservation zone.

Regulations governing administration of Section 7 of the Act, Fishermen's Protective Act Procedures (50 CFR Part 258), have annually established fees based on anticipated claims and prior experience. The purpose of the following amendment § 258.5 of Fishermen's Protective Act Procedures is to establish fees for the agreement year October 1, 1979 through September 30, 1980.

All parties holding guarantee agreements for the present agreement year (October 1, 1978 through September 30, 1979) who wish them extended through September 30, 1980, by amendment to such agreement, rather than entering into an entirely new agreement must submit their fees in accordance with § 258.5(b) of the following amendment. Failure to do so will result in the termination of those agreements.

This amendment relates to matters which are exempt from the rulemaking requirements of the Administrative Procedures Act (5 U.S.C. 553). In addition, the amendment makes no substantive change in the program's conduct.

Regulatory Analysis

The Assistant Administrator for Fisheries made an initial determination that these regulations are not significant under Executive Order 12044. The Assistant Administrator has also determined that these regulations do not require the preparation of an environmental impact statement under the National Environmental Policy Act.

Dated: October 19, 1979.

Winfred H. Meibohm,
Executive Director, National Marine Fisheries Service.

Section 258.5 of the Fishermen's Protective Act Procedures (50 CFR Part 258) is revised to read as follows:

§ 258.5 Fees.

(a) The fees are established to provide for payment of the administrative costs and a minimum of at least 25 percent of the estimated claims to be paid from the fund. They are set on the basis of anticipated losses and prior experience. In order to meet the requirements of the Act, the fees may be adjusted from time to time by amendment to this part at any time after appropriate notice, to become consistent with claims greater or lesser than estimated.

(b) Fees to be paid by an applicant for guarantee agreements for the agreement year October 1, 1979 through September 30, 1980, shall be as follows: For each vessel \$60 plus \$2.00 per gross ton, as listed on the vessel's document. Fractions of a ton shall not be included. Although fees are due on October 1, 1979, all parties holding guarantee agreements (by amendment or otherwise) for the period terminating September 30, 1979, shall have until January 1, 1980 (midnight Eastern Standard Time), to pay the fees established herein. Failure to do so will result in the necessity of entering into a new guarantee agreement which will be

effective only from the date actually executed.

(c) No return of a fee or portion of a fee will be made after a guarantee agreement is executed by the Secretary.

(d) A guarantee agreement may, with consent of the Secretary, be assigned to a new owner of a vessel if the ownership of the vessel is transferred during the period in which the agreement is in force.

[FR Doc. 79-33275 Filed 10-26-79; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register

Vol. 44, No. 210

Monday, October 29, 1979

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2900

Proposed Amendment Regarding Certification of Essential Agricultural Uses and Requirements; Natural Gas Policy Act

AGENCY: Office of the Secretary, USDA.

ACTION: Proposed rule.

SUMMARY: The Department of Agriculture proposes to amend its regulations certifying essential agricultural uses and requirements under the Natural Gas Policy Act. This amendment would add metal crowns and closures (food related only) to the list of essential agricultural uses certified by the Secretary of Agriculture. The proposed amendment is in response to separate petitions submitted by the Glass Packaging Institute and the Aluminum Corporation of America.

DATES: Written comments are due by 4:30 p.m., December 28, 1979.

ADDRESS: All written comments should be sent to Weldon Barton, Director, Office of Energy, USDA, Room 226-E Administration Building, U.S. Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Weldon V. Barton, Director, Office of Energy, USDA, Room 226-E Administration Building, U.S. Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. 20250; Telephone Number: 202-447-2455.

SUPPLEMENTARY INFORMATION:

- I. Background.
- II. Description of Proposal.
- III. Public Comment and Hearing Procedures.

I. Background

Under Section 401 of the Natural Gas Policy Act of 1978 (NGPA), the Secretary of Agriculture is required to certify to

the Secretary of Energy and the Federal Energy Regulatory Commission (FERC) essential agricultural uses of natural gas and the amounts of natural gas for such essential agricultural uses necessary for full food and fiber production. A final rule containing such certification was issued by the Secretary of Agriculture on May 17, 1979 (44 FR 28782).

The Secretary of Energy and the FERC have incorporated the USDA certification in their rules promulgating and implementing agricultural priority in curtailment plans of interstate pipelines, in accordance with the NGPA.

II. Description of Proposal

Separate petitions for amendment of the Secretary's final rule certifying essential agricultural uses and requirements were submitted by the Glass Packaging Institute (GPI) and the Aluminum Corporation of America (Alcoa). Each requested that metal crowns and closures—food related only (in SIC 3466) be added to the classes of essential agricultural uses certified by the Secretary of Agriculture.

Several arguments were made in support of adding metal crowns and closures to the certification list. Glass containers (SIC 3221) used in food packaging are presently included in the certification. However, they cannot perform the "food quality maintenance" function without closures. In addition, some closures, such as plastic closures (SIC 3079) are also included in the certification list.

Metal closures, however, account for about 99 percent of the bottle closures market. While five of the manufacturers of glass containers also produce crowns and closures, the bulk of metal closures are produced by 11 other companies that do not make glass containers. This is unlike the metal can industry (SIC 3411), where both the cans and closures are produced in the same plant (and both are covered under the agricultural priority).

Natural gas is used in the closure curing ovens, as it provides the clean burning characteristics needed to cure the protective coatings which are vital to proper sealing and preservation of food (as well as protecting the content identification and decorative logo).

Since most closures are produced to order with the producer's private decorative logo and contents, it is impractical to build large closure

inventories to protect against possible shortages of natural gas.

After due consideration and verification of these points, the USDA believes that sufficient justification exists to institute rulemaking procedures to modify the existing Essential Agricultural-Use certification.

III. Public Comment and Hearing Procedures

The public is invited to participate in any aspect of this proposed amendment by submitting data, views, or arguments with respect to the proposals herein set forth.

Written comments must be submitted by 4:30 p.m., December 28, 1979, to the address indicated in the "Addresses" section of this preamble, and should be identified on the outside envelope and on the document with the designation: "Part 2900—Metal Crowns." Five copies should be submitted. All comments received will be available for public inspection in Room 5173 South Building, 12th and Independence Avenue, SW., Washington, D.C. 20250 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. All comments received by 4:30 p.m., December 28, 1979, and other relevant information will be considered by the Director, Office of Energy before final action is taken on this proposed amendment.

Any information or data submitted which is considered by the party who submitted it to be confidential must be so identified and submitted in writing, one copy only. The Director reserves the right to determine the confidential status of the information or data and to treat it accordingly.

§ 2900.3 [Amended]

In consideration of the foregoing, it is proposed to amend Chapter XXIX of Title 7, § 2900.3 Code of Federal Regulations by adding under "Food Quality Maintenance—Food Packaging," immediately after 3411 Metal Cans (Food Related Only): 3466 Metal Crowns and Closures (Food Related Only).

(Pub. L. 95-621, November 8, 1978.)

Environmental and Regulatory Analysis

After reviewing this proposed amendment pursuant to USDA's responsibilities under the Natural Environmental Policy Act of 1969, Pub. L. 91-190, 83 Stat. 852 (42 U.S.C. 4321), and the USDA criteria established to

implement Executive Order 12044 "Improving Government Regulations," the USDA has determined that the proposed action does not alter the impacts disclosed or conclusions drawn in the Final Economic and Environmental Impact Statement prepared by the USDA, May 14, 1979, in connection with the Essential Agricultural Uses and Requirements certification rule. The inclusion of food related metal crowns and closures will add less than 1 billion cubic feet of gas to the total agricultural gas use of 1,392 billion cubic feet, and less than one-tenth of 1 percent of the interstate gas component identified as essential agricultural use in the Final Economic and Environmental Impact Statement. A copy of the Final Statement is available for inspection and copying in Room 5173, South Building, 12th and Independence, SW., U.S. Department of Agriculture, Washington, D.C. 20250.

Dated: October 22, 1979.

Weldon V. Barton,
Director, Office of Energy.

[FR Doc. 79-33182 Filed 10-26-79; 8:45 am]

BILLING CODE 3410-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 79-SW-42]

Designation of Alternate VOR Federal Airway

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to designate north alternate airway V-212N between Alexandria, La., and McComb, Miss. This action would reduce controller workload by permitting more route flexibility in the area. Also, a charted route would aid flight planning and improve traffic flow between Alexandria and McComb.

DATE: Comments must be received on or before November 28, 1979.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Southwest Region, Attention: Chief, Air Traffic Division, Docket No. 79-SW-42, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101.

The official docket may be examined at the following location: FAA Office of the Chief Counsel, Rules Docket (AGC-24), Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Mr. Lewis W. Still, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8525.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101. All communications received on or before November 28, 1978, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart C of Part 71 of the Federal Aviation Regulations (14 CFR part 71) that would designate alternate VOR Federal Airway V-212N from Alexandria, La., to McComb, Miss. The alternate airway would provide more flexibility for traffic operations in the area and reduce traffic congestion. This action would increase aviation safety and reduce controller workload by providing a reliever route, thereby improving traffic flow between Alexandria and McComb. Subpart C of

Part 71 was republished in the Federal Register on January 2, 1979, (44 FR 307).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.123 of the Federal Aviation Regulations (14 CFR Part 71) as republished (44 FR 307) as follows:

In V-212 "McComb, Miss." is deleted and "to McComb, Miss., including a north alternate from Alexandria, via Natchez, Miss.," is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Washington, D.C., on October 23, 1979.

William E. Broadwater,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 79-33257 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-GL-15]

Proposed Alteration of Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making.

SUMMARY: The nature of this federal action is to designate additional controlled airspace near Belvidere, Illinois to accommodate a revised Very High Frequency Omnidirectional Range (VOR) instrument approach procedure into the Belvidere Airport, Belvidere, Illinois, revised as a result of the proposed relocation of the Rockford VOR facility. The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions and other aircraft operating under visual weather conditions.

DATES: Comments must be received on or before November 22, 1979.

ADDRESSES: Send comments on the proposal to FAA Office of Regional Counsel, AGL-7, Attention: Rules Docket Clerk, Docket No. 79-CL-15, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: Doyle W. Hegland, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-4500, Extension 456.

SUPPLEMENTARY INFORMATION: The revision of this instrument procedure involves a minor change to the final approach radial (from 075 degrees to 072 degrees). The floor of the controlled airspace will be lowered from 1200 feet above the surface to 700 feet for a distance of approximately one-half mile beyond that now depicted. The development of the proposed procedure necessitates the FAA to alter the designated airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitudes for this procedure may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Regional Counsel, AGL-7, Great Lakes Region, Rules Docket No. 79-CL-15, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. All communications received on or before November 22, 1979, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal

Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, S.W., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NRPMS should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area airspace near Belvidere, Illinois. Subpart G of Part 71 was republished in the Federal Register on January 2, 1979 (44 FR 442).

The Proposed Amendment

Accordingly, the FAA proposes to amend Subsection 71.181 of Part 71 of the Federal Aviation Regulations as follows: In § 71.181 (44 FR 442) the following transition area is amended to read:

Belvidere, Illinois

That airspace extending upward from seven hundred (700) feet above the surface within a five (5) statute mile radius of the Belvidere Airport (latitude 42°19'25"N, longitude 88°50'25"W) Belvidere, Illinois and within two (2) statute miles either side of the 252° bearing from the airport, extending from the five (5) mile radius area to six and one-half (6.5) statute miles southwest of the airport.

This amendment is proposed under the authority of section 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); § 11.61 of the Federal Aviation Regulations (14 CFR 11.61).

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the draft evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Federal Aviation Administration, Attention: Rules Docket Clerk (AGL-7), Docket No. 79-CL-15, 2300 East Devon Avenue, Des Plaines, Illinois.

Issued in Des Plaines, Illinois, on October 11, 1979.

Wayne J. Barlow,
Director, Great Lakes Region.

[FR Doc. 79-32993 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-13-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 240 and 249

[Release No. 34-16287; File No. S7-793]

Proposed Amendments To Eliminate Exemption From Filing Form X-17A-19 and To Require Registered National Securities Associations and Their Members To Notify the Commission in Certain Instances

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rule amendments.

SUMMARY: The Commission proposes to amend the reporting requirement of national securities exchanges and registered national securities associations regarding changes in the membership status of their members. The rule currently provides an exemption from filing the prescribed form if a notice of the change previously has been filed. That exemption would be eliminated. The Commission also proposes to amend its rule requiring all national securities exchanges and their member broker-dealers to notify the Commission when such member ceases to be a member in good standing. That proposed amendment would extend the requirements to registered national securities associations and their members.

DATE: Comments must be received on or before November 30, 1979.

ADDRESS: Persons wishing to submit written views, data and comments should file three copies thereof with George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. All submissions should refer to File No. S7-793 and will be available for public inspection.

FOR FURTHER INFORMATION CONTACT: Ellen C. Kerrigan, Division of Market Regulation, Securities and Exchange Commission, Washington, D.C. 20549, (202) 272-2364.

SUPPLEMENTARY INFORMATION: Rule 17a-19 (17 CFR § 240.17a-19), along with Form X-17A-19 (17 CFR § 249.635), requires national securities exchanges and registered national securities associations to notify the Commission and the Securities Investor Protection Corporation whenever the membership status of any of their members changes.¹

¹ Changes in status are initiation, suspension or termination of membership or any other similar change which affects the firm's relationship with the self-regulatory organization. Termination includes, among other things, resignation, withdrawal and expulsion.

In particular, the national securities exchanges and registered national securities associations must file the information required by § 249.635 on Form X-17A-19 (i) promptly upon learning that the change will occur or (ii) within five business days of the occurrence of the change, unless a notice of the event previously has been filed. The Commission is proposing to amend Rule 17a-19 and § 249.635 to eliminate the exemption from filing when a previous notice has been filed.²

Rule 17a-5(b) (17 CFR § 17a-5(b)) requires each national securities exchange to inform the Commission when a broker-dealer ceases to be a member in good standing.³ The rule also requires the broker-dealer to file Part II or IIA of Form X-17A-5 within two days after it ceases to be a member in good standing, in order to provide the Commission with current financial information about such member. The Commission is proposing to amend Rule 17a-5(b) to extend those requirements to registered national securities associations and their members.

Rule 17a-19

The Commission promulgated Rule 17a-19 to expedite reassessment of the designation of the examining authority whenever there is a change in membership status affecting a firm's relationship with its examining authority or with any other national securities exchange or registered national securities association of which it is a member. The reporting requirements of the rule also provide a means for the Commission to maintain a record of such relationships to facilitate the Commission's control over its examination and early warning and surveillance programs. Based upon its experience with the rule, the Commission believes that the exemption from filing the form may, in effect, be inconsistent with this purpose.

In the Commission's view, the submission of Form X-17A-19 at the time a change in membership status occurs is necessary for the Commission to be certain that its information is accurate and current. This is particularly important for purposes of the broker-dealer examination and early warning and surveillance programs.

² In a related action, the Commission has adopted certain other amendments. Securities Exchange Act Release No. 18286, issued this date.

³ For purposes of this Rule, a broker-dealer has ceased to be a member in good standing when it resigns or withdraws, is suspended or expelled, or has sold or agreed to sell its membership interest. 17 CFR § 240.17a-5(b)(4).

Rule 17a-5(b)

The notice by exchanges and their members pursuant to Rule 17a-5(b) provides a means for the Commission to obtain current financial and other information necessary for it to carry out its responsibility to protect investors when a broker-dealer ceases to be a member in good standing of a national securities exchange. The information provided under the rule has proven to be quite useful to the Commission's examination and early warning and surveillance programs, particularly regarding broker-dealers that are experiencing financial or operational difficulty. For historical reasons that are no longer relevant, Rule 17a-5(b) was not made applicable to registered national securities associations or their members at the time of its adoption. The Commission now proposes to amend Rule 17a-5(b), with a conforming amendment to Rule 17a-19, to make the requirements applicable to all registered national securities associations and their members.

Proposed Amendments

Pursuant to Sections 17(a) and 23(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78q(a) and 78w(a), the Commission proposes to amend Title 17 of the Code of Federal Regulations as follows:

§§ 240.17a-19 and 249.635 [Amended]

1. Rescind the filing exemption contained in §§ 240.17a-19 and 249.635 by deleting the words "(unless a notice of such event previously has been filed)";
2. Amend § 240.17a-19, by inserting, in the next to the last sentence, the words "or a registered national securities association" between "national securities exchange" and "of its responsibilities" and also between "national securities exchange" and "promptly files a report"; and
3. Amend paragraphs (1), (3), (4) and (5) of § 240.17a-5(b) to read as follows:

§ 240.17a-5 Reports to be made by certain brokers and dealers.

(b) Reports filed upon termination of membership interest. (1) If a broker or dealer holding any membership interest in a national securities exchange or registered national securities association ceases to be a member in good standing of such exchange or association, such broker or dealer shall, within two business days after such event, file with the Commission Part II or Part IIA of Form X-17A-5 (§ 249.617 of this chapter) as determined by the standards set forth in paragraphs

(a)(2)(ii) and (iii) of this section as of the date of such event. The report shall be filed at the Commission's principal office in Washington, D.C., and with the regional office of the Commission for the region in which the broker or dealer has its principal place of business: *Provided, however,* That such report need not be made or filed if the Commission, upon written request or upon its own motion, exempts such broker or dealer, either unconditionally or on specified terms and conditions, from such requirement: *Provided, further,* That the Commission may, upon request of the broker or dealer, grant extensions of time for filing the report specified herein for good cause shown.

(3) For the purposes of this paragraph (b), "membership interest" shall include the following: full membership, allied membership, associated membership, floor privileges, and any other interest that entitles a broker or dealer to the exercise of any privilege on an exchange or with an association.

(4) For the purposes of this paragraph (b), any broker or dealer shall be deemed to have ceased to be a member in good standing of such exchange or association when its membership interest has been suspended or terminated, including when it has resigned or withdrawn, or has been expelled or cancelled from a membership interest in such exchange or association, or has directly or through any associated person transferred or sold or entered into an agreement for the transfer or sale of a membership interest which would result in the termination of the broker's or dealer's membership interest in such exchange or association.

(5) Whenever any national securities exchange or registered national securities association takes any action which causes any broker or dealer which is a member of such exchange or association to cease to be a member in good standing of such exchange or association or when such exchange or association learns of any action by such member or any other person which causes such broker or dealer to cease to be a member in good standing of such exchange or association, such exchange or association shall report such action promptly to the Commission, furnishing information as to the circumstances surrounding the event, and shall send a copy of such notification to the broker or dealer and notify such broker or dealer of its responsibilities under this paragraph (b).

Request for Comments

Interested persons are invited to submit written views concerning the amendments on or before November 30, 1979. Three copies of each written submission should be filed with George A. Fitzsimmons, Secretary of the Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. S7-793. Copies of written comments will be available for public inspection in the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C.

By the Commission.

October 22, 1979.

George A. Fitzsimmons,
Secretary.

[FR Doc. 79-33242 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 3, 141, and 260

[Docket No. RM80-2]

Discontinuation of the Use of Forms Nos. 3, 3A, 3P, 40, and 82; Proposed Rule

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: Notice is hereby given that the Federal Energy Regulatory Commission (Commission) proposes to amend its regulations to discontinue the use of five data collection forms no longer needed by the Commission for its regulatory functions.

DATE: Written comments by November 23, 1979.

ADDRESS: All written comments to reference Docket No. RM80-2 and to be addressed to: Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT:

Barbara K. Christin, Office of the General Counsel, 825 North Capitol Street, NE., Room 8113, Washington, D.C. 20426, (202) 357-8079.

October 23, 1979.

I. Background

The Commission is engaged in an ongoing effort to eliminate unnecessary burdens on the industries regulated by it. This rulemaking is part of that effort. All data elements contained in forms submitted to the Commission are being evaluated to determine how many of the

data are needed by the Commission to carry out its regulatory functions. Forms which do not produce information needed by the Commission will be eliminated as FERC forms.

The Commission hereby proposes to discontinue Forms Nos. 3, 3A, 3P, 40 and 82 because the data contained therein are no longer necessary for the fulfillment of the Commission's regulatory responsibilities. Form No. 40 expired in July 1976 and the Commission does not need the information previously reported by means of this form. Forms 3, 3A, 3P, and 82 are no longer needed by the Commission due to the changes in its regulatory responsibilities described below.

Forms Nos. 3, 3A, 3P, and 82, were originally promulgated under authority granted to the Federal Power Commission (FPC) (the Commission's predecessor agency) by section 311 of the Federal Power Act (FPA) (49 Stat. 863; 16 U.S.C. 791(a)). That section authorizes investigations and information gathering relating to electric energy. These functions, among others, were transferred to the Secretary of Energy (Secretary) by section 301(b) of the Department of Energy Organization Act¹ (DOE Act) (42 U.S.C. 7101, *et. seq.*). The authority to administer section 311 was in turn delegated by the Secretary to the Energy Information Administration (EIA)² and to the Commission to the extent needed to perform its other vested or delegated functions.³

As a result of these changes in the Commission's regulatory responsibilities, the Commission has determined that it no longer needs the data collected by means of the four referenced forms in order to perform its regulatory functions under the provisions of the DOE Act or the delegation order described above.

However, the EIA may determine that collection of some of the data elements included in these forms is necessary in order to discharge its statutory responsibilities. If the EIA should make such a determination, the Commission would issue a final based on this Notice with a delayed effective date. This would provide the EIA (or any other potentially interested agency) a period of time in which to justify the need for and receive Office of Management and

¹ Section 301(b) provides, generally, that powers vested in the FPC under the FPA and the Natural Gas Act (15 U.S.C. 717) which were not transferred to the Commission by Title IV of the DOE Act are vested in the Secretary.

² Department of Energy Delegation Order No. 0204-3, October 1, 1977.

³ Delegation Order No. 0204-1, October 1, 1977 (42 FR 55637, October 18, 1977).

Budget (OMB) approval of collection of such data under the agency's own authority.

II. Forms To Be Discontinued

Following is a brief description of each of the forms which we are hereby proposing to eliminate.

Form No. 3—Typical Net Monthly Bills for Electric Service (18 CFR 3.142(a)(27) and 141.21).

Form No. 3 is submitted annually by utilities. The Commission has determined that it does not need the information contained in this form. However, EIA uses the data collected therein to publish a yearly report entitled *Typical Electric Bills*, and therefore, may want to assume sponsorship of this form.

Form No. 3A—All-Electric Homes Data Sheet (No CFR reference) (Expired June 30, 1979).

Form No. 3A is voluntarily filed by electric utilities, and neither EIA nor the Commission presently uses any of the information contained therein.

Form for No. 3P—Residential Electric Bill Data for the U.S. Bureau of Labor Statistics (18 CFR 3.142(a)(48) and 141.28).

Since 1940 the Commission has been supplying the Bureau of Labor Statistics (BLS) with monthly electric bill data collected on Form No. 3P pursuant to the Commission's authority under section 311 of the FPA. This information is now being collected by EIA on EIA Form No. 101 for use by the BLS.

Form No. 40—Natural Gas Companies' Annual Report of Proved Domestic Gas Reserves (18 CFR 3.170(a)(31) and 260.13) (Expired July 1976).

Form No. 40 requires certain natural gas companies to supply the Commission with an annual report of proven domestic reserves. On November 22, 1978,⁴ the Commission postponed the filing date for Form 40 pending the implementation by EIA of Form No. EIA-23, which would collect the information contained in Form 40. Form No. EIA-23 is now being collected by EIA, and the Commission thus proposes to discontinue the use of Form No. 40.

Form No. 82—Retail Rate Level Change (18 CFR 3.142(a)(43) and 141.27) (Expired June 30, 1978).

Form No. 82 is designed to obtain from all electric utilities within 60 days of the effective date of a new retail rate schedule or change of an existing retail

⁴ Order No. 526-E, Docket No. RM74-16, 43 FR 56035, November 30, 1978.

rate schedule the 12-month dollar effect of such change. Neither EIA nor the Commission presently uses any of the information contained therein.

III. Comments Requested

The Commission invites written comments relevant to this proposal. Copies of all comments received will be furnished to the EIA for its use. Thus, it will be helpful if commenters would address the following questions:

1. Do the data in question serve any Commission regulatory functions?
2. If the data do not serve Commission functions, is there, nevertheless, any reason for continued collection of the data by another Federal agency?

Anyone suggesting the continued collection of data which are contained in the forms described above should identify what agency should collect the data, and for what purpose.

IV. Comment Procedures

Comments should be submitted to the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 and should reference Docket No. RM80-2. An original and 14 copies should be filed. All comments received prior to 4:30 p.m. EST, November 23, 1979, will be considered by the Commission prior to promulgation of final regulations. All written submissions will be placed in the public file which has been established in this docket and which is available for public inspection in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426, during regular business hours.

(Department of Energy Organization Act, (42 U.S.C. 7101), *et seq.*, E. O. 12009, 42 FR 46267.)

For the reasons stated above, the Commission proposes to discontinue Form No. 3A, entitled *All-Electric Homes Data Sheet*.

In addition, in consideration of the foregoing, the Commission proposes to amend Parts 3, 141, and 260 of Chapter 1, Title 18, Code of Federal Regulations, as set forth below.

By direction of the Commission.
Kenneth F. Plumb,
Secretary.

PART 3—ORGANIZATION, OPERATION, INFORMATION AND REQUESTS

§ 3.142 [Amended]

1. Section 3.142 is amended in paragraph (a) by deleting subparagraphs (27), (43), and (48) in their entirety.

§ 3.170 [Amended]

2. Section 3.170 is amended in paragraph (a) by deleting subparagraph (31) in its entirety.

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

§ 141.21 [Deleted]

3. Section 141.21 is deleted in its entirety.

§ 141.27 [Deleted]

4. Section 141.27 is deleted in its entirety.

§ 141.28 [Deleted]

5. Section 141.28 is deleted in its entirety.

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

§ 260.13 [Deleted]

6. Section 260.13 is deleted in its entirety.

[FR Doc. 79-33236 Filed 10-26-79; 8:45 am]
BILLING CODE 6450-01-M

18 CFR Part 292

[Docket Nos. RM79-54 and RM79-55]

Small Power Production and Cogeneration Rates and Exemptions; Public Hearings

October 23, 1979.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of Public Hearings.

SUMMARY: On October 18, 1979, the Federal Energy Regulatory Commission issued the Notice of Proposed Rulemaking in RM79-55 which implements Part 292 of its regulations. The proposed regulations would implement section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA). That section sets forth rates for the sale of electric energy between qualifying small power production and cogeneration facilities and electric utilities. It also provides for the exemption of qualifying facilities from State and federal regulation.

On October 19, 1979, the Commission issued a Request for Further Comments in RM79-54, which implements section 201 of PURPA by establishing a procedure whereby cogeneration and small power production facilities can become qualified to receive the benefits set forth in RM79-55. The Request for Further Comments specifically seeks comment on the preliminary Environmental Assessment of the environmental effects of the two rules and the interrelationship between the

rules. The preliminary Environmental Assessment is available at the Commission's Office of Public Information.

Notice is hereby given that four public hearings will be held with respect to the Notice of Proposed Rulemaking in RM79-55 and the issues raised in the Request for Further Comments in RM79-54. They will be held in Seattle, New York, Denver and Washington.

DATES: Requests to participate by November 15, 1979. Hearing dates: November 19 in Seattle, Washington; November 28 in New York, New York; November 30 in Denver, Colorado; and December 4 in Washington, D.C.

ADDRESS: Requests to participate should be filed with the Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426 and should reference Docket No. RM79-55.

FOR FURTHER INFORMATION CONTACT: Barbara King, Office of Congressional and Public Affairs, Federal Energy Regulatory Commission, Room 9200-C, 825 North Capitol Street NE., Washington, D.C. 20426 (202) 357-8373.

SUPPLEMENTARY INFORMATION: The hearings are being held pursuant to the requirements of section 210(a) of PURPA that these rules shall be prescribed " * * * and after public notice and a reasonable opportunity for interested persons (including State and Federal agencies) to submit oral as well as written data, views and arguments." Staff may question persons making presentations, and persons may submit to the presiding officer questions to be asked of those making presentations. The presiding officer will determine whether the questions so submitted are relevant and whether time permits their presentation. If time permits, participants may be given the opportunity to rebut points raised during other presentations. In addition, if there is time remaining at the end of the hearing, persons who attend the hearings but have not previously reserved time to present their views will be given the opportunity to make a statement. Any further procedural rules will be announced by the presiding officer at the hearing. The hearing will be continued on the following day, if necessary, at the same location.

Requests to participate in the hearing should be directed to the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426 and should be made no later than November 15, 1979. Requests should indicate the amount of time required for the oral presentation and the name, representation, and

telephone number of the person who will participate.

Participants should, if possible, bring 50 copies of their presentation to the hearing. A list of the participants will be available in the Commission's Office of Public Information three days before the hearing and at the place of hearing on the morning of the hearing.

A transcript will be made of the hearing and it will be made part of the public file of Docket No. RM79-55. The exact times and locations of the hearings will be announced later.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33255 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD 79-150]

Drawbridge Operation Regulations; White River, Ark.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Commander, Second Coast Guard District, is recommending a revision of the regulations governing several drawbridges across the White River. This recommendation is prompted by an increase in tonnage, height and number of vessels; and a lack of uniformity, unrealistic notification periods and inappropriate language in the present regulations. This change would provide uniform and clear guidance in the operation of these drawbridges and would, it is felt, provide for the reasonable needs of navigation.

DATE: Comments must be received on or before November 26, 1979.

ADDRESS: Comments should be submitted to and are available for examination at the office of the Commander (obr), Second Coast Guard District, 1430 Olive Street, St. Louis, Missouri 63103.

FOR FURTHER INFORMATION CONTACT: Frank L. Teuton, Jr. Chief, Drawbridge Regulations Branch (G-WBR/TP14), Room 1414, Transpoint Building, 2100 Second Street, S.W., Washington, D.C. 20590 (202-426-0942).

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rule making by submitting written views, comments, data or arguments. Persons submitting comments should include their name

and address, identify the bridge, and give reasons for concurrence with or any recommended change in the proposal.

The Commander, Second Coast Guard District, will forward any comments received with his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, Washington, D.C., who will evaluate all communications received and recommend a course of final action to the Commandant on this proposal. The proposed regulations may be changed in the light of comments received.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are: Frank L. Teuton, Jr., Project Manager, Office of Marine Environment and Systems, and Coleman Sachs, Project Attorney, Office of Chief Counsel.

Discussion of the Proposed Regulations

This proposal is being presented in an effort to unify and clarify the regulations governing the drawbridges across the White River from mile 98.9 to mile 254.8.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, it is proposed that Part 117 of the Title 33 of the Code of Federal Regulations be amended by:

1. Deleting 33 CFR 117.560(f)(27)(28)(29)(30) and (31)
2. Adding a new § 117.560(f)(27) immediately after § 117.560(f)(26) to read as follows:

§ 117.560 Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *

(f) * * *
(27) White River, Arkansas. (i) The draws of the following bridges shall open on signal if at least eight hours advance notice is given: St. Louis Southwestern Railway Bridge, mile 98.9 at Clarendon; DeValls Bluff Highway Bridge, mile 121.7, at DeValls Bluff; Chicago, Rock Island and Pacific Railroad Bridge, mile 122.0, at DeValls Bluff; Missouri Pacific Railroad Bridges, miles 196.3 at Augusta and mile 254.8 at Newport, Arkansas.

(ii) When a vessel has given eight hours notice and fails to arrive within two hours after the arrival time specified in the notice, a second eight hours notice is required.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5))

Dated: October 23, 1979.

J. B. Hayes,

Admiral, U.S. Coast Guard Commandant.

[FR Doc. 79-33317 Filed 10-26-79; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1248-1]

Implementation Plan Revisions for Nonattainment Areas in the State of California; Receipt/Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Receipt and Availability.

SUMMARY: The purpose of this notice is to announce receipt of a revision to the California State Implementation Plan (SIP) and to invite public comment. The Nonattainment Area Plan for the North Central Coast Air Basin has been submitted to EPA by the California Air Resources Board in accordance with the requirements of Part D of the Clean Air Act, as amended in 1977, "Plan Requirements for Nonattainment Areas," and is available for public inspection at the addresses below. A notice of proposed rulemaking discussing the revision will be published in the *Federal Register* at a later date. The period for submittal of public comments will end not less than 60 days from this date and not less than 30 days from the published date of EPA's notice of proposed rulemaking.

DATES: Comments are due on or before December 28, 1979.

ADDRESSES: Copies of the SIP revision are available for inspection during normal business hours at the following locations:

Air and Hazardous Materials Division (A-4-2), Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, CA 94105.

Public Information Reference Unit, Environmental Protection Agency, 401 "M" Street, S.W., Room 2404, Washington, D.C. 20460.

California Air Resources Board, 1102 "Q" Street, Sacramento, CA 95814.

Association of Monterey Bay Area Governments, 23845 Holman Highway, Suite 227, Monterey, CA 93940.

Monterey Bay Unified Air Pollution Control District, 1270 Natividad Road, Salinas, CA 93906.

Comments can be sent to Mr. Douglas Grano, Chief, Regulatory Section Air Technical Branch, Air and Hazardous Materials Division, Environmental

Protection Agency, Region IX, 215 Fremont Street, San Francisco, California 94104, (415) 556-2938.

FOR FURTHER INFORMATION CONTACT: Mr. Douglas Grano at the phone number given above.

SUPPLEMENTARY INFORMATION: New provisions of the Clean Air Act, enacted in August 1977, Public Law No. 95-95, require states to revise their SIP's for all areas that do not attain the National Ambient Air Quality Standards (NAAQS). The amendments required each state to submit to the administrator a list of the NAAQS attainment status for all areas within the state. The Administrator promulgated these lists, with certain modifications, on March 3, 1978 (43 FR 8962) and March 19, 1979 (44 FR 16388). State and local governments were required by January 1, 1979 to develop, adopt, and submit to EPA revisions to their SIP's which provide for attainment of the NAAQS as expeditiously as practicable.

The North Central Coast Air Basin (which includes Monterey, Santa Cruz, and San Benito Counties) is designated nonattainment for ozone.

The Governor's designee submitted to EPA the nonattainment area plan for the North Central Coast Air Basin on September 12, 1979.

EPA is reviewing the revision for conformance with the requirements of Part D of the Clean Air Act, as amended. Following EPA's review of the revision, a notice of proposed rulemaking will be published in the **Federal Register** that will provide a description of the proposed SIP revision, summarize the Part D requirements, identify the major issues in the proposed revision, and suggest corrections. An additional 30 days will be provided for public comments at that time.

The intent of this notice is to notify the public that the revision has been formally submitted to EPA for approval, and that interested persons are encouraged to submit written comments.

(Sections 110, 129, 171 to 178 and 301(a) of the Clean Air Act, as amended (42 U.S.C. §§ 7410, 7429, 7501 to 7508, and 7601(a)).

Dated: October 22, 1979.

Sheila M. Prindiville,
Acting Regional Administrator.
[FR Doc. 79-33300 Filed 10-26-79; 8:45 am]
BILLING CODE 6560-01-M

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Ch. I]

Improving Government Regulations; Semiannual Agenda

AGENCY: Federal Communications Commission.

ACTION: Publication of Semiannual Agenda of Significant Proceedings.

SUMMARY: On March 23, 1978, President Carter signed Executive Order 12044 directing Federal agencies to make improvements in the regulatory process. As part of these improvements, the Order stated that agencies shall publish at least semiannually an agenda of significant proceedings to provide the public with adequate notice of these matters. In compliance with the Order, the FCC has prepared an agenda of important proceedings under development or review.

EFFECTIVE DATE: October 29, 1979.

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

FOR FURTHER INFORMATION CONTACT: Walter G. Boswell, Office of Executive Director, 202-632-7513.

SUPPLEMENTARY INFORMATION:

Semiannual Agenda of Significant Proceedings

The Commission wants to encourage greater public participation in the FCC rulemaking process. To help keep the public informed of significant rulemaking proceedings, the Commission has prepared an agenda of important proceedings now in progress. The Commission expects to publish an agenda or significant proceedings in the **Federal Register** every six months. The next agenda is scheduled to be published on April 21, 1980.

The following definitions may be helpful in understanding the status of the proceedings:

NOI (Notice of Inquiry).—issued by the Commission when it is simply asking for information on a broad subject or trying to generate ideas on a given topic.

NPRM (Notice of Proposed Rule Making).—issued by the Commission when there is a specific change to the FCC Rules being proposed.

MO&O (Memorandum Opinion and Order).—issued by the Commission to deny a petition for rulemaking, conclude an inquiry, modify a decision, or deny a petition for reconsideration of a decision.

Report and Order.—issued by the Commission to state a new or amended Rule or to state that the FCC Rules will not be changed.

RM (Rule Making) Number.—assigned to a proceeding after Bureau/Office review of a petition for rulemaking, but prior to any Commission action on the petition.

Docket Number.—assigned to a proceeding if an NOI or NPRM is issued by the Commission.

Federal Communications Commission,
William J. Tricarico,
Secretary.

Federal Communications Commission

I. Regulations under development: Semiannual agenda of significant proceedings expected to be scheduled for action within the next 6 months from date of this publication.

Title of regulation	Rulemaking or docket No.	Description	Stage of development
Children's television programming and advertising practices. Contact person: Susan Greene, 653-5940.	19142.....	Evaluation of television licensees' compliance with the Commission's 1974 policy guidelines on children's television programming and advertising practices.	NOI issued August 1978. Office of Plans and Policy will present staff report and policy options to Commission on October 30, 1979, for Commission to determine future direction of the inquiry.
Inquiry into the proper role of television translators and low-power TV broadcasting. Contact person: Michael Couzens, 632-6302.	BC docket 78-253.	Inquiry into uses of television translators especially in rural areas, to determine if rules concerning translators should be changed to permit their increased use.	NOI issued August 1978. A compilation of comments received has been released. Research is continuing toward the preparation of an item by early 1980.
Second computer inquiry. Contact person: H. Russell Frisby, 632-9342.	20828.....	Inquiry to establish regulatory boundary between regulated communication offerings and unregulated data processing offerings of communications common carriers with respect to both their service and terminal equipment offerings.	NOI and NPRM issued August 1978. Supplemental NOI and Enlargement of Proposed Rule Making issued March 1977 to include other issues. Commission approved tentative decision and further NOI in May 1979, proposing resale structure for enhanced non-voice services and soliciting additional comments which are currently being received.

Title of regulation	Rulemaking or docket No.	Description	Stage of development
Ownership of television stations within the Top-50 markets. Contact person: Carol Foelak, 632-7792.	BC docket 78-101.	The Commission determined in 1968 that it was necessary to require a "compelling public interest showing" by owners seeking to obtain more than 3 television stations (or more than 2 VHF stations) in the top 50 broadcast markets. The Commission is now considering whether this policy should be retained, altered, or removed, and whether the policy should become a rule.	NOI and NPRM issued April 1978. Proposal being prepared for Commission consideration in late 1979.
II. Regulations under development: Semiannual agenda of significant proceedings expected to be scheduled for action 6-12 months from date of this publication.			
Commercial television network practices. Contact persons: Stanley Besen and Thomas Krattenmaker, 254-7030.	21049	Inquiry into practices and policies of the 3 major television networks regarding the acquisition and distribution of television programming.	A special staff was established which will issue preliminary reports on the network-affiliate relationship, the advertising market, determinants of station profitability, and the program supply industry. After comments are received on these reports, a final report will be prepared for the Commission. Preliminary Report to be presented to Commission October 16.
Deregulation of radio. Contact person: Roger Holberg, 632-6302	BC docket 79-219.	Study to determine if radio broadcasting should be partially or totally deregulated.	NOI and NPRM issued September 1979. Comments due by January 25, 1980.
Equal employment opportunity in the broadcast industry. Contact person: Carol Foelak, 632-7792.	21474	Revision of FCC Form 395, the annual employment form filed by broadcasters, to make it more useful in monitoring the broadcasters' commitment to equal employment opportunity.	NPRM issued November 1977. Further NPRM issued July 1978. First Report and Order issued February 1979, implementing some changes. Another Further NPRM to see if the Commission should require the reporting of additional information is being prepared.
New VHF channel assignments. Contact person: Carol Foelak, 632-7792.	20418	Study of possibility of assigning new VHF channels in the Top-100 markets, specifically at this time in Charleston, West Virginia; Johnstown or Altoona, Pennsylvania; Knoxville, Tennessee; and Salt Lake City, Utah.	NOI and MO&O issued April 1975 NPRM and MO&O issued March 1977. Further studies are currently being prepared.
Subscription (Pay) TV operations. Contact person: Freda Thyden, 632-7792.	21502	Inquiry to determine whether current rules governing pay TV operation are necessary or desirable and whether any new rules are needed to govern the service.	MO&O, NOI, and NPRM issued January 1978. First Report and Order adopted September 1979, which eliminated rule permitting only one subscription station in any market. Further notice currently being prepared.
Clear channel proceeding. Contact persons: Louis Stephens, 632-6302, Gary Stanford, 632-9660.	20642	Consideration of a proposal to permit additional AM stations to operate on the 25 class I-A clear channels.	NOI and NPRM issued December 1975. Further NPRM issued January 1979. Comments and replies have been received and are being studied.
Cellular Land Mobile Radio Service. Contact person: David Nicoll, 632-9342.	RM 3200	A.T. & T. requests that the Commission initiate a proceeding to establish rules for cellular land mobile radio-telephone service.	Based on information gathered from 2 developmental systems and other analyses, and NOI/NPRM is expected to be prepared examining technical and policy questions concerning cellular systems.
Common carrier, competitive carrier rulemaking. Contact person: Kenneth Levy, 632-6917.	CC docket 79-252.	The Commission will address whether, and to what extent, the Commission should require non-dominant carriers who offer services subject to competition to file cost support information with the tariff filings and to obtain Commission approval before undertaking certain activities.	NOI and NPRM adopted on September 1979. Document being prepared for issuance.
MTS-WATS market structure inquiry. Contact Person: Kent Nilsson, 632-9342.	CC docket 78-72.	Inquiry to determine whether public interest requires interstate Message Telecommunications Service (long distance telephone service) and/or Wide Area Telecommunications Service (bulk rate long distance service), or their functional equivalents, to be provided on a sole source basis.	NOI and NPRM issued March 1978. Supplemental NOI adopted August 1979, outlining procedures to be followed during inquiry. Primary comments due by February 1980.
Public Message Telegraph Service. Contact person: Leonard Sawicki, 632-6363.	CC docket 78-96 and CC docket 78-95.	Determination of whether Western Union Telegraph Company should continue to be the sole source supplier of public message telegraph service.	MO&O issued March 1979, giving Graphnet Systems, Inc. authority to provide domestic public message telegraph service. NOI and NPRM issued July 1979 deleting a number of regulations dealing with public message telegraph service. Comments are now being received.
Second Generation of Domestic Satellites. Contact person: Ronald Lepkowski, 632-5930.		The total number of applications for new domestic satellites may exceed the number that could be accommodated in the orbital arc useful for U.S. service. In order to avoid potential conflicts, a rule making approach is desired.	Staff review will look at the orbit spacing of satellites and the influence of spacing on satellite design. General rule making has been deferred until after WARC-79.
Xerox XTEN proposal. Contact person: James Smith, 632-6910	Gen. Docket 78-188.	Xerox Corporation has proposed the allocation of microwave frequencies in the 10.55-10.68 GHz band for use in providing a new common carrier electronic message service.	NOI and NPRM issued August 1979. Comments are being received. Project is being coordinated with Office of Science and Technology, which is addressing spectrum allocation matters.
A.T. & T. rate structure rulemaking. Contact person: Tony Alessi, 632-6312.	CC Docket 79-246.	Inquiry into A.T. & T. private line tariff and rate structures and volume discount policies.	NOI and NPRM adopted September, 1979. Document being prepared for issuance.
Economic implications and interrelationships arising from policies and practices relating to customer interconnection, jurisdictional separations and rate structures. Contact person: Boyd Nelson, 632-7084.	20003	Fact finding inquiry concerning the impact of Commission policy relating to competition in the telecommunications equipment and service markets.	Draft <i>Second Report</i> has been completed and will be submitted to Bureau Chief's office by October 19, 1979.
Cable TV impact on broadcast service. Contact person: Stephen Bailey, 632-6468.	21284	Inquiry into the economic relationship between television broadcasting and cable television to provide the Commission with better methods of predicting changes in these industries and analyzing cases where questions of impact are raised.	NOI issued June 1977. NPRM issued April 1979. Comments to NPRM are being evaluated.
Improvements to UHF television reception. Contact person: Virginia Armstrong, 653-5940.	Gen. Docket 78-391.	A five-person task force has been created to examine comparability for UHF and VHF television reception and to assist in determining what regulatory changes are needed to achieve comparability.	NOI issued January 1979. Interim report given to Commission in September 1979 and sent to Congress.

Title of regulation	Rulemaking or docket No.	Description	Stage of development
Land Mobile Spectrum Management. Contact person: Ronald Stone, 254-3301.	21229	Inquiry into the practices and procedures of private land mobile radio service spectrum management to determine methods for efficient spectrum use.	NOI issued May 1977. No formal action is planned at this time; however, studies of the Commission's data base and improvements in existing licensing practices are currently being undertaken.
New Personal Radio Service. Contact person: James McNally, 254-6884.	PR Docket 79-140.	Inquiry to determine whether new personal radio service is needed as well as the possible technical and operational characteristics of such a service.	NOI issued June 1979. Comments are being received and will be reviewed.
Telephone Interconnection in Land Mobile Radio Services. Contact person: George Petrusas, 634-2443.	20846	Proceeding to develop and prescribe specific rules for interconnection of private land mobile radio systems with the public switched telephone network.	NOI and NPRM issued July 1976. In 1976, rules adopted limiting interconnection below 512 MHz. MO&O denying one of the petitions for reconsideration adopted May 1979. Further NPRM for interconnection on frequencies above 800 MHz issued February 1979. Comments are being evaluated.
A.T. & T. rate of return. Contact person: Kent Nilson, 632-9342	CC Docket 79-63.	Hearing on A.T. & T.'s request for an increase in its prescribed rate of return. A.T. & T. has requested a new rate of return in the range of 11-12 percent.	On September 18, 1979, the Commission issued a NOI to consider the question of refunds. Comments are due on November 10. The Commission also instituted a hearing before an Administrative Law Judge to determine A.T. & T.'s present cost of capital. A.T. & T.'s request for interim rate relief was denied.

[FR Doc. 79-33491 Filed 10-26-79; 8:45 am]

BILLING CODE 6712-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1301

[Ex Parte No. 346 (Sub-No. 3)]

Rail General Exemption Authority; Long and Short Haul Transportation

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: The Commission proposes, pursuant to 49 U.S.C. 10505, to exempt certain categories of rail rates from the long-and-short haul and aggregate-of-intermediate provisions of 49 U.S.C. 10726.¹ The purpose of the proposal is to conserve both carrier and Commission resources by exempting rates that would otherwise qualify for relief from the prohibitions of section 10726 had an application for relief been filed with the Commission.

DATES: Interested persons may submit written comments on the proposed rules on or before December 28, 1979.

ADDRESS: An original and 10 copies, if possible, of any comments should be sent to: Room 5356, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Martin E. Foley, (202) 275-7348.

SUPPLEMENTARY INFORMATION: The provisions of 49 U.S.C. 10505 provide that the Commission may, after opportunity for a proceeding, grant an exemption for a person, class of person, or a transportation or service from all or any part of the IC Act in matters related

¹ Formerly section 12(1)(b) and section 4 of the Interstate Commerce Act.

to rail carriers. In order to grant such an exemption, the Commission must find that compliance with a provision of the Act: (1) is not necessary to carry out the transportation policy of section 10101; (2) would be an unreasonable burden on a person, class of person, or interstate or foreign commerce; and (3) would serve little or no useful public purpose.

We are therefore instituting this proceeding to determine whether or not certain categories of rail rates should be exempted from the long-and-short-haul and aggregate-of-intermediate provisions of 49 U.S.C. 10726.

Over the last two decades many innovations in rail transportation pricing have occurred due to changing transportation conditions. When shippers can generate sufficient volume of traffic, and when warranted, rail carriers have been receptive to the shipping community's needs by gearing their pricing system to reflect changing transportation conditions. This has resulted in the establishment of rates predicated on multiple-car shipments, unit train shipments, annual volume shipments and international rail/water shipments.² Economic conditions similar to those giving rise to these various types of volume-related rates are also likely to exist in the case of rail contract rates, which have recently been recognized by the Commission as

² International rail/water rates are commonly referred to as mini-bridge or micro-bridge traffic, which differs substantially from domestic TOFC and COFC traffic because of sheer volume and lower transportation cost as a result of less handling. See Ex Parte No. 261, *In the Matter of Tariffs Containing Joint Rates and Through Routes for the Transportation of Property Between Points in the United States and Points in Foreign Countries*, 337 I.C.C. 625, et seq.

offering significant potential transportation benefits.³

Generally, transportation conditions at intermediate points over the short tariff routes are rarely the same; that is to say traffic from or to less distant points is usually not sufficient to support a rate level that would be reasonably compensatory, and that would at the same time clear the long-and-short-haul prohibition of section 10726. Accordingly, the carriers must apply to the Commission for authority to depart from the long-and-short-haul provisions in order to maintain rates on the kind of traffic here under consideration that are lower for the longer distance than rates for the shorter distance, even though like conditions may not prevail at higher-rated intermediate points. See *Coal from Illinois, Indiana, and Kentucky to Illinois and Indiana*, 308 I.C.C. 673.

For the most part these applications are not contested and for the most part, they are routinely granted. Obviously, this places a needless and wasteful financial burden upon the carriers, and taxes Commission resources which would be better utilized in more critical areas of responsibility.

The same may be said of the aggregate-of-intermediate provisions of section 10726. During the past several years the Commission received only a very limited number of applications for relief from those provisions. All involved single-car rates and all were granted without protest. No applications were received that requested relief for

³ See Ex Parte No. 358-F, *Change of Policy, Railroad Contract Rates*, 361 I.C.C. 205, and Ex Parte No. 364—*Notice of Proposed Change in Policy, Railroad—Freight Forwarder Contract Rates* (44 FR 33714 June 12, 1979).

rates under consideration here.⁴ As a matter of fact, the chances of such violations occurring are remote, if not nonexistent, since like traffic, insofar as the rates here under consideration, is not involved. Cf. *Carnation Company v. Southern Pacific Company*, et al., 269 I.C.C. 470.

In general increase proceedings the railroads routinely request relief from section 10726. Shippers in recent years have not indicated any significant opposition to the granting of the requested relief. Technical departures from section 10726 result from general increases because of variations in the increases proposed in different rate territories and differences in the percentage increases taken by individual lines with respect to specific commodities. Relief from section 10726 has been granted by the Commission in conjunction with all authorized general increases. Cf. *Ex Parte No. 123, In the Matter of Increases in Rates, Fares, and Charges*, 226 I.C.C. 41, 139-140.

The Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law No. 94-210) and the Commission's regulations provide for the filing of special categories of rates, such as demand sensitive rates (49 CFR 1109.10), separate rates for distinct rail service (49 CFR 1109.15), and incentive rates for capital investment (49 CFR 1109.20). While the Commission has not experienced any substantial activity in these areas of rate filings, they appear to be the kind that are likely candidates for exemption under section 10505 since conditions at potentially higher rated intermediate points would not appear to be the same, and as such would not warrant the filing of applications on a case-by-case basis. The same would appear to be true with respect to the aggregate-of-intermediate provisions of section 10726 since these kinds of rates are specially designed for a specific purpose, hence they should not be used in combination with other rates to construct an aggregate-of-intermediate rates that would normally defeat the through single-factor rate.

As matters now stand carriers who want a rate exempted have the burden of making a "special case" under the provisions of section 10726 by filing an application for relief, subject to protest and the possibility that the Commission will withhold relief pending an investigation. See *Intermountain Rate Cases*, 234 U.S.C. 476, 485-86. If the procedure proposed in this notice is

⁴ Generally, relief from aggregate-of-intermediate is granted on the basis that rates for which relief is sought, are depressed rates for the purpose of meeting competition from other modes of transportation.

adopted, shippers or other interested parties would no longer have the right to protest exemptions of the rate; however, they would still be able to file a verified complaint (49 CFR 1100.40) requesting the suspension and/or investigation of any rate proposed under the exemption. To insure that shippers and other interested parties are made aware of their right, we propose to require that all rates proposed under the exemption bear a notation that shippers or other interested parties may exercise their right to file a verified complaint under 49 CFR 1100.40.

In this proceeding the Commission is specifically considering exempting the following categories of rates and charges from the provisions of section 10726:

Multiple car.
Unit train.
Annual volume.
International rail/water shipments.
Contract rates.
Rail general increase.
Demand Sensitive rates.
Separate rates for distinct rail service.
Incentive rates for capital investment.

Moreover, in view of the protection that would be provided to shippers by the notation requirement described above, we are also considering whether any other categories of rail transportation, or rail transportation in general, should be exempted from the provisions of section 10726. Parties should address the effect of the "limited scope" language of Section 10505(a) on these considerations.

This notice of proposed rulemaking is issued pursuant to section 553 of the Administrative Procedure Act (5 U.S.C. 553) and section 10321 of the Interstate Commerce Act.

It does not appear that this proposal significantly affect either the quality of the human environment or conservation of energy resources.

Dated: October 11, 1979.

By the Commission, Chairman O'Neal, Vice Chairman Stafford, Commissioners Gresham, Clapp, Christian, Trantum, Gaskins and Alexis.

Agatha L. Mergenovich,
Secretary.

Appendix—Proposed Rule

We propose to amend Chapter X, Subchapter D, of Title 49 of the Code of Federal Regulations, as follows:

PART 1301, SUBPART B—LONG- AND SHORT-HAUL AND AGGREGATE OF INTERMEDIATE RATES—RAILROADS

By the addition of a new section, as follows:

§ 1301.86 Exemption

The provisions of §§ 1301.11 through 1301.85 do not apply in connection with the following categories of rail rates or charges:

Multiple car.
Unit train.
Annual volume.
International rail/water shipments.
Contract rates.
Rail general increase.
Demand Sensitive rates.
Separate rates for distinct rail service.
Incentive rates for capital investment.

Any rates or charges established pursuant to this section shall be made subject to, or in some manner bear reference to, substantially the following statement:

Rates or charges subject hereto are filed pursuant to 49 CFR 1301.86, and are exempt from the provision of 49 U.S.C. 10726; however, anyone objecting to the rates or charges on other grounds may file a verified complaint pursuant to 49 CFR 1100.40.

[FR Doc. 79-33272 Filed 10-26-79; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611 and 671

Tanner Crab Off Alaska; Approval of Amendment to Fishery Management Plan; Proposed Implementing Regulations

AGENCY: National Oceanic and Atmospheric Administration/Commerce.

ACTION: Notice of approval of fishery management plan amendment; proposed regulations.

SUMMARY: An amendment to the Fishery Management Plan (FMP) for Tanner Crab off the Coast of Alaska is approved. The amendment and proposed regulations extend the provisions of the FMP through October 31, 1980.

DATE: Comments on the amendment and proposed implementing regulations will be received until November 30, 1979.

ADDRESS: Comments should be addressed to: Denton R. Moore, Acting Chief, Permits and Regulations Division, National Marine Fisheries Service, Washington, DC 20235.

FOR FURTHER INFORMATION CONTACT: Harry L. Rietze, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska 99802. Telephone: (907) 586-7221.

SUPPLEMENTARY INFORMATION: The FMP for the Tanner crab fishery, prepared by

the North Pacific Fishery Management Council (Council), was approved by the Secretary of Commerce and published in the **Federal Register** on May 16, 1978 (43 FR 21170). Proposed regulations to implement the plan were published on May 16th, 1978 (43 FR 21170 and 43 FR 21171), and final regulations were effective in December, 1978 (see 43 FR 57150, December 6, 1978, for regulations applicable to vessels of the United States; 43 FR 59292, 59320 December 19, 1978, for regulations applicable to vessels of foreign nations). The FMP was amended to extend the provisions of the FMP to October 31, 1979, and the 1978 regulations were repromulgated for the fishery year ending October 31, 1979 (44 FR 1115). The FMP was again amended and regulations promulgated raising the Kodiak fishing area OY and expanding the area in which foreign fishing was permitted (44 FR 15503, March 14, 1979).

On September 5, 1979, the Council submitted an additional amendment which extends the provisions of the FMP from November 1, 1979, to October 31, 1980. The Assistant Administrator for Fisheries has approved this amendment and proposed to repromulgate, for the period November 1, 1979, through October 31, 1980, the regulations implementing the FMP. The purpose of the extension amendment is to prevent the long lapse in management of the Tanner crab fishery which would result were the amendment delayed to incorporate new information which became available at the end of September.

During the 1978-79 fishing year there were indications that resource conditions in certain fishing areas may have changed, and that the U.S. industry may have developed increased capability to harvest and process both *C. bairdi* and *C. opilio* Tanner crab. (see e.g., two field orders instituting early closure of portions of registration area H (Cook Inlet) and J (Westward, Bering Sea) (44 FR 5885; 44 FR 30688)).

While initial information suggested the need for re-examination of the specification of optimum yields (OY's), domestic annual harvesting capacity (DAH), and total allowable levels of foreign fishing (TALFF's) in the FMP, the Council could not adequately analyze the extent of any resource or capacity changes until the end of September, when the most recent stock assessment data and further information on U.S. capacity became available. However, the Council anticipated that a substantive FMP amendment incorporating new information might involve lowering both the OY's or the

TALFF's, and would thus require several months for review and public comment. The Council therefore determined, and the Assistant Administrator for Fisheries agrees, that this extension amendment is necessary to protect the resource and to assure continuing orderly management of the fishery. Extension of the FMP and regulations will allow use of the field order provision, incorporating the most recent information available, as necessary, to avoid localized overfishing and to otherwise protect the resource until substantive amendments are considered and incorporated into the FMP.

The likelihood that the substantive amendments to be submitted by the Council will result in a lowering of TALFF's is high. In order to avoid confusion and planning on the basis of allocations which may be lowered, it is anticipated that the TALFF's specified in the FMP (if extended) will not be allocated to foreign nations for several months. The foreign fishery does not begin until late February or early March. Delay in allocation will provide some time for consideration of the Council's revised specifications without disrupting the foreign fishery.

The Assistant Administrator for Fisheries, under the delegation of authority from the Secretary, has determined that the amendment to the FMP extending the effective date of this FMP: (1) is necessary and appropriate to the conservation and management of Tanner crab resources off the coast of Alaska; (2) is consistent with the National Standards and other provisions of the Act and other applicable law; (3) does not constitute a major Federal action requiring the preparation of an environmental impact statement; and (4) does not constitute a significant action requiring preparation of a regulatory impact analysis under Executive Order 12044.

The only change is in the effective dates of the FMP. The FMP is revised as follows: The FMP is changed by substituting the dates 1979/80 for 1978/79 wherever it appears.

Signed in Washington, D.C., this 23d day of October, 1979.

Winfred H. Meibohm,
Executive Director, National Marine
Fisheries Service.

Authority: 16 U.S.C. 1801 *et seq.*

It is proposed to:

A. Repromulgate 50 CFR Part 671 (43 FR 57150, as amended by 44 FR 15503) applicable to vessels of the United States, for the period from November 1, 1979, through October 31, 1980;

B. Amend 50 CFR 671.21(a) by deleting "January 1 and ending on December 31,

1979.", and substituting "November 1, 1979, and ending on October 31, 1980.";

C. Repromulgate 50 CFR 611.91 (43 FR 59320, as amended by 44 FR 15503), applicable to vessels of foreign nations, for the period from November 1, 1979, through October 31, 1980.

[FR Doc. 79-33158 Filed 10-26-79; 8:45 am]

BILLING CODE 3510-22-M

50 CFR Part 676

Bering Sea-Chukchi Sea Herring, Draft Fishery Management Plan; Hearings

AGENCY: National Oceanic & Atmospheric Administration, DOC.

ACTION: Notice of Availability of Draft Fishery Management Plan for Bering-Chukchi Sea Herring, and Notice of Public Hearings.

SUMMARY: The North Pacific Fishery Management Council, established by Section 302 of the Fishery Conservation and Management Act of 1976 (Pub. L. 94-265), will hold public hearings for the purpose of public input on its Draft Fishery Management Plan (DFMP) for the Bering-Chukchi Sea Herring Fishery.

DATES: Written comments on the DFMP may be submitted on or before January 1, 1980.

Individuals or organizations wishing to comment on the fishery management plan may do so at public hearings to be held at the time and locations listed below:

- (a) Bethel, Alaska, November 10, 1979, KVNA Building; 10:00 a.m.
- (b) Tooksook Bay, November 10, 1979, City Hall; 10:00 a.m.
- (c) Hooper Bay, November 10, 1979, City Hall; 10:00 a.m.
- (d) Nome, Alaska, November 12, 1979, Nome Public School, New Wing Area 223; 7:00 p.m.
- (e) Kotzebue, Alaska, November 13, 1979, Monday pending.
- (f) Unalakleet, Alaska, November 13, 1979, Monday, State High School Gym; 10:00 a.m.
- (g) Togiak, Alaska, November 17, 1979, Saturday, Community Hall; 10:00 a.m. to 2:30 p.m.
- (h) Dillingham, Alaska, November 17, 1979, Saturday, Court Building; 7:00 p.m.
- (i) Kodiak, Alaska, November 29, Thursday, Fisherman's Hall; about noon.
- (j) Anchorage, Alaska, November 30, 1979, Friday, North Pacific Fishery Council Conference Room, 333 Fourth Avenue, Suite 32, Anchorage; 10:00 a.m.

The anomalies of winter travel in Alaska make it necessary to consider alternative meeting places and times. We have therefore planned to visit the city where a hearing was cancelled as soon as weather permits. Cancellations and new locations, if necessary, will be announced locally by telephone, and

radio, and when possible, by newspaper and television.

ADDRESSES: Comments may be sent to North Pacific Fishery Management Council, P.O. Box 3136 DT, Anchorage, AK 99510.

Copies of the draft fishery management plan are available at the following locations:

Anchorage

Alaska Department of Fish and Game, 333 Raspberry Road, Anchorage, Alaska 99502
National Marine Fisheries Service, Federal Bldg., and U.S. Court House, 701 C Street, Anchorage, Alaska 99513

Z. J. Loussac Public Library, 427 F Street, Anchorage, Alaska 99501 North Pacific Fishery Management Council, Suite 32, 333 West 4th Avenue, Post Office Mall Bldg., Anchorage, Alaska.

Bethel

Alaska Department of Fish & Game, P.O. Box 96, Bethel, Alaska 99559
Bethel Public Library, Bethel, Alaska 99559

Cordova

Alaska Department of Fish & Game, P.O. Box 669, Cordova, Alaska 99574
Cordova Public Library, Cordova, Alaska 99574

Dillingham

Alaska Department of Fish & Game, P.O. Box 199, Dillingham, Alaska 99576
Dillingham Public Library, Dillingham, Alaska 99576

Fairbanks

Alaska Department of Fish & Game, 1300 College Road, Fairbanks, Alaska 99701
Fairbanks North Star Borough Public Library, 901 1st Avenue, Fairbanks, AK 99701

Homer

Alaska Department of Fish & Game, Homer, Alaska 99503
Homer Public Library, Homer, Alaska 99603

Juneau

Alaska Department of Fish & Game, S.E. Regional Office, 210 Ferry Way, Juneau, Alaska 99801
Alaska Department of Fish & Game, Commissioner, Subport Building, Juneau, Alaska 99801
National Marine Fisheries Service, Rm 453, Federal Building, Juneau, Alaska 99801
Juneau Memorial Library, 114 West 4th Street, Juneau, Alaska 99801

Ketchikan

Alaska Department of Fish & Game, 208 State Court and Office Building, 415 Main Street, Suite 208, Ketchikan, Alaska 99901.
Ketchikan Public Library, 629 Dock Street, Ketchikan, Alaska 99901.

Kodiak

Alaska Department of Fish & Game, Kodiak, Alaska 99615.
A. Holmes Johnson Memorial Library, Kodiak, Alaska 99615.
National Marine Fisheries Service, Gibson Cove, Kodiak, Alaska 99615.

Kotzebue

Kotzebue Public Library, Kotzebue, Alaska 99752.

Petersburg

Alaska Department of Fish & Game, Swanson Bldg., Petersburg, Alaska 99833
Petersburg Public Library, Petersburg, Alaska 99833.

Sand Point

Alaska Department of Fish & Game, Sand Point, Alaska 99661.
Sand Point Community/School Library, Sand Point, Alaska 99661.

Seward

Alaska Department of Fish & Game, Seward Court Building, Seward, Alaska 99664.

Sitka

Alaska Department of Fish & Game, State Office Building, Sitka, Alaska 99835.
Kedelson Memorial Library, Sitka, Alaska 99835.

Unalaska

Alaska Department of Fish & Game, c/o Standard Oil Dock, Dutch Harbor, Alaska 99685.
Unalaska/School/Community Library, Unalaska, Alaska 99685.

Valdez

Alaska Department of Fish & Game, Valdez, Alaska 99686

Wrangell

Alaska Department of Fish & Game, P.O. Box 200, Wrangell, Alaska 99929.
Wrangell Public Library, Wrangell, Alaska 99929.

Yakutat

Alaska Department of Fish & Game, P.O. Box 68, Yakutat, Alaska 99689.

Limited numbers of the DFMP will be available from the Executive Director, North Pacific Fishery Management Council, Suite 32, 333 West 4th Avenue, Anchorage, Alaska 99501 (P.O. Box 3136DT, Anchorage, AK 99510), and the National Marine Fisheries Service, Box 1668, Juneau, AK 99802. Written comments on the DFMP from members of the public may be submitted no later than January 1, 1980, to the North Pacific Fishery Management Council, P.O. Box 3136DT, Anchorage, AK 99510.

FOR FURTHER INFORMATION CONTACT:
James Branson, Executive Director (907) 274-4563.

Dated: October 23, 1979.

Winfred H. Meibohm,

Executive Director, National Marine Fisheries Service.

[FR Doc. 79-33181 Filed 10-26-79; 8:45 am]

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Notices

Federal Register

Vol. 44, No. 210

Monday, October 29, 1979

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.

Fees for copies of reports will be charged in accordance with the Department's fee schedule, 7 CFR Part 1, Subpart A, Appendix A.

Dated: October 19, 1979.

John W. Fossum,
Acting Director, Office of Personnel
[FR Doc. 79-33302 Filed 10-26-79; 8:45 am]
BILLING CODE 3410-96-M

communications should be addressed to Judge Whiting.

Dated at Washington, D.C., October 22, 1979.

Joseph J. Saunders,
Chief Administrative Law Judge.
[FR Doc. 79-33285 Filed 10-26-79; 8:45 am]
BILLING CODE 6320-01-M

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Notice of Public Access to Financial Disclosure Reports

Pursuant to section 205(a) of the Ethics in Government Act of 1978, each executive agency is required to make available to the public the financial disclosure reports which its officers and employees file under the Act.

Section 205(b) of the Act sets forth certain requirements to be met by a person seeking access to a financial disclosure report.

A financial disclosure report will be made available upon written application by any person stating:

a. That person's name, occupation, and address;

b. The name and address of any other person or organization on whose behalf the inspection or copy is requested; and

c. That such person is aware that it is unlawful to obtain or use a report—

(1) For any unlawful purpose;

(2) For any commercial purpose, other than by news and communications media for dissemination to the general public;

(3) For determining or establishing the credit rating of any individual; or

(4) For use, directly or indirectly, in the solicitation of money for any political, charitable, or other purpose.

Requests for access to or a copy of a report filed with this Department can be made by either appearing in person at Room 10-W, Administration Building, United States Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. 20250, and completing an application; or by writing the Director of Personnel at the above address. Written requests will be returned to the applicant if they are not signed and if they do not contain the information required by the above paragraph.

CIVIL AERONAUTICS BOARD

[Docket 36792]

Air North, Inc., Fitness Investigation; Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on November 20, 1979, at 10:00 a.m. (local time) in Room 1003, Hearing Room D, Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C., before Administrative Law Judge Richard M. Hartsock.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and six copies to the judge of (1) proposed statements of issues; (2) proposed stipulations; (3) proposed requests for information and for evidence; (4) statements of positions; and (5) proposed procedural dates. The Bureau of Domestic Aviation will circulate its material on or before November 6, 1979, and the other parties on or before November 13, 1979. The submissions of the other parties shall be limited to points on which they differ with the Bureau, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., October 23, 1979.

Richard M. Hartsock,
Administrative Law Judge.
[FR Doc. 79-33284 Filed 10-26-79; 8:45 am]
BILLING CODE 6320-01-M

[Docket 36115]

South Pacific Island Airways Fitness Investigation; Reassignment of Proceeding

This proceeding has been reassigned from Administrative Law Judge Richard J. Murphy to Administrative Law Judge Frank M. Whiting. Future

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

National Marine Fisheries Service; Public Meeting

Notice is hereby given of a workshop entitled, *U.S. Fisheries—A Consumer Workshop*, sponsored by the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration, Department of Commerce for consumer interest groups. The workshop will be held Friday, November 9, 1979, from 8:30 a.m. to 1:00 p.m. in Room 6802, Department of Commerce Building, 14th and Constitution Streets, NW., Washington, D.C.

Agenda items for the consumer workshop include: Consumer Affairs Activities in the NMFS—Current and Future; Fishery Conservation and Management Act/A narrated slide presentation; Putting Fisheries Management into perspective (U.S. and world fisheries catch, imports and exports, demand, price, availability, future projections etc.); An Explanation of a Fishery Management Plan; Regional Fishery Management Structure and Method of Obtaining Public Participation; Views of Consumer Representatives on the Marine Fisheries Advisory Committee; and A Council Member's Perspective on the Need for Consumer Input into Fishery Management Planning.

The workshop is open to the public. Members of the public having an interest in specific items for discussion are advised that agenda changes are at times made prior to the meeting. Persons interested in receiving information about the agenda or the workshop should contact: Ms. Elizabeth L. Kissel, National Marine Fisheries Service (F22), Page II Building, Room 383, Washington, D.C. 20235, Telephone: (202) 634-7458.

Dated: October 23, 1979.

Winfred H. Meibohm,

Executive Director, National Marine Fisheries Service.

[FR Doc. 79-33157 Filed 10-26-79; 8:45 am]

BILLING CODE 3510-22-M

Modification of Permit

Correction

In Federal Register Doc. 79-32403, published at page 60351, on Friday, October 19, 1979, in the third column, under "3. Name and Number of Animals:", "California sea lion (*Zalophus californianus*)..... 015" should be corrected to read "California sea lion (*Zalophus californianus*)..... 105".

BILLING CODE 1505-01-M

DEPARTMENT OF DEFENSE

Department of the Navy

Continued Withdrawal and Exclusive Jurisdiction Over Mojave "B" Test Ranges, Naval Weapons Center, China Lake, Calif.; Finding of No Significant Impact

Pursuant to the provisions of the regulations implementing the procedural provisions of the National Environmental Policy Act (§ 1508.13 of Title 40 CFR), the Department of the Navy gives notice that an environmental impact statement is not being prepared for the continued withdrawal and exclusive jurisdiction over the Mojave "B" ranges at Naval Weapons Center, China Lake, California. The existing withdrawal for naval use was first granted in 1943, last renewed in 1963 and expired in 1978. Under provisions of the Federal Land and Policy Management Act of 1976 withdrawal actions for the Mojave "B" ranges cannot be renewed and jurisdiction must be transferred to that Department, Bureau or Agency having use for the land. No new "uses" are authorized by this action and any alterations, from the land's present state are to be addressed in subsequent, site-specific environmental documentation.

The Mojave "B" ranges comprise approximately 314,809 acres of which, at selected locations, naval aerial gunnery related test and development projects are prosecuted. These selected locations total 7,320 acres and of this acreage 2,220 acres are targeted for deliberate delivery of naval weapons system components. The remainder of the ranges remain in their "natural" state and serve as safety zones mandated by the operational characteristics of today's modern combatant aircraft.

The environmental assessment of this action, accomplished in close cooperation with the Bureau of Land Management, U.S. Department of the Interior, indicates that continued withdrawal and Navy jurisdiction over the lands in question will not cause significant impacts on the environment. Studies completed and primarily addressing the "affected" 7,000 plus acres included: topography, geology, hydrology, air quality, cultural resources, biological resources, land use, socioeconomic aspects, public health and safety, and aesthetic impacts. Alternatives included: no action, or reversion to public land status, relocation to other existing ranges on Navy lands, or creation of new and equivalent ranges in a new area. Of the alternatives addressed, the proposed continued withdrawal alternative is considered to have the least environmental impact. By virtue of the Navy's continued stewardship, the majority of the land in question has the greatest potential to remain in its undisturbed state.

As a result of the assessment and consultation with the Federal and state land management agencies involved, it has been determined that preparation and review of an environmental statement is not required.

The environmental assessment prepared by the Navy addressing this action is on file and may be reviewed by interested parties at both the point of origin, Commander, Naval Weapons Center, China Lake, CA 93555 (attention: Officer in Charge of Public Works) or at the Environmental Protection and Occupational Safety and Health Division (NOP-45), Office of the Chief of Naval Operations, RM BD-766, Pentagon, Washington, D.C. 20350 (202) 697-3668. Additionally, a limited number of copies of the environmental assessment are available to fill single copy requests made to the above address. The Navy will receive comments on this proposed action for a 30-day period commencing on the date of this notice.

Dated: October 19, 1979.

P. B. Walker,

Captain, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Administrative Law).

[FR Doc. 79-33160 Filed 10-26-79; 8:45 am]

BILLING CODE 3810-71-M

DEPARTMENT OF ENERGY

Voluntary Agreement and Plan of Action To Implement the International Energy Program; Meetings

In accordance with Section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6201 *et seq.*) notice is hereby provided of the following meetings.

I. A meeting of Subcommittee A of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held on November 6, 1979, at the offices of Shell International Petroleum Company Ltd., Shell Centre, London SE-1, England, beginning at 9:30 a.m. The agenda is as follows:

1. Opening remarks.
2. Quality of emergency data system.
3. Continuation of Questionnaire A and B, and scope of coverage.
4. Conversion factors.
5. Consumer stocks.
6. Tankage spare capacity.
7. AST-3 preparation.
8. IEA and European Economic Community (EEC) interface.
9. Standard format for voluntary offers.
10. Modifications of the IEA sharing system.
11. 1980 work program.

II. A meeting of Subcommittee C of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held on November 7, 1979, at the offices of Shell International Petroleum Company Ltd., Shell Centre, London SE-1, England, beginning at 9:30 a.m. The agenda is as follows:

1. Opening remarks.
2. Pricing in an emergency.
3. Extraordinary costs.
4. Disputes Settlement Center.
5. Legal clearances:
 - A. Survey of IEA countries.
 - B. U.S. Voluntary Agreement.
 - C. EEC Commission interface with IEA.

6. Legal issues involved in reduced emergency trigger.

7. Proposed survey of IEA member country legislation implementing IEP.
8. Future work program.

III. A meeting of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held on November 8, 1979, at the Institute of Marine Engineers Conference Center, 76 Mark Lane, London EC-3, England, beginning at 9:30 a.m. The agenda is as follows:

1. Opening remarks.
2. Communications to and from IEA and Reporting Companies.
3. Matters arising from record note of IAB meeting of September 13, 1979.

4. Report on Standing Group on Emergency Questions (SEQ) meeting of September 25, 1979.
5. Report by IEA on worldwide supply outlook.
6. Report by IEA on Energy Minister's meeting of September 26, 1979, Governing Board meeting of October 11, 1979, and EEC developments.
7. Review Governing Board decisions regarding lessons learned from 1979 crisis and areas requiring IAB assistance.
8. Subcommittee C Report
 - A. U.S. Voluntary Agreement extension and Plan of Action.
 - B. Disputes Settlement Center.
 - C. EEC Commission and interface with IEA.
 - D. Legal issues involved in reducing emergency trigger level.
 - E. Proposed survey of IEA member country legislation implementing IEP.
9. Subcommittee A Report.
 - A. Continuation of Questionnaires A and B extension of details on product and stock reporting.
 - B. Improvement of IEA oil statistics.
 - C. Conversion factors for IEA data.
 - D. Potential modification of IEA sharing system.
 - E. Consumer stocks.
 - F. IEA tankage capacity study.
 - G. Review U.S. proposal on IEA and EEC harmonization of sharing systems.
 - H. AST-3 preparation.
 - I. Work program for 1980.
 10. ISAG staffing for 1980.
 11. Work program for 1980, Standing Group on Emergency Questions (SEQ) plans and IAB support.
 12. Dates and venues of future meetings of the IAB, its subcommittees and SEQ.

As provided in Section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting will not be open to the public.

Issued in Washington, D.C., October 23, 1979.

Craig S. Bamberger,

*Acting Assistant General Counsel,
International Trade and Emergency
Preparedness.*

[FR Doc. 79-33197 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

Electric Field Effects From Overhead Transmission Lines, Resource Applications/Electric Energy Systems Sponsored Contractors Review; Meeting

Notice is hereby given that a Review Meeting (Open), consisting of all Department of Energy, Division of Electric Energy Systems sponsored

contractors on Electric Field Effects from Overhead Transmission Lines, will be held on Wednesday and Thursday November 14 and 15 at 9:00 a.m. in the Federal Ballroom (South) at the Capitol Hill Quality Inn, 415 New Jersey Avenue, NW., Washington, D.C.

The agenda will consist of 30 minute presentations by each DOE funded organization on accomplishments and progress made this year, and plans for next year. There will be 5-10 minutes available for discussion after each presentation and for general discussion at the conclusion. Topics to be covered include: AC and DC Measurements, Subcellular/Cellular Studies, Small Animal Studies, Non-Human Primate Studies, Scaling and Dosimetry. For further information, contact A.O. Bulawka (202) 376-4726.

George S. McIsaac

Assistant Secretary Resource Applications.

October 23, 1979.

[FR Doc. 79-33198 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

Voluntary Agreement and Plan of Action To Implement the International Energy Program; Meeting

In accordance with Section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6201 *et seq.*) notice is hereby provided that a meeting of the Industry Working Party (IWP) to the International Energy Agency (IEA) will be held on November 6 and 7, 1979, at the offices of the IEA, 2 rue andre Pascal, Paris, France, beginning at 9:00 a.m. on November 6. The purpose of this meeting is to permit attendance by representatives of the IWP at meetings of the IEA Standing Group on the Oil Market (SOM) and an *ad hoc* group of the SOM, which are being held at Paris on those dates.

The agenda for the meeting is under the control of the SOM and its *ad hoc* group. It is expected that the IWP representatives will be asked to discuss the following subject:

Registration of oil market transactions, including reporting instructions.

As provided in Section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting will not be open to the public.

Issued in Washington, D.C., October 23, 1979.

Craig S. Bamberger,

*Acting Assistant General Counsel,
International Trade and Emergency
Preparedness.*

[FR Doc. 79-33310 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration.

ACTION: Notice of Action Taken on Consent Orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA, and the firms listed below during the month of September 1979. These Consent Orders concern prices charged by retail motor gasoline dealers allegedly in excess of the maximum lawful selling price for motor gasoline. The purpose and effect of these Consent Orders is to bring the consenting firms into present compliance with the Mandatory Petroleum Price Regulations and the General Allocation and Price Regulations, and they do not address or limit any liability with respect to the consenting firms' prior compliance or possible violations of the aforementioned regulations. Pursuant to the Consent Orders, the consenting firms agree to the following actions:

1. Reduce prices for each grade of gasoline to no more than the maximum lawful selling price;
2. Post the maximum lawful selling price, or a certification that the current selling price is equal to or less than the maximum allowed, for each grade of gasoline on the face of each pump in numbers and letters not less than one-half inch in height, or in a prominent place elsewhere at the retail outlet in numbers or letters not less than four inches high;
3. Properly maintain records required under the aforementioned regulations; and
4. Cease and desist from employing any discriminatory and/or unlawful business practices prohibited by the aforementioned regulations.

For further information regarding these Consent Orders, please contact June Wallach, Acting District Manager of Enforcement, 111 Pine Street, San Francisco, California 94111; telephone number (415) 556-7200.

Firm Name, Address and Audit Date

American Motors Texaco, 2302 Hwy. 91, at Serfas, Corona, CA—8/24/79
Bae's Shell Service, 803 W. Alondra, Compton, CA—8/28/79
Werner K. Eckel Arco, 108 W. Lincoln, Orange, CA 92665—8/30/79
Said's Arco, 530 N. Brookhurst, Anaheim, CA 92801—8/30/79
Adnan Bsat Mobil, 5972 Lincoln Ave., Cypress, CA 90630—8/30/79
Sam's Shell Service, 1200 Euclid, Anaheim, CA 92801—8/30/79

- Walt Smith Sr., 702 E. Sixth, Corona, CA—8/30/79
- Floyd's Chevron, 11501 E. Carson St., Lakewood, CA 90715—8/30/79
- Robinson Mobil Service, 1400 E. Alondra, Compton, CA—8/30/79
- Han Shell, 484 Imperial Hwy., Los Angeles, CA—8/30/79
- Ecology Shell Service, 5800 Atlantic/South, Long Beach, CA 90805—8/31/79
- Imperial Super Service-Union, 4410 W. Imperial Hwy., Inglewood, CA 90304—8/31/79
- Dean's Mobil Towing, 1680 W. Broadway, Anaheim, CA 92802—8/31/79
- Harry's Exxon, 260 S. Euclid, Anaheim, CA 92802—8/31/79
- Hisham's Ser. Center Mobil, 101 S. Euclid, Anaheim, CA 92802—8/31/79
- Pete Hernandez Texaco, 14639 San Fernando Mission Blvd., San Fernando, CA 91340—8/31/79
- Jack Guilliatt Shell, 14156 E. Rosecrans, Santa Fe Springs, CA 90670—8/31/79
- Al's Exxon, 3223 Santa Monica Blvd., Santa Monica, CA—9/4/79
- George & Bob's Shell, 5140 W. El Segundo Blvd., Hawthorne, CA 90751—9/5/79
- Joe's Arco, 301 S. Euclid, Anaheim, CA 92801—9/5/79
- Bill's Arco Service, 3901 E. Riverdale, Anaheim, CA 92807—9/5/79
- Scotty's Union 76, 3154 El Cajon, San Diego, CA 92105—9/5/79
- Han's Mobil No. 1, 1769 W. Imperial Hwy., Los Angeles, CA—9/6/69
- Jack's Texaco Service, 17966 Brookhurst, Fountain Valley, CA 92708—9/7/79
- Bob's Exxon, 12493 Beach Blvd., Garden Grove, CA 92641—9/7/79
- Carson Mall Exxon, 20320 Avalon Blvd., Carson, CA 90746—9/7/79
- Norm Greenleaf Chevron, 2623 W. 190th St., Redondo Beach, CA 90278—9/7/79
- Hasson's Exxon, 10425 E. Whittier, Whittier, CA 90601—9/10/79
- Ocean Car Wash Shell, 9411 Washington, Pico Rivera, CA 90660—9/11/79
- Vidrios Chevron, 1605 S. Hoover St., Los Angeles, CA 90006—9/12/79
- Allens Mobil Service, 11962 Brookhurst, Garden Grove, CA 92641—9/14/79
- Rudy Kaul Union, 11971 Brookhurst, Garden Grove, CA 92641—9/14/79
- Chung's Exxon Service, 1377 W. Imperial Hwy., Los Angeles, CA 90044—9/14/79
- Whitfield Shell, 5323 S. Western Ave., Los Angeles, CA 90062—9/17/79
- Dale Winger Chevron, 6340 Spring, Long Beach, CA 90815—9/17/79
- Melvin E. Sanders Union 76, 100 E. Whittier, La Habra, CA 90631—9/19/79
- Paramount Farms Dairy, 400 W. Rosecrans Blvd., Compton, CA 90222—9/19/79
- Texaco Gas Station, 1601 E. Pacific Coast Highway, Long Beach, CA—9/21/79
- Cabrillo Shell, 1800 W. Carson St., Torrance, CA—9/21/79
- Josh's Exxon Service, 307 N. La Brea, Los Angeles, CA 90036—9/24/79
- Jim Diener Chevron, 5550 W. 190th St., Torrance, CA 90503—9/24/79
- Hazboon Exxon Service, 100 W. Valley, San Gabriel, CA 91776—9/24/79
- Batshon Service Center, 5677 E. 7th Street, Long Beach, CA 90804—9/24/79
- Kaloust's Texaco Service, 2800 Foothill Blvd., La Crescenta, CA 91214—9/24/79
- Kim's Union 76, 12800 Figueroa, Los Angeles, CA—9/24/79
- Jose Espadas Chevron Service, 1868 N. Western, Los Angeles, CA 90027—9/25/79
- De Roulhac & Knittle, Inc., 301 S. Robertson Blvd., Los Angeles, CA 90048—9/25/79
- Ghassen's Mobil Service, 1780 Clark Ave., Long Beach, CA—9/25/79
- G & G Exxon Service, 22000 Wilmington Ave., Carson, CA 90745—9/25/79
- Kim's Union 76, 12800 Figueroa, Los Angeles, CA—9/25/79
- Suh's Union, 506 W. Rosecrans and Figueroa, Gardena, CA—9/25/79
- Gardena Car Wash, 14701 Crenshaw, Gardena, CA—9/25/79
- Mike's Mobil Service, 14225 Vermont, Gardena, CA—9/25/79
- Lee's Service, 1816 W. Imperial and Western, Los Angeles, CA—9/25/79
- Shah's Service Center, 301 N. Virgil, Los Angeles, CA 90004—9/26/79
- Earl's Mobil Service Center, 5676 Rosemead Blvd., Temple City, CA 91780—9/26/79
- Eshrati Service Sta., 424 E. Foothill Blvd., Arcadia, CA 91006—9/26/79
- Arco, 2801 Foothill Blvd., La Crescenta, CA 91214—9/26/79
- Brenk's Texaco, 8505 Foothill Blvd., Sunland, CA 91040—9/26/79
- Bell's Mobil, 6621 Foothill Blvd., Tujunga, CA 91042—9/26/79
- Sung's Shell Service, 2155 W. Rosecrans Ave., Gardena, CA—9/26/79
- Broome Taylor Shell, 7915 E. 14th, Oakland, CA—8/31/79
- A's Skyline Shell, 3999 Skyline Blvd., San Bruno, CA—9/4/79
- Stan's Service Center, 3350 North Texas St., Fairfield, CA—9/5/79
- Ali's Arco, 3650 Nelson Road, Fairfield, CA—9/5/79
- Arrington's Chevron, 2026 North Texas St., Fairfield, CA—9/6/79
- Neal's Exxon, 1520 North Texas St., Fairfield, CA—9/6/79
- Geri Towne Arco, 3000 Travis Blvd., Fairfield, CA—9/6/79
- Kim's Shell, 1500 W. Texas St., Fairfield, CA—9/7/79
- Smiley's Union 76, 390 East Monte Vista, Vacaville, CA—9/7/79
- Foothill Auto Service, 1540 Miramonte Ave., Los Altos, CA—9/5/79
- Al Soto Mayors Chevron, 2590 California St., Mountain View, CA—9/6/79
- Van & Bob's Towing, 1246 E. Harding Way, Stockton, CA—9/5/79
- King Read Texaco, 960 S. King Road, San Jose, CA—9/5/79
- Stanford Exxon, 145 El Camino Real, Menlo Park, CA—9/6/79
- Alameda Shell, 3536 Alameda De Las Pulgas, Menlo Park, CA—9/11/79
- David's Arco, 2320 El Camino Real, Santa Clara, CA—9/11/79
- Hamro Shell, 4198 Stevens Creek Blvd., Santa Clara, CA—9/11/79
- Garcia Shell, 3311 Stevens Creek Blvd., Santa Clara, CA—9/13/79
- Shin Shin Exxon, 5415 Stevens Creek Blvd., Santa Clara, CA—9/13/79
- Rick's Chevron, 860 Lower Sacramento, Stockton, CA—9/11/79
- Altamont Chevron, Highway 580 & Gran Tune Road, Tracy, CA—9/11/79
- Fourth & Santa Clara Chevron, 147 E. Santa Clara, San Jose, CA—9/13/79
- Alum Rock Chevron, 2605 Alum Rock, San Jose, CA—9/13/79
- Capital Shell, 2690 Story Road, San Jose, CA—9/13/79
- Matadero Shell, 3601 El Camino Real, Palo Alto, CA—9/11/79
- Mike's Shell Service, 2592 California St., Mt. View, CA—9/10/79
- Mathews Texaco, 1141 El Camino Real, Mt. View, CA—9/12/79
- A & G Exxon, 59 W. El Camino Real, Mt. View, CA—9/12/79
- Salmon Shell, 2105 Old Middlefield Way, Mt. View, CA—9/13/79
- Cliff's Chevron Service, 2500 W. El Camino Real, Mt. View, CA—9/19/79
- Elbert Kimbrough Chevron, 1999 E. Charleston Road, Mt. View, CA—9/17/79
- Felix's Automotive Shell, 191 Evelyn Ave., Mt. View, CA—9/20/79
- Dean's Exxon Service, 584 N. Reng Storrff, Mt. View, CA—9/18/79
- Almaden Service Center, 1099 Blossom Hill Road, San Jose, CA—9/18/79
- Jerry Clark Chevron, 452 Blossom Hill Road, San Jose, CA—9/20/79
- Quality Tune-Up, 448 Blossom Hill Road, San Jose, CA—9/20/79
- John's Exxon, 909 West Hammer Lane, Stockton, CA—9/19/79
- Bill Park's Chevron, 6633 Pacific Avenue, Stockton, CA—9/17/79
- Brentwood Shell, 1335 Highway 4, Brentwood, CA—9/19/79
- Tanforan Shell, 1199 El Camino Real, SSF, CA—9/18/79
- Clayton Shell, 1200 Clayton Street, San Francisco, CA—9/18/79
- Third Street Shell, 551 Third Street, San Francisco, CA—9/18/79
- Joe's Serramonte Arco, 501 Serramonte Blvd., Daly City, CA—9/18/79
- Joe's Winsome Arco, 1101 Juniper Serra Blvd., San Francisco, CA—9/18/79
- Airport Exxon, 100 Baden Avenue., SSF, CA—9/19/79
- Kenfunk's Service, 264 South Airport Blvd., SSF, CA—9/17/79
- Liberto's Mobil, 1086 Grand Avenue, SSF, CA—9/20/79
- Steve's Union Service, 137 Serramonte Center, Daly City, CA—9/20/79
- Barry Van Otten, 4000 Callan Blvd., Daly City, CA—9/21/79
- Foothill Chevron, 470 So. San Antonio Rd., Los Altos, CA—9/10/79
- The Village Chevron, 401 Main Street, Los Altos, CA—9/10/79
- Ladera Chevron, 104 La Mesa Drive, Mento Park, CA—9/17/79
- Woodside 76, 2995 Woodside Road, Woodside, CA—9/18/79
- Woodside Exxon, 2989 Woodside Road, Woodside, CA—9/19/79

Name & Address of Station, and Date Issue

Ronald W. Haines, 1359 W. Princess Way,
Oak Harbor, WA 98277—8/30/79
Ed Fletcher Mobil, 3102 Ricker, Everett, WA
98201—9/5/79
Jay Winters, d/b/a McDonnel Creek Gro., Rt.
8, Box 363, Sequim, WA 98392—8/30/79
Cecil Trail Conoco, 719 Bridge Street,
Clarkston, WA 99403—9/12/79
Richard Merrill, Chevron, 226 North 22nd
Ave., Lewiston, ID 83501—9/11/79
Gene's Automotive Service, 9212 S. Tacoma
Way, Tacoma, WA 98499—9/7/79
Summit View Exxon, 5316 E. 112th St.,
Tacoma, WA 98446—9/11/79
Gard Langley Mobil, 203 West 3rd, Moscow,
ID 83843—9/26/79
Nisqually RV Grocery, 10220 Martin Way E.,
Olympia, WA 98503—9/13/79
Barta's Korner Store, 2601 Yelm Rd.,
Olympia, WA 98501—9/14/79
Metz Marina, 206 Clover Island, Kennewick,
WA 99336—9/18/79

Name & Address of Station, and Date Issue

John F. Murphy Chevron, 906 S. Perry,
Spokane, W 99202—8/22/79
Gene Sietz & John McCullough, d/b/a Bee
Bee's Arco, 202 5th Ave. So., Edmonds, WA
98020—8/16/79
Ted Baker Exxon, 204 1st St., Asotin, WA
99402—9/13/79
A-1 Foreign Car Clinic, 2601 15th Ave. W.,
Seattle, WA 98109—9/26/79
Timmerman Marine Service, 1101 NE Boat
St., Seattle, WA 98105—9/16/79
Jackson's Village Exxon, 17956 1st Ave. S.,
Seattle, WA 98148—9/21/79

Issued in Washington, D.C., on the 23rd
day of October, 1979.

Robert D. Gerring,

Director, Enforcement Program Operations
Division, Economic Regulatory
Administration.

[FR Doc. 79-33308 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[ERA Cases Nos. 52181-2629-04-82 and
52181-2629-05-82]

**Orange & Rockland Utilities; Notice
and Issuance of Proposed Prohibition
Order Pursuant to Sections 301 and
701 of the Powerplant and Industrial
Fuel Use Act of 1978**

The Economic Regulatory
Administration (ERA) of the Department
of Energy hereby gives notice pursuant
to Section 701(b) of the Powerplant and
Industrial Fuel Use Act of 1978 (FUA), 42
U.S.C. 8301 et seq., of the issuance of the
following proposed prohibition order
which would prohibit the powerplants
named below from burning natural gas or
petroleum as their primary energy
source.

Proposed Prohibition Order

Pursuant to the authorities granted it
by Section 301(b) of FUA, ERA issues
this proposed prohibition order to the
following powerplants owned by the
Orange and Rockland Utilities.

requirements of Section 504.5(d) of the
Regulations, taking into consideration
the ability of the units, from the point of
fuel intake, to physically sustain
combustion of coal and maintain heat
transfer as evidenced by the burning of
coal at Lovett during 1969. This finding
recognizes, in accordance with Section
504.5(d), that Lovett units 4 and 5 are
capable of burning coal,
notwithstanding any required
refurbishment of plant equipment in order
to burn coal as a primary energy source
in the units, or any required installation
of air pollution control equipment to
meet air quality standards.

Other Required Findings

Section 301(b) of FUA states that prior
to the issuance of a final prohibition
order ERA must also find that (1) the
powerplant has the technical capability
to use coal or another alternate fuel as a
primary energy source, or it could have
such capability without (A) substantial
modification of the powerplant or (B)
substantial reduction in the rated
capacity of the powerplant; and (2) it is
financially feasible for the powerplant
to use coal or another alternate fuel as
its primary energy source in such
powerplant.

*Proposed Prohibition Under Title III of
FUA*

Subject to the other required findings
that ERA must make, ERA hereby
proposes to prohibit Orange and
Rockland's Lovett powerplants 4 and 5
from burning petroleum or natural gas
as their primary energy source.

*Description of Prohibition Order
Proceedings*

Pursuant to Section 301 of FUA, ERA
has promulgated the Regulations
applicable to the issuance of prohibition
orders to existing facilities, a summary of
which follows:

(1) ERA has performed its initial
information gathering with respect to the
question of technical capability to burn
alternate fuels (coal) and has informed
Orange and Rockland that it is
considering issuance of a proposed
prohibition order. ERA has also had
informal discussions with Orange and
Rockland concerning the issuance of a
proposed prohibition order.

(2) ERA has made a finding that
Orange and Rockland's Lovett 4 and 5
powerplants have or previously had the
technical capability of using coal as
their primary energy source.

ERA is publishing this finding and
proposed prohibition order in the
Federal Register as required by Section
701(b) of FUA. In accordance with
Section 301(b) of FUA, the proposed

ERA No.	Generating station	Powerplant No.	MW	Location
52181-2629-04-82	Lovett	4	197	Tompkins Cove, New York
52181-2629-05-82	Lovett	5	202	Tompkins Cove, New York

*Statement of Basis and Rationale for
Proposed Prohibition Order*

ERA has issued regulations applicable
to existing facilities 10 CFR Part 504
(Regulations), to implement the
prohibitions contained in Section 301(b)
of Title III of FUA. Section 504.5 of the
regulations sets forth the basis upon
which ERA will propose to prohibit by
order the use of natural gas or petroleum
as a primary energy source by a
powerplant where ERA finds that the
powerplant has or previously had the
technical capability to use an alternate
fuel as a primary energy source.

Orange and Rockland reported to the
Federal Energy Regulatory Commission
(FPC Form 67), for year ending
December 31, 1978, that its Lovett 4 and
5 powerplants (Lovett) burned a total of
4,566 barrels of oil per day (1,666,590
barrels annually) which represents the
potential oil displacement in converting
Lovett to an alternate fuel.

Finding of Technical Capability

In accordance with Section 301(b) of
Title III of FUA, this proposed order is
based on a finding by ERA that the
Lovett powerplant 4 and 5 have or
previously had the technical capability
to use an alternate fuel (coal) as a
primary energy source. This finding is
based upon the following facts obtained
from Orange and Rockland:

(1) The boilers at Lovett 4 and 5 were
designed and constructed to burn coal
as a primary energy source; and

(2) The Lovett powerplants burned
coal during 1969. They also burned coal
for part of 1974.

The finding is also based upon
information provided by Orange and
Rockland to ERA at a meeting in
Washington, D.C. on August 24, 1979. In
addition, Orange and Rockland reported
to the Federal Energy Regulatory
Commission (FPC Form 67) that it
burned coal at Lovett 4 and 5 during
1969 and for part of 1974.

The technical capability finding is
made in accordance with the

prohibition order is not required to contain, at this point in the proceeding, the other pertinent findings that ERA must make before a final prohibition order can be issued. These are (1) that the powerplant has the technical capability to use coal or another alternate fuel as a primary energy source, or it could have such capability without (A) substantial physical modification of the powerplant, or (B) substantial reduction in the rated capacity of the powerplant; and (2) that it is financially feasible for Orange and Rockland to use coal or another alternate fuel as a primary energy source in such powerplant.

(3) In accordance with Section 501 of the Regulations, a three-month public comment period is to commence, during which period Orange and Rockland will be given an opportunity to challenge ERA's initial finding of technical capability contained in this order. During this three-month comment period, under Section 501 of the Regulations, Orange and Rockland is required to furnish ERA with such additional evidence as is necessary to enable ERA to make the other statutory findings set forth above, which are required to be made by ERA prior to issuance of a final prohibition order. Orange and Rockland will also be required, during this period, to identify, but not to demonstrate its entitlement to, any exemptions for which the unit in question may qualify.

(4) Subsequent to the end of the three-month comment period, ERA will issue a notice of whether ERA intends to proceed with the prohibition order proceeding. Within three months of the issuance of the notice of intention to proceed with the prohibition order, an owner or operator of a powerplant that may be subject to an order may demonstrate prior to issuance of a final prohibition order that the powerplant would qualify for an exemption if the prohibition had been established by rule.

(5) Subsequent to the end of the second three month period, ERA will, if it intends to issue a final prohibition order, prepare and publish notice of availability of a tentative staff decision.

(6) Under the provisions of Section 701(d) of FUA, any interested person may request a public hearing on the proposed prohibition order and tentative staff decision. Interested persons wishing a hearing must request a hearing within 45 days after publication of the notice of availability of the tentative staff decision. If a hearing has

been requested, ERA shall provide interested persons with an opportunity to present oral data, views and arguments at a public hearing held in accordance with Subpart C of 10 CFR Part 501.

(7) At the hearing, if any, interested persons will have the opportunity to question the parties about ERA's proposed order and tentative staff decision, Orange and Rockland's showing on exemptions and rebuttal of ERA's proposed order, and ERA's rebuttal to any showing of potential qualification for exemption.

(8) After the hearing, if any, and comment period, ERA shall determine whether a final prohibition order will be issued based upon a review of the entire administrative record. A final prohibition order, if issued, will be published in the *Federal Register*. Final orders become effective sixty days after publication.

Comment and Public Hearing Procedures

ERA hereby also gives notice of the opportunity to submit written comments, views, and arguments by interested persons regarding this proposed prohibition order. Comments need not be limited to ERA's technical capability finding, but may include a discussion of all three statutory findings.

The initial comment period shall remain open for a period of 90 days after publication of this proposed order in the *Federal Register*. Comments should make reference to the docket numbers set forth in this notice and proposed order. Comments should address the adequacy and validity of the findings and any other aspects or impacts of the proposed prohibition order believed to be relevant. Written comments on the proposed prohibition order should be directed to Public Hearing Management (Case Nos. 52181-2629-04-82 and 52181-2629-05-82), U.S. Department of Energy, Box 4629, Room 3214, 2000 M Street, N.W., Washington, D.C. 20461, and should be received before 4:30 p.m. on January 21, 1980.

In accordance with 10 CFR 501.34, any interested person may request a public hearing on the proposed order. The request must include a description of the person's interest in the proposed prohibition order, an outline of the anticipated content of the presentation to be made at the public hearing, and an address and telephone where the person requesting the public hearing may be reached.

Comments and other documents

submitted to DOE Public Hearing Management should be identified on the outside of the envelope in which they are transmitted and on the document itself with the designation "Proposed Prohibition Order for the Lovett Powerplants." Fifteen copies should be submitted. All written comments, all oral presentations, and all other relevant information submitted to or available to ERA will be considered by ERA. Any information or data considered to be confidential by the person furnishing it must be so identified in writing in accordance with 10 CFR 303.9(f). ERA reserves the right to determine the confidential status of the information or data and to treat it in accordance with that determination.

For further information contact:

William L. Webb (Office of Public Information), Economic Regulatory Administration, Department of Energy, 2000 M Street, N.W., Room B-110, Washington, D.C., 20461, (202) 634-2170.
Robert L. Davies (Fuels Conversion-Program Office), Economic Regulatory Administration, Department of Energy, 2000 M Street, N.W., Room 3128L, Washington, D.C., 20461, (202) 254-7442.
G. Randolph Comstock (Office of General Counsel), Department of Energy, 12th & Pennsylvania Avenue, N.W., Room 7134, Washington, D.C., 20461 (202) 633-8820.

Issued in Washington, D.C., October 24, 1979.

Robert L. Davies,

Acting Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 79-33309 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of Action Taken on Consent Orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA, and the firms listed below during the month of August 1979. The Consent Orders represent resolutions of outstanding compliance investigations or proceedings by the DOE and the firms which involve a sum of less than \$500,000 in the aggregate, excluding penalties and interest. For Consent Orders involving sums of \$500,000 or more, Notice will be separately published in the *Federal Register*. These

Consent Orders are concerned exclusively with payment of the refunded amounts to injured parties for alleged overcharges made by the

specified companies during the time periods indicated below through direct refunds or rollbacks of prices.

For further information regarding

these Consent Orders, please contact Mr. Herbert M. Heitzer, District Manager of Enforcement, 1421 Cherry Street, Philadelphia, Pennsylvania 19102.

Firm name and address	Refund amount	Product	Period covered	Recipients of refund
Slomins, Inc., 1 Brooklyn Avenue, Massapequa, N.Y. 11758	\$120,000	No. 2 oil	Oct. 1, 1973 to Dec. 31, 1974	Residential Customers, Con Edison.
Commander Oil Corp., Foot of South Street, Oyster Bay, N.Y. 11771	120,000	No. 2 oil	Nov. 6, 1973 to Feb. 28, 1975	Government Class, Residential Class, Commercial Class.
Scallop Corp., 1 Rockefeller Plaza, New York, N.Y. 10020	136,070	No. 6 oil	Oct. 1, 1973 to Apr. 20, 1975	Potomac Electric Power Co., New England Power Co.

Issued in Philadelphia on the 12th day of October 1979.

Herbert M. Heitzer,
District Manager of Enforcement Northeast.

[FR Doc. 79-33192 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of Action Taken on Consent Orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA, and the firms listed below during the month of August 1979. These Consent Orders concern prices charged by retail motor gasoline dealers allegedly in excess of the maximum lawful selling price for motor gasoline. The purpose and effect of these Consent Orders is to bring the consenting firms into present compliance with the Mandatory Petroleum Price Regulations and the General Allocation and Price Regulations, and they do not address or limit any liability with respect to the consenting firms' prior compliance or possible violation of the aforementioned regulations. Pursuant to the Consent Orders, the consenting firms agree to the following actions.

1. Reduce prices for each grade of gasoline to no more than the maximum lawful selling price;
2. Post the maximum lawful selling price, or a certification that the current selling price is equal to or less than the maximum allowed, for each grade of gasoline on the face of each pump in numbers and letters not less than one-half inch in height, or in a prominent place elsewhere at the retail outlet in numbers or letters not less than four inches high;
3. Properly maintain records required under the aforementioned regulations; and
4. Cease and desist from employing any discriminatory and/or unlawful business practices prohibited by the aforementioned regulations.

For further information regarding these Consent Orders, please contact Edward F. Momorella, Program Manager for Product Retailers, Department of Energy, Economic Regulatory Administration, Northeast Enforcement District, 1421 Cherry Street, Philadelphia, Pa. 19102, telephone number (215) 597-2633.

Firm Name, Address, and Audit Date

Garcia Service Center, 871 Melrose Ave., Bronx, N.Y. 10451—8/1/79
 Bob/John Service Station, 309 Eleventh Avenue, New York, N.Y. 10001—8/2/79
 Astoria—44th Street Service Station, 44-02 Astoria Blvd., Astoria, N.Y.—8/3/79
 T & M Service Station, 1870 Hylan Blvd., Staten Island, N.Y.—8/9/79
 1945 Bartow Avenue Service Station, 1945 Bartow Avenue, Bronx, N.Y. 10469—8/10/79
 Krokus Service, 980 East 233rd Street, Bronx, N.Y. 10466—8/10/79
 Colony Exxon, 1454 Bruckner Blvd., Bronx, N.Y.—8/9/79
 Malony Shell, 114 Bruckner Blvd., Bronx, N.Y.—8/9/79
 Euclid Service Station, 784 Jamaica Avenue, Brooklyn, N.Y. 11208—8/13/79
 Windsor Park Service Station, 219 St. & Horace Harding Blvd., Bayside, N.Y. 11364—8/17/79
 Mt. Kisco Exxon Service Station, 120 North Bedford Road, Mt. Kisco, N.Y.—8/16/79
 McGuire's Service Station, 3553 East Tremont Avenue, Bronx, N.Y.—8/20/79
 Jerry's Chevron, 115-20 Beach Channel Drive, Rockaway, N.Y.—8/20/79
 H & R Shell Station, 3355 East Tremont Avenue, Bronx, N.Y.—8/24/79
 Francis Lewis Exxon, 17-55 Francis Lewis Blvd., Whitestone, N.Y. 11357—8/27/79
 Tuftan Enterprises, 20-20 Parsons Blvd., Whitestone, N.Y. 11357—8/27/79
 Crown Service Station, 619 Coney Island Avenue, Brooklyn, N.Y.—8/31/79
 Harry's 1000 Baychester Ave. Service Center, 1000 Baychester Avenue, Bronx, N.Y.—8/31/79
 Phil's West 44th Street Service Station, 624 Tenth Avenue, New York, N.Y. 10036—8/27/79

Mabuhay Service Station, 824 Allerton Avenue, Bronx, N.Y.—8/30/79
 Silvio Service Station, 4115 Third Avenue, Bronx, N.Y.—8/31/79
 Don Everhart Sunoco, King St. & Route 81, Martinsburg, W. Va.—8/22/79
 Jim's Exxon, I-81 King Street, P.O. Box 1619, Martinsburg, W. Va.—8/22/79
 C. B. Pennington Exxon, I-81 & Route 9, Martinsburg, W. Va.—8/22/79
 Ralph B. Creamer Texaco, U.S. Highway 340, Charleston, W. Va.—8/23/79
 Clyde's Texaco, 5805 Peach Street, Erie, Pa. 16509—8/29/79
 Bay Shore Marina, East Public Dock, Erie, Pa.—8/28/79
 Holmes Gulf & Sporting Goods, Pennsylvania Avenue & Buchanan, Warren, Pa. 16356—8/29/79
 Wolf Run Marina, P.O. Box 667, Warren, Pa. 16365—8/30/79
 Aspinwall Marina, 285 River Avenue, Aspinwall, Pa. 15215—8/28/79
 L & R Inc., Route 4—Turner Road, Turner, Maine—8/22/79
 L & B Service Center, 345 Main Street, Lewiston, Maine—8/22/79
 Broadway Shell, I-95 and Broadway, Bangor, Maine—8/22/79
 Ray's Exxon, 292 Harlow Street, Bangor, Maine—8/22/79
 Elm Plaza Mobil, Upper Main Street, Waterville, Maine—8/21/79
 Tom's Service Station, Route 138, Middletown, R.I.—8/30/79
 Johnny's Tire & Battery, 630 Mast Road, Goffstown, N.H.—8/30/79
 Johnny's Tire & Battery, 500 Second Street, Manchester, N.H.—8/30/79
 Leo's P. Charest, Rosemont Mast Street, Manchester, N.H.—8/30/79
 Turco's Exxon, Route 129, Billerica, Mass.—8/17/79
 Nahatan Service Station, Lenox & Nahatan Street, Norwood, Mass.—8/16/79
 Post Road Chevron, 529 Boston Post Road, Marlboro, Mass.—8/16/79
 B & F Service Station, Route 111, Boxboro, Mass.—8/15/79
 Middleton Square Exxon, Routes 114 & 62, Middleboro, Mass.—8/13/79

Skepi's Arco, 522 Main Street, South Weymouth, Mass.—8/13/79
 Township Line Texaco, 2806 Township Line Road, Drexel Hill, Pa. 19026—8/21/79
 Meehan's ARCO, 8910 West Chester Pike, Upper Darby, Pa. 19082—8/21/79
 Kerschner's Texaco, 1100 Bustleton Pike, Feasterville, Pa. 19047—8/22/79
 Sunoco of Exton, Rt. 30, Woodford Rd., Exton, Pa. 19335—8/22/79
 Joseph Masi Exxon, Bustleton Pike & Street Rd., Feasterville, Pa. 19047—8/22/79
 Frazier Exxon, 564 Lancaster Avenue, Malvern, Pa. 19355—8/22/79
 Ford's ARCO, 146 Main Street, Honeybrook, Pa. 19344—8/22/79
 Scoma's Exxon, Rt. 202 & Township Line Rd., Norristown, Pa.—8/23/79
 Harper's Mobil, Chew & Washington Aves., Philadelphia, Pa.—8/23/79
 Jann's Auto Service, 1417 Bridgetown Pike, Feasterville, Pa. 19047—8/23/79
 Art & Chuck's Getty, Bustleton Pike & Buck Rd., Feasterville, Pa.—8/23/79
 Arle's Exxon, Easton Rd. & Cheltenham Ave., Wyncote, Pa. 19095—8/24/79
 R&D Mobil, 7900 Bustleton Ave., Philadelphia, Pa. 19152—8/24/79
 M. Salvaggio Sunoco, 7901 Bustleton Ave., Philadelphia, Pa. 19152—8/24/79
 Tom's Getty, 6700 Bustleton, Philadelphia, Pa. 19149—8/24/79
 Meer's Washer, Rt. 222 & East Texas Road, Wescosville, Pa. 18106—8/24/79
 Hourt's Arco, 1302 Telghman Street, Allentown, Pa.—8/24/79
 Guvelis Brothers, 33 Emerson Street, Haverhill, Mass.—8/13/79
 Hilson's Mobil, North Montello St., Brockton, Mass.—8/14/79
 Elm Plaza Texaco, Upper Main, Waterville, Maine—8/24/79
 Oakmont Boat Service, 10 Washington Avenue, Oakmont, Pa. 15139—8/28/79
 Harmar Marina, 2526 Wenzel Drive, Harmarville, Pa. 15238—8/29/79
 Evan Ford Marina, Buenola, Pa. 15020—8/30/79
 Lima Texaco, Baltimore Pike & Holiday Inn, Lima, Pa. 19060—8/10/79
 Ed Reese's Shell, 435 Germantown Pike, Plymouth Meeting, Pa. 19462—8/13/79
 Bob & Ed's Sunoco, Morrell & Frank Ford Ave., Phila., Pa. 19114—8/14/79
 McLaughlin's Exxon, 1531 W. Chester Pike, West Chester, Pa. 19380—8/16/79
 Tony's Exxon, 401 & Rt. 30, Malvern, Pa. 19355—8/16/79
 Va Kleckner's Texaco, Marshall Rd. & Springton, Upper Darby, Pa. 19082—8/20/79
 Jones' Exxon, 5700 Chew Avenue, Phila., Pa. 19138—8/20/79
 Fleetwood Mobil, Garrett Rd. & Bayard St., Upper Darby, Pa. 19082—8/20/79
 Les's Texaco, West Chester Pike, Broomall, Pa. 19008 (Berkley Rd.)—8/21/79
 Shattuck's Exxon, 7630 Germantown Ave., Phila., Pa. 19119—8/21/79
 Colsher Arco, Bustleton Ave. & Rhawn St., Philadelphia, Pa. 19120—8/27/79
 Richard Cucinotta, Edgemont & Maple Aves., Brook Haven, Pa. 19015—8/27/79
 Roy Belding, Easton & Cross, Glenside, Pa.—8/27/79
 Roman's Texaco Service, 8019 Germantown Ave., Philadelphia, Pa. 19118—8/27/79

Rudy & Mike's Mobil, Bustleton Ave. & Mower St., Philadelphia, Pa. 19152—8/27/79
 Marino's, Inc. (Gulf), 1521 Easton Road, Roslyn, Pa.—8/27/79
 Dan's Exxon, Route 202 & Route 1, Concordville, Pa. 19331—8/27/79
 Pete's Sunoco Stations, Route 1 & 100, Chadds Ford, Pa. 19317—8/28/79
 Robert Seeger, N. Easton Road, Doylestown, Pa. 18901—8/28/79
 Bay & Smith Motors, Rd. 1, Oxford, Pa. 19363—8/28/79
 M. Silver's Chevron, Bustleton Ave. & Justin St., Philadelphia, Pa. 19152—8/28/79
 T/A Edison Arco, Easton Rd. & Rd. 3, Doylestown, Pa. 18901—8/28/79
 Dave's Bustleton Exxon, Bustleton & Red Lion 121, Philadelphia, Pa. 19115—8/28/79
 Denafa's Texaco, Bustleton Ave. & Lot St., Philadelphia, Pa. 19152—8/28/79
 Marie's Sunoco, 19819 Bustleton Ave., Philadelphia, Pa. 19116—8/28/79
 Schuler's Hess, 2040 Street Road, Bensalem, Pa. 19020—8/29/79
 Thornbury Exxon, 1200 Wilmington Pk., Westchester, Pa. 19380—8/29/79
 T/A Russ S. Auto Repair, 901 Northampton St., Easton, Pa. 18042—8/29/79
 Beckers Arco, Route 532, Newtown, Pa. 18940—8/29/79
 Burkat's William Penn, 1634 Northampton St., Easton, Pa.—8/29/79
 Amote's Shell, 727 Walnut St. & Lehigh, Easton, Pa. 18042—8/29/79
 Mackissic Arco, Route 532 & Taylorsville, Washington's Crossing, Pa. 18977—8/30/79
 Flanagan's William Penn, Rt 13 & Haines Rd., Levittown, Pa. 19150—8/30/79
 Eugene Verona's Gulf, 8510 Ridge Ave., Philadelphia, Pa.—8/30/79
 David L. Maitre's Exxon, Baltimore Pike, Touchkenama, Pa. 19374—8/30/79
 John Bold's Mobil, Pembroke & Elm St., Bethlehem, Pa. 18017—8/31/79
 Bennett Park Shell, Roosevelt Blvd & Bennet Rd., Philadelphia, Pa. 19116—8/31/79
 G & H Shell, Roosevelt Blvd. & Red Lion Road, Philadelphia, Pa. 19115—8/31/79
 Lynnkroft, 541 Penbrooke Rd., Bethlehem, Pa.—8/31/79
 Robert Hruerger Sunoco, Main & Union Blvd., Bethlehem, Pa.—8/31/79
 William Kaelin Sunoco, Roosevelt Blvd. & Halderman Avenue, Philadelphia, Pa. 19116—8/31/79
 Fred Miller Arco, 738-748 New Street, Bethlehem, Pa. 18017—8/31/79
 Robert Lewis Gulf, 804 E. Baltimore Pike, Kennett Square, Pa. 19348—8/31/79
 Issued in Philadelphia on the 5th day of October, 1979.

Herbert M. Hetizer,

District Manager of Enforcement, Northeast.

[FR Doc. 79-33195 Filed 10-29-79; 8:45 am]

BILLING CODE 6450-01-M

National Propane Corp., Conservative Gas Division; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATES: Effective date: September 26, 1979.

COMMENTS BY: November 29, 1979.

ADDRESS: Send comments to: Herbert Maletz, New York Audit Group Manager, Northeast District, 252 Seventh Avenue, New York, New York 10001.

FOR FURTHER INFORMATION CONTACT: Herbert Maletz, New York Audit Group Manager, Northeast District, 252 Seventh Avenue, New York, New York 10001, 212/620-6706.

SUPPLEMENTARY INFORMATION: On September 26, 1979, the Office of Enforcement of the ERA executed a Consent Order with National Propane Corporation, Conservative Gas Division. Under 10 CFR 205.199(b), a Consent Order which involves a sum of less than \$500,000 in the aggregate, excluding penalties and interest, becomes effective upon its execution.

I. The Consent Order

National Propane Corporation, Conservative Gas Division (Conservative), with its home offices located in New Hyde Park, New York, is a firm engaged in the resale and retail sale of propane and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR, Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Conservative, the Office of Enforcement of the ERA, and Conservative entered into a Consent Order, the significant terms of which are as follows:

1. During the period November 1, 1973 through November 30, 1975 (audit period), Conservative allegedly overcharged its following classes of purchaser in the resale and retail sale of propane:

Class I—Cylinders—Domestic—Retail
 Class II—Cylinders—Domestic—ACS
 Class III—Cylinders—Industrial
 Class IV—Cylinders—Forklift
 Class V—Cylinders—Wholesale
 Class VI—Bulk—Retail

Class VII—Bulk—Retail—Metered
 Class VIII—Bulk—Industrial
 Class IX—Bulk—Cylinder—Wholesale
 Dealer
 Class X—Bulk—Wholesale

2. It is alleged that Conservative incorrectly computed its maximum legal selling price in its sales of propane to the classes of purchaser listed above during the audit period. As a result, Conservative charged prices in excess of those permitted under 10 CFR 212.93(a) and 6 CFR 150.359(c)(1).

3. This Consent Order constitutes neither an admission by Conservative that it has violated the Mandatory Petroleum Price Regulations nor a finding by ERA that Conservative has violated such regulations.

4. The provisions of 10 CFR 205.199, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Conservative agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of \$70,491.00 on or before April 30, 1980.

The amount to be refunded to each class is as follows:

\$21,289—Allocated to:

Class I—Cylinders—Domestic—Retail
 Class II—Cylinders—Domestic—ACS
 Class VI—Bulk—Retail
 Class VII—Bulk—Retail—Metered

\$27,985—Allocated to:

Class III—Cylinders—Industrial
 Class IV—Cylinders—Forklift
 Class VIII—Bulk—Industrial

\$987—Allocated to:

Class V—Cylinders—Wholesale

\$634—Allocated to:

Class IX—Bulk—Cylinder—Wholesale
 Dealer

\$19,596—Allocated to:

Class X—Bulk—Wholesale

In order to accomplish the refund of overcharges to Classes II, III, IV, VI, VII and VIII, Conservative will issue refund checks or credit memoranda to the customers on a pro-rata basis determined by the volume brought by each customer during the fiscal year 1977/78. In order to accomplish the refund of overcharges to Classes V, IX and X, conservative will issue, during the refund period, certified checks made payable to the United States Department of Energy and delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the

determination of their proper disposition.

The DOE intends to distribute the Classes V, IX and X refund amount in a just and equitable manner in accordance with applicable law and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the Classes V, IX and X refunds will be made in the general public interest by an appropriate means such as payment of the Treasury of the United States pursuant to 10 CFR 205.299(a).

III. Submission of Written Comments

A. Potential Claimants.—Interested persons who believe that they have a claim to all or a portion of the Classes V, IX and X refund amounts should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to this refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. Other Comments.—The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order.

You should send you comments or written notification of a claim to Herbert Maletz, New York Audit Group Manager, Northeast District, 252 Seventh Avenue, New York, New York 10001. You may obtain a free copy of this Consent Order by writing to the same address.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on

Conservative Consent Order". We will consider all comments we receive by 4:30 p.m., local time, on November 29, 1979. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Philadelphia, PA on the 12th day of October, 1979.

Herbert M. Heitzer,
 Northeast District Manager of Enforcement.

[FR Doc. 79-33196 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

Upham Oil & Gas Co.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.
ACTION: Notice of Action taken and opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATES: Effective Date: September 18, 1979. Comments by: November 28, 1979.

ADDRESS: Send comments to: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235 (phone) 214/767-7751.

SUPPLEMENTARY INFORMATION: On September 18, 1979, the Office of Enforcement of the ERA executed a Consent Order with Upham Oil and Gas Company of Mineral Wells, Texas. Under 10 CFR 205.199(b), a Consent Order which involves a sum of less than \$500,000 in the aggregate, excluding penalties and interest, becomes effective upon its execution.

Because the DOE and Upham Oil and Gas Company wish to expeditiously resolve this matter as agreed and to avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with Upham Oil and Gas Company effective as of the date of its execution by the DOE and Upham Oil and Gas Company.

I. Consent Order

Upham Oil and Gas Company, with its home office in Mineral Wells, Texas, is a firm engaged in the processing of natural gas and sale of natural gas liquid products, and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of sales of NGLPs, the Office of Enforcement, ERA and Upham Oil and Gas Company entered into a Consent Order, the significant terms of which are as follows:

1. The period covered by the audit was September 1973 through December 1975 and it included all sales of natural gas liquid products which were made during that period.

2. Upham Oil and Gas Company improperly applied the provisions of 6 CFR Part 150, Subpart L, and 10 CFR Part 212, Subpart E and K, when determining the prices to be charged for its natural gas liquid products; and, as a consequence, charged prices in excess of the maximum lawful sales prices resulting in overcharges to its customers.

3. In order to expedite resolution of the disputes involved, the DOE and Upham Oil and Gas Company have agreed to a settlement in the amount of \$500,000. The negotiated settlement was determined to be in the public interest as well as the best interest of the DOE and Upham Oil and Gas Company.

4. Because sales of the natural gas liquid products were made to resellers and the ultimate consumers are not readily identifiable, the refund will be made through the DOE in accordance with 10 CFR Part 205, Subpart V as provided below.

5. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Upham Oil and Gas Company agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of \$500,000 (of which \$184,707 has already been refunded to the marketplace). The terms of the refund consist of \$75,293 to be refunded immediately upon acceptance of the Consent Order, with the balance of the refundable amount divided into four equal installments to be paid within four months. Refunded overcharges will be in the form of a certified check made payable to the

United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments

A. Potential Claimants.—Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. Other Comments.—The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order.

You should send your comments or written notification of a claim to Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767-7751.

You should identify your comments or written notification of a claim on the

outside of your envelope and on the documents you submit with the designation, "Comments on Upham Oil and Gas Company Consent Order." We will consider all comments we receive by 4:30 p.m., local time, on November 28, 1979. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 21st day of September 1979.

Wayne I. Tucker,
District Manager, Southwest District
Enforcement, Economic Regulatory
Administration.

[FR Doc. 79-33193 Filed 10-28-79; 8:45 am]

BILLING CODE 6450-01-M

Quintana Petroleum Corp.; Proposed Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.
ACTION: Notice of proposed Consent Order and opportunity for comment.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order and provides an opportunity for public comment on the proposed Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATE: August 31, 1979.

COMMENTS BY: November 28, 1979.

ADDRESS: Send comments to: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, PO Box 35228, Dallas, Texas 75235.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, PO Box 35228, Dallas, Texas 75235—(214) 767-7745.

SUPPLEMENTARY INFORMATION: On August 31, 1979, the Office of Enforcement of the ERA executed a proposed Consent Order with Quintana Petroleum Corporation of Houston, Texas. Under 10 CFR 205.199J(b), a proposed Consent Order which involves a sum of \$500,000 or more in the aggregate, excluding penalties and interest, becomes effective only after the DOE has received comments with respect to the proposed Consent Order. Although the ERA has signed and tentatively accepted the proposed Consent Order, the ERA may, after consideration of the comments it receives, withdraw its acceptance and,

if appropriate, attempt to negotiate an alternative Consent Order.

I. The Consent Order

Quintana Petroleum Corporation (Quintana), with its office located in Houston, Texas, is a firm engaged in crude oil production, and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of crude oil sales, the Office of Enforcement, ERA, and Quintana, entered into a Consent Order, the Significant terms of which are as follows:

1. The initial audit period was from September 1, 1973 through September 30, 1975. This period was extended through August 31, 1976 in order to resolve any additional overcharges that might have occurred subsequent to the original audit period.

The purchaser of Quintana's crude is Exxon.

2. Quintana established separate BPCL's for the heavy crude and for the light crude produced from the Maude Williams "A"-Lake Pasture, Tom O'Connor "C", Fannie Heard, Clement Heard and Annie Reilly properties. By calculating the separate BPCL's Quintana is treating as separate properties, separate reservoirs underlying a lease. This treatment by Quintana resulted in the sale of greater amounts of "new", "released" and "upper tier" oil than are allowed under the regulations. This treatment violates 10 CFR 212.73(b).

3. The provisions of 10 CFR 205.199], including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Quintana agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of \$3,750,000.00 within six months after the effective date of the Consent Order. Refunded overcharges will be in the form of a certified check made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly,

distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199(a).

III. Submission of Written Comments

A. Potential Claimants.—Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. Other Comments.—The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order. You should send your comments or written notification of a claim to Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling (214) 767-7745.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Quintana Petroleum Corporation Consent Order." We will consider all comments we receive by 4:30 p.m., local time, on November 28, 1979. You should identify any information or data which, in your opinion, is confidential and submit it in

accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 14th day of September 1979.

Wayne I. Tucker,

District Manager for Enforcement, Southwest District, Economic Regulatory Administration.

[FR Doc. 79-33194 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

Wyatt, Inc., Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of final action taken on consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) as the successor to the Federal Energy Administration (FEA) announces final action of a Consent Order.

EFFECTIVE DATE: November 28, 1979.

FOR FURTHER INFORMATION CONTACT:

Arthur H. Shaw, Deputy District Manager of Enforcement, Northeast District, Economic Regulatory Administration, Room 700, 150 Causeway Street, Boston, MA, 02114 617-223-5265.

SUPPLEMENTARY INFORMATION: On May 31, 1979 the DOE executed a proposed Consent Order with Wyatt, Incorporated (Wyatt) of New Haven, CT. Under 10 CFR 205.199(c) a proposed Consent Order becomes effective only after the ERA has published notice of its execution and solicits and considers public comments with respect to its terms. Therefore, the ERA published a Notice of Proposed Consent Order and invited interested persons to comment on the proposed Order.

At the conclusion of the thirty-day comment period, the ERA had received no public comments.

Accordingly, the ERA had concluded that the Consent Order as executed between the DOE and Wyatt is an appropriate resolution of the compliance proceedings which it described, and it shall become effective as proposed, without modification, upon publication of this Notice.

Issued in Philadelphia, PA on September 7, 1979.

Herbert M. Heitzer,

District Manager of Enforcement, Northeast District.

[FR Doc. 79-33191 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

**Federal Energy Regulatory
Commission**

[No. 101]

**Consolidated Gas Supply Corp., et al.;
Notice of Determinations by
Jurisdictional Agencies Under the
Natural Gas Policy Act of 1978**

October 18, 1979.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1979.

West Virginia Department of Mines

Oil and Gas Division

1. Control Number (FERC/State)
2. API Well number
3. Section of NCPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-01145
2. 47-013-00582
3. 108
4. Consolidated Gas Supply Corp
5. John W Frame 8532
6. West Virginia other A-85772
7. Calhoun, WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01146
2. 47-021-00868
3. 108
4. Consolidated Gas Supply Corp
5. W G Bennett 9652
6. West Virginia other A-85772
7. Gilmer, WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01010
2. 47-001-00406
3. 108
4. Consolidated Gas Supply Corp
5. Post 11001
6. West Virginia other A-85772
7. Barbour, WV
8. 13.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01011
2. 47-001-00443
3. 108
4. Consolidated Gas Supply Corp
5. W Burner 11127
6. West Virginia other A-85772
7. Barbour, WV
8. 11.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01012
2. 47-001-00502
3. 108

4. Consolidated Gas Supply Corp
5. Richard Stuart 11199
6. West Virginia other A-85772
7. Barbour, WV
8. 14.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01013
2. 47-041-01672
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Israel Simmons 11154
6. West Virginia other A-85772
7. Lewis, WV
8. 21.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01014
2. 47-041-01707
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Abram Gaston 11193
6. West Virginia other A-85772
7. Lewis, WV
8. 19.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01015
2. 47-001-00596
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Millard Poling 11503
6. West Virginia other A-85772
7. Barbour, WV
8. 15.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01016
2. 47-017-00039
3. 108 Denied
4. Consolidated Gas Supply Corp
5. B D Helmick 1476
6. West Virginia other A-85772
7. Doddridge, WV
8. 19.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01017
2. 47-005-00496
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Federal Coal Co 8552
6. West Virginia other A-85772
7. Boone, WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01018
2. 47-001-00386
3. 108 Denied
4. Consolidated Gas Supply Corp
5. A H Hudkins 10972
6. West Virginia other A-85772
7. Barbour, WV
8. 16.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01019
2. 47-021-00946-DD
3. 108
4. Consolidated Gas Supply Corp
5. W G Bennett 9781
6. West Virginia other A-85772
7. Gilmer, WV
8. 14.0 million cubic feet

9. October 5, 1979
10. General System Purchasers
1. 80-01020
2. 47-001-00432
3. 108 Denied
4. Consolidated Gas Supply Corp
5. O Casto 11034
6. West Virginia other A-85772
7. Barbour, WV
8. 22.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01021
2. 47-019-00091
3. 108
4. Consolidated Gas Supply Corp
5. Vanetta Land Co 9843
6. West Virginia other A-85772
7. Fayette, WV
8. 14.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01022
2. 47-001-00072
3. 108
4. Consolidated Gas Supply Corp
5. Guv D Young 9334
6. West Virginia other A-85772
7. Barbour, WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01023
2. 47-001-00114
3. 108
4. Consolidated Gas Supply Corp
5. Veulah Neston 10395
6. West Virginia other A-85772
7. Barbour WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01024
2. 47-001-00123
3. 108
4. Consolidated Gas Supply Corp
5. W L Strader 10407
6. West Virginia other A-85772
7. Barbour WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01025
2. 47-001-00175
3. 108
4. Consolidated Gas Supply Corp
5. Nellie J Zinn 10649
6. West Virginia other A-85772
7. Barbour WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01026
2. 47-001-00190
3. 108
4. Consolidated Gas Supply Corp
5. Harold D Wright 10667
6. West Virginia other A-85772
7. Barbour WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01027
2. 47-013-01315

3. 108
4. Consolidated Gas Supply Corp
5. Bennett-Marsh 9913
6. West Virginia other A-85772
7. Calhoun WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01028
2. 47-013-01446
3. 108
4. Consolidated Gas Supply Corp
5. Snodgrass-Bennett 9982
6. West Virginia other A-85772
7. Calhoun WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01029
2. 47-013-01536
3. 108
4. Consolidated Gas Supply Corp
5. S S Shimer 10049
6. West Virginia other A-85772
7. Calhoun WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01030
2. 47-013-01922-D
3. 108
4. Consolidated Gas Supply Corp
5. Hagan Barr #2 7418
6. West Virginia other A-85772
7. Calhoun WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01031
2. 47-017-01047-D
3. 108
4. Consolidated Gas Supply Corp
5. John Morris 5452
6. West Virginia other A-85772
7. Doddridge WV
8. 4 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01032
2. 47-005-00951
3. 108
4. Consolidated Gas Supply Corp
5. Federal Coal Co 10449
6. West Virginia other A-85772
7. Boone WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01033
2. 47-013-00617
3. 108
4. Consolidated Gas Supply Corp
5. Hunter Bennett 8572
6. West Virginia other A-85772
7. Calhoun WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01034
2. 47-109-00260-DD
3. 108
4. Consolidated Gas Supply Corp
5. Loop CR Colliery Co 9217
6. Pineville Field Area A-59442
7. Wyoming WV
8. .7 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01035
2. 47-109-00207
3. 108
4. Consolidated Gas Supply Corp
5. Perry C Cook 9139
6. Pineville Field Area A-59442
7. Wyoming WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01036
2. 47-109-00197
3. 108
4. Consolidated Gas Supply Corp
5. New River & Poca Coal Co 9136
6. Pineville Field Area A-59442
7. Wyoming WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01037
2. 47-109-00194
3. 108
4. Consolidated Gas Supply Corp
5. Perry C Cook 9114
6. Pineville Field Area A-59442
7. Wyoming WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01038
2. 47-109-00446
3. 108
4. Consolidated Gas Supply Corp
5. Chas Nat Bank 9964
6. Pineville Field Area A-59442
7. Wyoming WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01039
2. 47-109-00419
3. 108
4. Consolidated Gas Supply Corp
5. Chas Nat Bank 9910
6. Pineville Field Area A-59442
7. Wyoming WV
8. 12.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01040
2. 47-109-00399
3. 108
4. Consolidated Gas Supply Corp
5. Wyoming Mining Co 9864
6. Pineville Field Area A-59442
7. Wyoming WV
8. 12.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01041
2. 47-109-00386
3. 108
4. Consolidated Gas Supply Corp
5. Wyoming Mining Co 9821
6. Pineville Field Area A-59442
7. Wyoming WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01042
2. 47-109-00375
3. 108
4. Consolidated Gas Supply Corp
5. Agnes N Wittenberg 9749
6. Pineville Field Area A-59442
7. Wyoming WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01043
2. 47-109-00130-D
3. 108
4. Consolidated Gas Supply Corp
5. Loup CR Colliery Co 9042
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01044
2. 47-109-00153
3. 108
4. Consolidated Gas Supply Corp
5. N R & POCA Concoal Co 9062
6. Pineville Field Area A-59442
7. Wyoming, WV
8. .7 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01045
2. 47-109-00144
3. 108
4. Consolidated Gas Supply Corp
5. N R & POCA Coal Co 9060
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01046
2. 47-109-00263
3. 108
4. Consolidated Gas Supply Corp
5. Guy L Chambers 9218
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 13.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01047
2. 47-081-00118
3. 108
4. Consolidated Gas Supply Corp
5. Emma P Trump 9213
6. Pineville Field Area A-59442
7. Raleigh, WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01048
2. 47-081-00110
3. 108
4. Consolidated Gas Supply Corp
5. H G Farmer 9187
6. Pineville Field Area A-59442
7. Raleigh, WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01049
2. 47-109-00116
3. 108
4. Consolidated Gas Supply Corp
5. New River & Poca Coal 9018
6. Pineville Field Area A-59442

7. Wyoming, WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01050
2. 47-109-00115
3. 108
4. Consolidated Gas Supply Corp
5. N R & Poca Coal Co 9017
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01051
2. 47-109-00112-R
3. 108
4. Consolidated Gas Supply Corp
5. N R & Poca Coal Co 9014
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01052
2. 47-109-00106
3. 108
4. Consolidated Gas Supply Corp
5. New River & Poca Coal 9003
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01053
2. 47-109-00091
3. 108
4. Consolidated Gas Supply Corp
5. N R & Poca Cons Coal 8985
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01054
2. 47-109-00078
3. 108
4. Consolidated Gas Supply Corp
5. N R & Poca Coal Co 8955
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01055
2. 47-109-00061-R
3. 108
4. Consolidated Gas Supply Corp
5. N R & Poca Coal Co 8907
6. Pineville Field Area A-59442
7. Wyoming, WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01056
2. 47-085-00085
3. 108
4. Consolidated Gas Supply Corp
5. Joseph Chambers 9116
6. Pineville Field Area A-59442
7. Raleigh, WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01057
2. 47-081-00188
3. 108
4. Consolidated Gas Supply Corp
5. Paul Trump 9667
6. Pineville Field Area A-59442
7. Raleigh, WV
8. 12.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01058
2. 47-081-00183
3. 108
4. Consolidated Gas Supply Corp
5. Paul Trump 9626
6. Pineville Field Area A-59442
7. Raleigh, WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01059
2. 47-013-01397
3. 108
4. McIntosh and Grimm
5. R M Marshall #4
6.
7. Calhoun, WV
8. 2.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01060
2. 47-013-02037-FRAC
3. 108
4. McIntosh and Grimm
5. W H Slider No 2
6.
7. Calhoun, WV
8. 6.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01061
2. 47-013-01029
3. 108
4. McIntosh & Grimm
5. H D & H C Lockney #1
6.
7. Calhoun, WV
8. .1 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01062
2. 47-013-01033
3. 108
4. McIntosh and Grimm
5. H M Bennett No 4
6.
7. Calhoun, WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01063
2. 47-013-01061
3. 108
4. McIntosh and Grimm
5. H M Bennett No 5
6.
7. Calhoun WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01064
2. 47-013-01064
3. 108
4. McIntosh and Grimm
5. H M Bennett No 6
6.
7. Calhoun WV
8. 3.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01065
2. 47-013-01078
3. 108
4. McIntosh and Grimm
5. H M Bennett No 7
6.
7. Calhoun WV
8. 3.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01066
2. 47-013-01090
3. 108
4. McIntosh and Grimm
5. H M Bennett No 8
6.
7. Calhoun WV
8. .0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01067
2. 47-013-01114
3. 108
4. McIntosh and Grimm
5. H M Bennett No 9
6.
7. Calhoun WV
8. 3.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01068
2. 47-013-01140
3. 108
4. McIntosh and Grimm
5. H M Bennett No 10
6.
7. Calhoun WV
8. 3.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01069
2. 47-013-01307
3. 108
4. McIntosh and Grimm
5. R M Marshall No 2
6.
7. Calhoun WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01070
2. 47-021-00335
3. 108
4. McIntosh & Grimm
5. M B Morris #3
6.
7. Gilmer WV
8. 5.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-01071
2. 47-021-00324-FRAC
3. 108
4. McIntosh & Grimm
5. M B Morris #1
6.
7. Gilmer WV
8. 5.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-01072

2. 47-087-01067
3. 108
4. William L Heeter
5. Perot Heirs 25A #1
6.
7. Roane WV
8. .6 million cubic feet
9. October 5, 1979
10. Harry C Boggs
1. 80-01073
2. 47-013-00054
3. 108
4. McIntosh and Grimm
5. Jarvis & Uldrich No 1
6.
7. Calhoun WV
8. 15.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01074
2. 47-013-00072
3. 108
4. McIntosh and Grimm
5. Joanna Duskey No. 3
6.
7. Calhoun WV
8. 22.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01075
2. 47-013-00525
3. 108
4. McIntosh and Grimm
5. J R Lockney No 1
6.
7. Calhoun WV
8. .8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01076
2. 47-013-00533
3. 108
4. McIntosh and Grimm
5. R M Marshall No 1
6.
7. Calhoun WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01077
2. 47-013-00985
3. 108
4. McIntosh and Grimm
5. H M Bennett No 1
6.
7. Calhoun WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01078
2. 47-013-01013
3. 108
4. McIntosh and Grimm
5. H M Bennett No 2
6.
7. Calhoun WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01079
2. 47-013-01020
3. 108
4. McIntosh and Grimm
5. H M Bennett No 3
6.
7. Calhoun WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01080
2. 47-013-00098
3. 108
4. McIntosh and Grimm
5. John Riddle No 4
6.
7. Calhoun WV
8. 31.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01081
2. 47-013-00294
3. 108
4. McIntosh and Grimm
5. W E Stump #1
6.
7. Calhoun WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01082
2. 47-013-00343
3. 108
4. McIntosh and Grimm
5. J W Schoolcraft #1
6.
7. Calhoun WV
8. 4.2 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01083
2. 47-013-00488
3. 108
4. McIntosh and Grimm
5. Ida rose Witt #1
6.
7. Calhoun, WV
8. 17.6 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01084
2. 47-013-00461-
3. 108
4. McIntosh and Grimm
5. R M Marshall #1
6.
7. Calhoun, WV
8. 5.1 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01085
2. 47-013-00480
3. 108
4. McIntosh and Grimm
5. Columbia Kimble #1
6.
7. Calhoun, WV
8. 27.2 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01086
2. 47-013-00503-D
3. 108
4. McIntosh and Grimm
5. Lockney No. 1
6.
7. Calhoun, WV
8. 2.6 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01087
2. 47-013-00512
3. 108
4. McIntosh and Grimm
5. Creed Yoak #1
6.
7. Calhoun, WV
8. 11.9 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01088
2. 47-013-02048-FRAC
3. 108
4. McIntosh and Grimm
5. J I McCoy No. 1
6.
7. Calhoun, WV
8. 5.0 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01089
2. 47-013-02061-FRAC
3. 108
4. McIntosh and Grimm
5. C L Shock No. 1
6.
7. Calhoun, WV
8. 33.6 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01090
2. 47-013-02394-DD
3. 108
4. McIntosh and Grimm
5. J I McCoy No. 3
6.
7. Calhoun, WV
8. 4.0 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01091
2. 47-013-02455
3. 108
4. McIntosh and Grimm
5. J I McCoy No. 5
6.
7. Calhoun, WV
8. 5.0 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01092
2. 47-013-02948-FRAC
3. 108
4. McIntosh and Grimm
5. John Riddle No. 2
6.
7. Calhoun, WV
8. 31.3 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01093
2. 47-013-02950-FRAC
3. 108
4. McIntosh and Grimm
5. John Riddle No. 3
6.
7. Calhoun, WV
8. 31.3 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01094
2. 47-087-01923
3. 108
4. Pennzoil Company
5. WM Kaufman #29
6. Smithfield

7. Roane, WV
8. .0 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01095
2. 47-047-20582-0014
3. 108
4. Worldwide Oil & Gas Co.
5. Brewster #1
6. Big Creek
7. McDowell, WV
8. 6.0 Million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01096
2. 47-087-00935
3. 108
4. William L. Heeter
5. Perot Lot
6.
7. Roane, WV
8. .7 Million cubic feet
9. October 5, 1979
10. Harry C. Boggs
1. 80-01097
2. 47-087-01091
3. 108
4. William L. Heeter
5. Perot 25B #1
6.
7. Roane, WV
8. .8 Million cubic feet
9. October 5, 1979
10. Harry C. Boggs
1. 80-01098
2. 47-013-00624
3. 108
4. Consolidated Gas Supply Corp
5. RM Marshall 8571
6. West Virginia Other A-85772
7. Calhoun, WV
8. 5.0 Million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01099
2. 47-013-00742
3. 108
4. Consolidated Gas Supply Corp
5. J H Roberts 2353
6. West Virginia Other A-85772
7. Calhoun, WV
8. 2.0 Million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01100
2. 47-013-00790
3. 108
4. Consolidated Gas Supply Corp
5. Ashby Hicks 8860
6. West Virginia Other A-85772
7. Calhoun, WV
8. 4.0 Million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01101
2. 47-093-00019
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Earl Fike 9993
6. West Virginia Other A-85772
7. Tucker WV
8. 1.8 Million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01102
2. 47-001-00225
3. 108 Denied
4. Consolidated Gas Supply Corp
5. HB Watson 10730
6. West Virginia Other A-85772
7. Barbour WV
8. 4.0 Million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01103
2. 47-001-00352
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Octavia Boyles 10908
6. West Virginia other A-85772
7. Barbour WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01104
2. 47-001-00568
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Virgil Shaw 11420
6. West Virginia other A-85772
7. Barbour WV
8. .5 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01105
2. 47-005-00925
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Albert H Cole 10315
6. West Virginia other A-85772
7. Boone
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01106
2. 47-013-00798
3. 108 Denied
4. Consolidated Gas Supply Corp
5. Louis Bennett 8882
6. West Virginia other A-85772
7. Calhoun WV
8. 1.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01107
2. 47-001-00008
3. 108
4. Consolidated Gas Supply Corp
5. James N Stewart 8850
6. West Virginia other A-85772
7. Barbour WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01108
2. 47-001-00034
3. 108
4. Consolidated Gas Supply Corp
5. Osca L Jackson 9006
6. West Virginia other A-85772
7. Barbour WV
8. 1.5 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01109
2. 47-097-00471
3. 108
4. Consolidated Gas Supply Corp
5. Wease L Ashworth 9971
6. West Virginia other A-85772
7. Upshur WV
8. 9.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01110
2. 47-097-00504-D
3. 108
4. Consolidated Gas Supply Corp
5. Pearl Wilson #11118
6. West Virginia other A-85772
7. Upshur WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01111
2. 47-097-00531
3. 108
4. Consolidated Gas Supply Corp
5. M H Lane 10116
6. West Virginia other A-85772
7. Upshur WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01112
2. 47-097-00572
3. 108
4. Consolidated Gas Supply Corp
5. R R Hodges 10190
6. West Virginia other A-85772
7. Upshur WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01113
2. 47-047-00231
3. 108
4. Consolidated Gas Supply Corp
5. Peoples First Nat Bank 10370
6. Pineville Field Area A-59442
7. McDowell WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01114
2. 47-047-00283
3. 108
4. Consolidated Gas Supply Corp
5. Peoples First Nat Bank 10653
6. Pineville Field Area A-59442
7. McDowell WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01115
2. 47-045-00553
3. 108
4. Consolidated Gas Supply Corp
5. S E McDonald 9998
6. Pineville Field Area A-59442
7. Logan WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01116
2. 47-045-00525
3. 108
4. Consolidated Gas Supply Corp
5. Triadelphia Land Co 9975
6. Pineville Field Area A-59442
7. Logan WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01117

2. 47-045-00524
3. 108
4. Consolidated Gas Supply Corp
5. Triadelphia Land Co 9974
6. Pineville Field Area A-59442
7. Logan WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01118
2. 47-045-00450
3. 108
4. Consolidated Gas Supply Corp
5. Triadelphia Land Co 9927
6. Pineville Field Area A-59442
7. Logan WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01119
2. 47-045-00449
3. 108
4. Consolidated Gas Supply Corp
5. S E McDonald 9926
6. Pineville Field Area A-59442
7. Logan WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01120
2. 47-045-00414-DD
3. 108
4. Consolidated Gas Supply Corp
5. Bruce McDonald Holding Co 9882
6. Pineville Field Area A-59442
7. Logan WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01121
2. 47-045-00387
3. 108
4. Consolidated Gas Supply Corp
5. Triadelphia Land Co 9863
6. Pineville Field Area A-59442
7. Logan WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01122
2. 47-047-00531
3. 108
4. Shafer Exploration Company
5. Norfolk & Western Railway #5
6.
7. McDowell WV
8. .0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01123
2. 47-047-00581
3. 108
4. Shafer Exploration Company
5. Arold Morgan #1
6.
7. McDowell WV
8. 7.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01124
2. 47-085-03817
3. 108
4. Shafer Exploration Company
5. Robert Cokeley H-582
6.
7. Ritchie WV
8. 25.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01125
2. 47-017-01470
3. 108
4. William Grambling
5. Vanhorn-Conley #2
6.
7. Doddridge WV
8. .7 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01126
2. 47-017-01471
3. 108
4. William Grambling
5. Conley #2
6.
7. Doddridge WV
8. .0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01127
2. 47-017-03281
3. 108
4. William Grambling
5. Lena Conrad #1
6.
7. Doddridge WV
8. 2.6 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Company
1. 80-01128
2. 47-021-01891-SS
3. 108
4. William Grambling
5. Paul Jones #1
6.
7. Gilmer WV
8. .0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01129
2. 47-021-01954
3. 108
4. William Grambling
5. F Holbert #1
6.
7. Gilmer WV
8. 3.9 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01130
2. 47-047-00487
3. 108
4. Shafer Exploration Company
5. N & W RR of 4
6.
7. McDowell WV
8. 12.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01131
2. 47-047-00479
3. 108
4. Shafer Exploration Company
5. N & W RR of 2
6.
7. McDowell WV
8. 5.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01132
2. 47-047-00489
3. 108
4. Shafer Exploration Company
5. N & W RR of 3
6.
7. McDowell WV
8. 14.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01133
2. 47-047-00494
3. 108
4. Shafer Exploration Company
5. A C Scott of 5
6.
7. McDowell WV
8. 6.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01134
2. 47-047-00508
3. 108
4. Shafer Exploration Company
5. Brewster DF7
6.
7. McDowell WV
8. 6.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01135
2. 47-047-00524
3. 108
4. Shafer Exploration Company
5. Coleman-Bailey-Cook #14
6.
7. McDowell, WV
8. 8.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01136
2. 47-013-00791
3. 108
4. Consolidated Gas Supply Corp
5. T J Minnear 8861
6. West Virginia Other A-85772
7. Calhoun WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01137
2. 47-013-01180
3. 108
4. Consolidated Gas Supply Corp
5. Louis Bennett 9782
6. West Virginia Other A-85772
7. Calhoun WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01138
2. 47-013-00914
3. 108
4. Consolidated Gas Supply Corp
5. A L Gainer 9054
6. West Virginia Other A-85772
7. Calhoun WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01139
2. 47-013-00932
3. 108
4. Consolidated Gas Supply Corp
5. John Fogle 9103
6. West Virginia Other A-85772

7. Calhoun WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01140
2. 47-013-00948
3. 108
4. Consolidated Gas Supply Corp
5. G Cooper 9135
6. West Virginia Other A-85772
7. Calhoun WV
8. 13.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01141
2. 47-041-00895
3. 108
4. Consolidated Gas Supply Corp
5. Casey Hrs 10358
6. West Virginia Other A-85772
7. Lewis WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01142
2. 47-041-01665
3. 108
4. Consolidated Gas Supply Corp
5. C Bailey 11157
6. West Virginia Other A-85772
7. Lewis WV
8. 10.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01143
2. 47-041-01670
3. 108
4. Consolidated Gas Supply Corp
5. J Norris 11151
6. West Virginia other A-85772
7. Lewis WV
8. 10.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01144
2. 47-041-01681
3. 108
4. Consolidated Gas Supply Corp
5. S D Camden 11138
6. West Virginia other A-85772
7. Lewis WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01147
2. 47-047-00422
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 11030
6. Pineville Field area A-59442
7. McDowell WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01148
2. 47-047-00390
3. 108
4. Consolidated Gas Supply Corp
5. McDowell Poca Coal Co 10924
6. Pineville Field area A-59442
7. McDowell WV
8. 16.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01149
2. 47-047-00330
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 10813
6. Pineville Field area A-59442
7. McDowell WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01150
2. 47-047-00294
3. 108
4. Consolidated Gas Supply Corp
5. Peoples First Nat Bank & Tr 10704
6. Pineville Field area A-59442
7. McDowell WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01151
2. 47-047-00293
3. 108
4. Consolidated Gas Supply Corp
5. Peoples First Nat Bank 10703
6. Pineville Field area A-59442
7. McDowell WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01152
2. 47-059-00437
3. 108
4. Consolidated Gas Supply Corp
5. W W McDonald Land Co 9904
6. Pineville Field area A-59442
7. Mingo WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01153
2. 47-047-00075
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 9470
6. Pineville Field area A-59442
7. McDowell WV
8. 14.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01154
2. 47-047-00063
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 9406
6. Pineville Field area A-59442
7. McDowell WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01155
2. 47-047-00054
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 9392
6. Pineville Field area A-59442
7. McDowell WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01156
2. 47-047-00039
3. 108
4. Consolidated Gas Supply Corp
5. Crozer Land Association 9232
6. Pineville Field area A-59442
7. McDowell WV
8. 2.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01157
2. 47-045-00737
3. 108
4. Consolidated Gas Supply Corp
5. Triadelphia Land Co 10199
6. Pineville Field area A-59442
7. Logan WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01158
2. 47-045-00718
3. 108
4. Consolidated Gas Supply Corp
5. Altizer Coal Land Co 10157
6. Pineville Field area A-59442
7. Logan WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01159
2. 47-045-00669
3. 108
4. Consolidated Gas Supply Corp
5. Triadelphia Land Co 9950
6. Pineville Field area A-59442
7. Logan WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01160
2. 47-047-00181
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 10156
6. Pineville Field area A-59442
7. McDowell WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01161
2. 47-047-00139
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 9759
6. Pineville Field area A-59442
7. McDowell WV
8. 8.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01162
2. 47-047-00527
3. 108
4. Consolidated Gas Supply Corp
5. Vera Poca Coal Co 11458
6. Pineville Field area A-59442
7. McDowell WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01163
2. 47-047-00475
3. 108
4. Consolidated Gas Supply Corp
5. Kanawha Banking & Tr Co 11303
6. Pineville Field area A-59442
7. McDowell WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01164

2. 47-047-00460
3. 108
4. Consolidated Gas Supply Corp
5. Crozier Land Assoc 11211
6. Pineville Field area A-59442
7. McDowell WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01165
2. 47-047-00453
3. 108
4. Consolidated Gas Supply Corp
5. Crozier Land Assoc 11210
6. Pineville Field area A-59442
7. McDowell WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01166
2. 47-047-00447
3. 108
4. Consolidated Gas Supply Corp
5. McDowell Poca Coal Co 11248
6. Pineville Field area A-59442
7. McDowell WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01167
2. 47-047-00425
3. 108
4. Consolidated Gas Supply Corp
5. Kanawha Banking & Trust 11147
6. Pineville Field area A-59442
7. McDowell WV
8. 4.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01168
2. 47-047-00539
3. 108
4. Consolidated Gas Supply Corp
5. Pocahontas Land Co 11498
6. Pineville Field area A-59442
7. McDowell WV
8. 5.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01169
2. 47-059-00802
3. 108
4. Consolidated Gas Supply Corp
5. W W McDonald Land Co 11322
6. Pineville Field area A-59442
7. Mingo WV
8. 7.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01170
2. 47-081-00091
3. 108
4. Consolidated Gas Supply Corp
5. Joseph Chambers 9115
6. Pineville Field area A-59442
7. Raleigh WV
8. 3.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01171
2. 47-081-00097
3. 108
4. Consolidated Gas Supply Corp
5. Joseph Chambers 9137
6. Pineville Field area A-59442
7. Raleigh WV
8. 14.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01172
2. 47-047-00194
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 10223
6. Pineville Field area A-59442
7. McDowell WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01173
2. 47-047-00191
3. 108
4. Consolidated Gas Supply Corp
5. Olga Coal Co 10222
6. Pineville Field area A-59442
7. McDowell WV
8. 6.0 million cubic feet
9. October 5, 1979
10. General System Purchasers
1. 80-01174
2. 47-087-00944
3. 108
4. H F Young & W H Hildreth
5. John McDade Well #1 55-603127
6. Little Creek Field
7. Roane WV
8. 2.1 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01175
2. 47-087-00911
3. 108
4. H F Young & W H Hildreth
5. Victor Marple Well #1 55-603298
6. Little Creek
7. Roane WV
8. 2.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01176
2. 47-087-00898
3. 108
4. H F Young & W H Hildreth
5. A J L Meadows Well #1 55-6031286
6. Little Creek
7. Roane WV
8. .5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01177
2. 47-087-00880
3. 108
4. H F Young & W H Hildreth
5. H W Craig #3 55-6031303
6. Little Creek
7. Roane WV
8. .5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01178
2. 47-087-00848
3. 108
4. H F Young & W H Hildreth
5. Dessie Marie Rhodes Well #1 55-60312
6. Little Creek
7. Roane WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01179
2. 47-087-00830
3. 108
4. H F Young & W H Hildreth
5. H L Pursley Well #1 55-6031289
6. Little Creek
7. Roane WV
8. 2.9 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01180
2. 47-087-01015
3. 108
4. H F Young
5. Wm T McDonald #4 55-06031791
6. Little Creek
7. Roane WV
8. .8 million cubic feet
9. October 5, 1979
10. Pennzoil Co
1. 80-01181
2. 47-087-01115
3. 108 denied
4. H F Young & W H Hildreth
5. J Harold Morford #2 55-6031297
6. Triplett
7. Roane WV
8. .3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01182
2. 47-013-02193
3. 108 denied
4. Cecil Meadows Enterprises
5. Sherman Brown Well #2 55-0488904
6. Nicut
7. Calhoun WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01183
2. 47-087-01187
3. 108
4. H F Young & W H Hildreth
5. Carl Epling Well #2 55-6030985
6. Little Creek
7. Roane WV
8. 4.2 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01184
2. 47-087-01157
3. 108
4. H F Young & W H Hildreth
5. Hubert L Pursley Well #2 55-6031060
6. Little Creek
7. Roane WV
8. .3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01185
2. 47-087-01088
3. 108
4. H F Young & W H Hildreth
5. Carl Epling Well #1 55-6031294
6. Little Creek
7. Roane, WV
8. 2.7 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01186
2. 47-087-01023
3. 108
4. H F Young & W H Hildreth
5. William J Goff Well #1 55-6031275
6. Little Creek

7. Roane, WV
8. .8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01187
2. 47-087-00972
3. 108
4. H F Young & W H Hildreth
5. T V Foster Well #1 55-6031009
6. Little Creek
7. Roane, WV
8. 1.4 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01188
2. 47-021-02607
3. 108
4. Allegheny Land & Mineral Co
5. A-550
6. Center District
7. Gilmer, WV
8. 4.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01189
2. 47-021-01561
3. 108
4. Allegheny Land & Mineral Co
5. A-227
6. Glenville District
7. Gilmer, WV
8. 4.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01190
2. 47-021-02654
3. 108
4. Allegheny Land & Mineral Co
5. A-551
6. Center District
7. Glenville, WV
8. 8.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01191
2. 47-017-01641
3. 108
4. Allegheny Land & Mineral Co
5. A-433
6. McClellan District
7. Doddridge, WV
8. 13.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01192
2. 47-017-01642
3. 108
4. Allegheny Land & Mineral Co
5. A-434
6. McClellan District
7. Doddridge, WV
8. 13.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01193
2. 47-017-01701
3. 108
4. Allegheny Land & Mineral Co
5. A-460
6. Grant District
7. Doddridge, WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01194
2. 47-017-01802
3. 108
4. Allegheny Land & Mineral Co
5. A-563
6. Southwest District
7. Doddridge, WV
8. 13.6 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01195
2. 47-017-01805
3. 108
4. Allegheny Land & Mineral Co
5. A-565
6. McClellan District
7. Doddridge, WV
8. 5.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01196
2. 47-021-01117
3. 108
4. Allegheny Land & Mineral Co
5. A-36
6. Troy Appalachian Basin
7. Gilmer, WV
8. 4.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01197
2. 47-021-01327
3. 108
4. Allegheny Land & Mineral Co
5. A-158
6. Glenville District
7. Gilmer, WV
8. 1.1 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01198
2. 47-021-01345
3. 108
4. Allegheny Land & Mineral Co
5. A-162
6. Glenville District
7. Gilmore, WV
8. 1.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01199
2. 47-015-00603
3. 108
4. Jaye Gas Company
5. J S Cochran Well #1
6. Elk Hurst
7. Clay, WV
8. 2.9 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01200
2. 47-013-01696
3. 108
4. J Wesley Chenoweth
5. J W Chenoweth Oil & Gas 55-0543464
6. Nicut
7. Calhoun, WV
8. 4.4 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01201
2. 47-007-00365
3. 108
4. Paul Bourne
5. G W Van Buren #1 55-6031302
6. Rosedale
7. Braxton, WV
8. 3.7 million cubic feet
9. October 5, 1979
10. Equitable Gas Co
1. 80-01202
2. 47-035-01114
3. 108 Denied
4. Edison J Parsons
5. John Friese Well 55-0550853
6. Ripley
7. Jackson, WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Devon Corporation
1. 80-01203
2. 47-013-02347
3. 108
4. William Dye Riddle
5. William D. Riddle #3 55-041424
6. Pine Creek
7. Calhoun, WV
8. 7.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01204
2. 47-013-00789
3. 108
4. William Dye Riddle
5. J L Elliott Well #1 55-0537482
6. Pine Creek
7. Calhoun, WV
8. 10.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01205
2. 47-013-02375
3. 108
4. William Dye Riddle
5. William D Riddle #4 55-0491424
6. Pine Creek
7. Calhoun WV
8. 7.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01206
2. 47-013-02450
3. 108
4. William Dye Riddle
5. William D Riddle #5 55-6044958
6. Pine Creek
7. Calhoun WV
8. 6.6 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01207
2. 47-087-01650
3. 108 denied
4. H F Young & W H Hildreth
5. H W Craig #5 55-6039756
6. Little Creek
7. Roane WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01208
2. 47-087-00769
3. 108
4. D D Griffith
5. I J Nichols #1 55-6045071
6. Clover
7. Roane WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01209

2. 47-087-00835
3. 108
4. D D Griffith
5. I J Nichols #2 55-6030989
6. Clover
7. Roane WV
8. 3.8 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01210
2. 47-035-00979
3. 108
4. Edison J Parsons
5. Virginia Rhodes Well #1 55-0572384
6. Ripley
7. Jackson WV
8. 1.7 million cubic feet
9. October 5, 1979
10. Devon Corporation
1. 80-01211
2. 47-085-03678
3. 108
4. Ritchie Energy Associates
5. C F Lowther #1
6.
7. Ritchie WV
8. 1.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01212
2. 47-017-01408
3. 108 denied
4. William Grambling
5. Vanhorn-Conley #1
6.
7. Doddridge WV
8. .0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01213
2. 47-017-01409
3. 108 denied
4. William Grambling
5. Conley #1
6.
7. Doddridge WV
8. .0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01214
2. 47-021-01967
3. 108 denied
4. William Grambling
5. Miller-Vincent #1
6.
7. Gilmer WV
8. .0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corporation
1. 80-01215
2. 47-085-03632
3. 108
4. Ritchie Energy Associates
5. A Collins #1
6.
7. Ritchie WV
8. .6 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01216
2. 47-085-03633
3. 108
4. Ritchie Energy Associates
5. S W Williamson #1
6.
7. Ritchie WV
8. 4.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01217
2. 47-085-03646
3. 108
4. Ritchie Energy Associates
5. Roy Bartlett #3
6.
7. Ritchie WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01218
2. 47-085-03664
3. 108
4. Ritchie Energy Associates
5. Roy Bartlett #4
6.
7. Ritchie WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01219
2. 47-085-03665
3. 108
4. Ritchie Energy Associates
5. John E Lowther #1
6.
7. Ritchie WV
8. .7 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01220
2. 47-021-01420
3. 108
4. Bonnie Drake
5. Moore Gas Company 55-0573876
6. Burnsville
7. Gilmer WV
8. 5.6 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01221
2. 47-041-00939
3. 108
4. Bonnie Drake
5. Mertz Gas Co 55-0573879
6. Burnsville
7. Lewis WV
8. 2.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01222
2. 47-041-01064
3. 108
4. Bonnie Drake
5. Parker Gas Co 55-0573927
6. Freeman Creek
7. Lewis WV
8. 8.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01223
2. 47-087-01292
3. 108
4. H F Young & W H Hildreth
5. H W Craig Well #4 55-6031639
6. Little Creek
7. Roane WV
8. 1.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01224
2. 47-087-01538
3. 108
4. H F Young & W H Hildreth
5. F C Foster Well #3 55-6037480
6. Little Creek
7. Roane WV
8. .7 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01225
2. 47-087-01939
3. 108
4. H F Young & W H Hildreth
5. Liddie B Goff #1
6. Little Creek
7. Roane WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01226
2. 47-087-01943
3. 108
4. H F Young & W H Hildreth
5. Liddie B Goff #2
6. Little Creek
7. Roane WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01227
2. 47-087-01944
3. 108
4. H F Young & W H Hildreth
5. Liddie B Goff #3
6. Little Creek
7. Roane WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01228
2. 47-021-01399
3. 108
4. Bonnie Drake
5. Barker Gas Co 55-0573978
6. Burnsville
7. Gilmer WV
8. 4.1 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-01229
2. 47-087-00959
3. 108
4. Bonnie Drake
5. Tawney #1 55-0573914
6. Dog Creek
7. Roane WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corporation
1. 80-01230
2. 47-087-00976
3. 108
4. Bonnie Drake
5. Tawney #2 55-0573914
6. Dog Creek
7. Roane WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01231
2. 47-087-01107
3. 108
4. Bonnie Drake
5. Sinnett Lease
6. Dog Creek

7. Roane WV
8. 1.4 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01233
2. 47-087-00941
3. 108
4. Bonnie Drake
5. Looney Lease 55-0573919
6. Tariff
7. Roane WV
8. 16.3 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-01233
2. 47-087-00787
3. 108
4. Bonnie Drake
5. McCune Gas Co 55-6034104
6. Clover
7. Roane WV
8. 1.9 million cubic feet
9. October 5, 1979
10. Mutual Oil & Gas Co
1. 80-01234
2. 47-041-00884
3. 108
4. Bonnie Drake
5. Rogers Gas Co 55-0573924
6. Burnsville
7. Lewis WV
8. 8.7 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply
1. 80-01235
2. 47-087-00800
3. 108
4. Bonnie Drake
5. Bays Gas Co 55-6034104
6. Clover
7. Roane WV
8. 1.6 million cubic feet
9. October 5, 1979
10. Mutual Oil & Gas Co
1. 80-01236
2. 47-087-00833
3. 108
4. Bonnie Drake
5. John Hall Lease 55-0573915
6. Clover
7. Roane WV
8. 5.6 million cubic feet
9. October 5, 1979
10. Mutual Oil & Gas Co
1. 80-01237
2. 47-087-00816
3. 108
4. Bonnie Drake
5. Gobel #1 55-0573915
6. Little Creek
7. Roane WV
8. 7.5 million cubic feet
9. October 5, 1979
10. Harry C Boggs Natural Gas Co

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825

North Capitol Street, N.W., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before November 13 1979.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33229 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[No. 99]

El Paso Natural Gas Co., et al.; Notice of Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

October 19, 1979.

The federal energy regulatory commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the natural gas policy act of 1978.

New Mexico Department of Energy and Minerals, Oil Conservation Division

1. Control number (FERC/State)
2. API Well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00249
2. 30-039-00000
3. 108
4. Petroleum Corporation of Texas
5. Gartner State E-2825-8 E-4425-49
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 14.5 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company

Ohio Department of Natural Resources, Division of Oil and Gas

1. Control number (FERC/State)
2. API Well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00276/02087
2. 34-157-22181-0014
3. 108
4. Resource Exploration Inc
5. Zimmerman #3
- 6.
7. Tuscarawas OH
8. 7.5 million cubic feet
9. October 2, 1979
10. East Ohio Gas Co
1. 80-00277/02090
2. 34-157-22192-0014
3. 108
4. Resource Exploration Inc
5. Putt #2
- 6.
7. Tuscarawas OH
8. 7.5 million cubic feet
9. October 2, 1979
10. East Ohio Gas Co
1. 80-00278/02218
2. 34-157-22196-0014
3. 108
4. Resource Exploration Inc
5. Garver #1
- 6.
7. Tuscarawas OH
8. 7.5 million cubic feet
9. October 2, 1979
10. East Ohio Gas Co
1. 80-00279/02219
2. 34-157-22202-0014
3. 108
4. Resource Exploration Inc
5. Young #2
- 6.
7. Tuscarawas OH
8. 7.5 million cubic feet
9. October 2, 1979
10. East Ohio Gas Co
1. 80-00280/02261
2. 34-155-20746-0014
3. 108
4. Flint Oil & Gas Inc
5. (2103) H Hoffman et ux #1
- 6.
7. Trumbull OH
8. 2.7 million cubic feet
9. October 2, 1979
10. East Ohio Gas Co
1. 80-00281/03689
2. 34-053-20347-0014
3. 108
4. Cameron Brothers
5. Pearl Edwards #4
- 6.
7. Gallia OH
8. 4.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00282/03690
2. 34-053-20348-0014
3. 108
4. Cameron Brothers
5. Pearl Edwards #3
- 6.
7. Gallia OH
8. 4.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00283/03691
2. 34-053-20193-0014
3. 108
4. Cameron Brothers
5. Pearl Edwards #2
- 6.
7. Gallia OH
8. 4.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00284/03692

2. 34-053-20188-0014
3. 108
4. Cameron Brothers
5. Pearl Edwards #1
6.
7. Gallia OH
8. 4.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00285/03808
2. 34-169-21944-0014
3. 108
4. Energy Investments Incorporated
5. Ralph R Krabill #2
6.
7. Wayne OH
8. 14.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp.
1. 80-00286/06608
2. 34-067-20194-0014
3. 108
4. Resource Exploration Inc
5. Kinsey #4
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00287/06607
2. 34-067-20285-0014
3. 108
4. Resource Exploration Inc
5. Buck #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00288/06608
2. 34-067-20222-0014
3. 108
4. Resource Exploration Inc
5. Cogley #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00289/06609
2. 34-067-20166-0014
3. 108
4. Resource Exploration Inc
5. Ireland #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00290/06610
2. 34-067-20203-0014
3. 108
4. Resource Exploration Inc
5. Lippencott-Burdette #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00291/06611
2. 34-067-20269-0014
3. 108
4. Resource Exploration Inc
5. Ferrell #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00292/06636
2. 34-127-24381-0014
3. 103
4. Jerry C Olds
5. (F Miller #1) Miller Polting Rainer
6.
7. Perry OH
8. 2.0 million cubic feet
9. October 2, 1979
10. Foraker Gas Company
1. 80-00293/06637
2. 34-083-22625-0014
3. 103
4. Jerry C Olds
5. T Clark #2
6.
7. Knox OH
8. 2.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp.
1. 80-00294/06638
2. 34-119-24273-0014
3. 103
4. The Oxford Oil Co
5. Charles Sec #1
6.
7. Muskingum OH
8. 8.0 million cubic feet
9. October 2, 1979
10.
1. 80-00295/06639
2. 34-127-24292-0014
3. 103
4. Altheirs Oil Inc
5. Frank Folk #2
6. Clayton Township
7. Perry OH
8. 7.0 million cubic feet
9. October 2, 1979
10. Foraker Gas
1. 80-00296/06640
2. 34-019-21284-0014
3. 103
4. Enterprise Gas & Oil Inc
5. Riley #2
6.
7. Carroll OH
8. 18.5 million cubic feet
9. October 2, 1979
10. East Ohio Gas Co
1. 80-00297/06641
2. 34-019-21272-0014
3. 103
4. Enterprise Gas & Oil Inc
5. Storrle #1
6.
7. Carroll OH
8. 18.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Co
1. 80-00298/06642
2. 34-019-21274-0014
3. 103
4. Enterprise Gas & Oil Inc
5. Clark-Morrison Etal #1-E
6.
7. Carroll OH
8. 36.5 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00299/06643
2. 34-019-21276-0014
3. 103
4. Enterprise Gas & Oil Inc
5. Thompson #1
6.
7. Carrol OH
8. 27.4 million cubic feet
9. October 2, 1979
10. MB Operating Co Inc
1. 80-00300/06644
2. 34-169-22046-0014
3. 103
4. Petroleum Securities FD 77 Program
5. Rupp-Hart Unit #2
6. Smithville-Milton
7. Wayne OH
8. 24.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00301/06646
2. 34-169-22023-0014
3. 103
4. Petroleum Securities FD 77 DR Progr
5. Glenn R & Ella J Miller #3
6. Milton-Hermanville Pool
7. Wayne OH
8. 45.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00302/06645
2. 34-169-22022-0014
3. 103
4. Petroleum Securities Fund 77 Dr Pro
5. Glenn R & Ella J Miller #4
6. Milton-Hermanville Pool
7. Wayne OH
8. 43.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00303/06650
2. 34-169-22123-0014
3. 103
4. A W Yenne
5. Armstrong Well #2
6.
7. Wayne OH
8. 50.0 million cubic feet
9. October 2, 1979
10.
1. 80-00304/06651
2. 34-089-23557-0014
3. 103
4. Jonsu Corp
5. Goodin #1
6.
7. Licking OH
8. 3.0 million cubic feet
9. October 2, 1979
10.
1. 80-00305/06655
2. 34-169-22087-0014
3. 103
4. Sandy Supply Company
5. Sandy Supply Well #1
6.
7. Wayne OH
8. 50.0 million cubic feet
9. October 2, 1979
10.
1. 80-00306/06656
2. 34-119-24812-0014
3. 103
4. Cameron Brothers
5. Ross Johnston #3
6.

7. Muskingom OH
8. 9.0 million cubic feet
9. October 2, 1979
- 10.
1. 80-00307/06670
2. 34-157-21427-0014
3. 108
4. Resource Exploration Inc
5. McCollam #3
- 6.
7. Tuscarawas OH
8. 2.9 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00308/06671
2. 34-067-20117-0014
3. 108
4. Resource Exploration Inc
5. Sheehan #1
- 6.
7. Harrison OH
8. 30.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00309/06672
2. 34-157-21332-0014
3. 108
4. Resource Exploration Inc
5. Yellow Jacket #1A
- 6.
7. Tuscarawas OH
8. 6.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00310/06673
2. 34-157-21194-0014
3. 108
4. Resource Exploration Inc
5. Eckhardt #1
- 6.
7. Tuscarawas OH
8. 7.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00311/06674
2. 34-157-21193-0014
3. 108
4. Resource Exploration Inc
5. Bouscher #1
- 6.
7. Tuscarawas OH
8. 3.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00312/06675
2. 34-157-21567-0014
3. 108
4. Resource Exploration Inc
5. Lint #1
- 6.
7. Tuscarawas OH
8. 20.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00313/06676
2. 34-157-21190-0014
3. 108
4. Resource Exploration Inc
5. Sherer #2
- 6.
7. Tuscarawas OH
8. 4.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00314/06677
2. 34-157-21441-0014
3. 108
4. Resource Exploration Inc
5. Jones #1
- 6.
7. Tuscarawas OH
8. 15.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00315/06678
2. 34-157-21434-0014
3. 108
4. Resource Exploration Inc
5. Hurless #1
- 6.
7. Tuscarawas OH
8. 2.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00316/06679
2. 34-157-21330-0014
3. 108
4. Resource Exploration Inc
5. Schumacher-Dessecker #1
- 6.
7. Tuscarawas OH
8. 7.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00317/06680
2. 34-067-20123-0014
3. 108
4. Resource Exploration Inc
5. S F Craft #1
- 6.
7. Harrison OH
8. 7.6 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00318/06681
2. 34-157-21181-0014
3. 108
4. Resource Exploration Inc
5. Lint #4
- 6.
7. Tuscarawas OH
8. 4.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00319/06682
2. 34-157-21119-0014
3. 108
4. Resource Exploration Inc
5. Simmons #1
- 6.
7. Tuscarawas OH
8. 5.5 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00320/06683
2. 34-157-21554-0014
3. 108
4. Resource Exploration Inc
5. #1 Pleasant Valley Methodist Church
- 6.
7. Tuscarawas OH
8. 9.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00321/06684
2. 34-157-21310-0014
3. 108
4. Resource Exploration Inc
5. Craft #1
- 6.
7. Tuscarawas OH
8. 29.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00322/06685
2. 34-157-21436-0014
3. 108
4. Resource Exploration Inc
5. Parcell #1
- 6.
7. Tuscarawas OH
8. 15.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00323/06686
2. 34-067-20121-0014
3. 108
4. Resource Exploration Inc
5. Gibby-Beetham #1
- 6.
7. Harrison OH
8. 5.5 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00324/06687
2. 34-157-21673-0014
3. 108
4. Resource Exploration Inc
5. Errington #1
- 6.
7. Tuscarawas OH
8. 3.3 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00325/06688
2. 34-157-21473-0014
3. 108
4. Resource Exploration Inc
5. Myers #1
- 6.
7. Tuscarawas OH
8. 7.3 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00326/06689
2. 34-157-21474-0014
3. 108
4. Resource Exploration Inc
5. Kleski #1
- 6.
7. Tuscarawas OH
8. 14.9 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00327/06690
2. 34-067-20115-0014
3. 108
4. Resource Exploration Inc
5. Donley #1
- 6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00328/06691
2. 34-157-21422-0014
3. 108
4. Resource Exploration Inc
5. McCollam #1
- 6.
7. Tuscarawas OH
8. 4.7 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00329/06692

2. 34-157-21415-0014
3. 108
4. Resource Exploration Inc
5. Thompson #1
6.
7. Tuscarawas OH
8. 5.5 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00330/06693
2. 34-157-21329-0014
3. 108
4. Resource Exploration Inc
5. Rolli #1
6.
7. Tuscarawas OH
8. 10.2 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00331/06694
2. 34-157-21566-0014
3. 108
4. Resource Exploration Inc
5. D & G Everett #2
6.
7. Tuscarawas OH
8. 3.3 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00332/06695
2. 34-067-20153-0014
3. 108
4. Resource Exploration Inc
5. M R Clark #1
6.
7. Harrison OH
8. 2.6 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00333/06656
2. 34-157-21526-0014
3. 108
4. Resource Exploration Inc
5. Carmack #2
6.
7. Tuscarawas OH
8. 11.7 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00334/06697
2. 34-067-20141-0014
3. 108
4. Resource Exploration Inc
5. Eagan #1
6.
7. Harrison OH
8. 14.6 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00335/06698
2. 34-157-21541-0014
3. 108
4. Resource Exploration Inc
5. Reed #2
6.
7. Tuscarawas OH
8. 1.1 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00336/06699
2. 34-157-21542-0014
3. 108
4. Resource Exploration Inc
5. Reed #3
6.
7. Tuscarawas OH
8. 44.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00337/06700
2. 34-157-21435-0014
3. 108
4. Resource Exploration Inc
5. Owens #1
6.
7. Tuscarawas OH
8. 17.2 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00338/06701
2. 34-157-21273-0014
3. 108
4. Resource Exploration Inc
5. Lint #2
6.
7. Tuscarawas OH
8. 8.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00339/06702
2. 34-157-21283-0014
3. 108
4. Resource Exploration Inc
5. Bender #1
6.
7. Tuscarawas OH
8. 2.9 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00340/06703
2. 34-157-21553-0014
3. 108
4. Resource Exploration Inc
5. Albaugh #1
6.
7. Tuscarawas OH
8. 13.1 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00341/06704
2. 34-157-21525-0014
3. 108
4. Resource Exploration Inc
5. Earl Reed #1
6.
7. Tuscarawas OH
8. 11.7 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00342/06705
2. 34-157-21565-0014
3. 108
4. Resource Exploration Inc
5. Penn Central #1
6.
7. Tuscarawas OH
8. 8.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00343/06706
2. 34-157-21530-0014
3. 108
4. Resource Exploration Inc
5. Baldwin #4
6.
7. Tuscarawas OH
8. 3.3 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00344/06707
2. 34-067-20116-0014
3. 108
4. Resource Exploration Inc
5. McMann #1
6.
7. Harrison OH
8. 4.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00345/06708
2. 34-157-21520-0014
3. 108
4. Resource Exploration Inc
5. B L Carmack #1
6.
7. Tuscarawas OH
8. 3.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00346/06709
2. 34-157-21527-0014
3. 108
4. Resource Exploration Inc
5. Tinney #1
6.
7. Tuscarawas OH
8. 20.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00347/06710
2. 34-067-20131-0014
3. 108
4. Resource Exploration Inc
5. W Shuss #1
6.
7. Harrison OH
8. 7.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00348/06711
2. 34-067-20140-0014
3. 108
4. Resource Exploration Inc
5. Cole-Roup #1
6.
7. Harrison OH
8. 3.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00349/06712
2. 34-157-21425-0014
3. 108
4. Resource Exploration Inc
5. Universal #1
6.
7. Tuscarawas OH
8. 11.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00350/06713
2. 34-157-21439-0014
3. 108
4. Resource Exploration Inc
5. Peters #1
6.
7. Tuscarawas OH
8. 5.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00351/06714
2. 34-157-21440-0014
3. 108
4. Resource Exploration Inc
5. Sikora #1
6.

7. Tuscarawas OH
8. 13.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00352/06715
2. 34-157-21555-0014
3. 108
4. Resource Exploration Inc
5. Wenger #2
6.
7. Tuscarawas OH
8. 1.2 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00353/06716
2. 34-157-21270-0014
3. 108
4. Resource Exploration Inc
5. Sherer #1
6.
7. Tuscarawas OH
8. 3.3 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00354/06717
2. 34-157-21549-0014
3. 108
4. Resource Exploration Inc
5. D Everett #1
6.
7. Tuscarawas OH
8. 3.6 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00355/06718
2. 34-157-21652-0014
3. 108
4. Resource Exploration Inc
5. Bell #1
6.
7. Tuscarawas OH
8. 8.0 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00356/06719
2. 34-157-21454-0014
3. 108
4. Resource Exploration Inc
5. Henry #1
6.
7. Tuscarawas OH
8. 16.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00357/06721
2. 34-157-21460-0014
3. 108
4. Resource Exploration Inc
5. Steele #1
6.
7. Tuscarawas OH
8. 4.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00358/06720
2. 34-157-21461-0014
3. 108
4. Resource Exploration Inc
5. Mushrush #1
6.
7. Tuscarawas OH
8. 4.4 million cubic feet
9. October 2, 1979
10. American Energy
1. 80-00359/06722
2. 34-157-22053-0014
3. 108
4. Resource Exploration Inc
5. Fouts #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00360/06723
2. 34-157-22095-0014
3. 108
4. Resource Exploration Inc
5. Pancher #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00361/06724
2. 34-157-21862-0014
3. 108
4. Resource Exploration Inc
5. Campana #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00362/06725
2. 34-157-21860-0014
3. 108
4. Resource Exploration Inc
5. Tschudy #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00363/06726
2. 34-157-22064-0014
3. 108
4. Resource Exploration Inc
5. Barkley #3
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00364/06727
2. 34-157-21889-0014
3. 108
4. Resource Exploration Inc
5. Metcalf #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00365/06728
2. 34-157-21832-0014
3. 108
4. Resource Exploration Inc
5. Tatman #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00366/06742
2. 34-157-21852-0014
3. 108
4. Resource Exploration Inc
5. Barkley #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00367/06743
2. 34-157-21727-0014
3. 108
4. Resource Exploration Inc
5. Smith #2
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00368/06744
2. 34-157-21738-0014
3. 108
4. Resource Exploration Inc
5. Chandler #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00369/06745
2. 34-157-21730-0014
3. 108
4. Resource Exploration Inc
5. Muller #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00370/06746
2. 34-157-21739-0014
3. 108
4. Resource Exploration Inc
5. McCleary #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00371/06747
2. 34-157-21831-0014
3. 108
4. Resource Exploration Inc
5. Chandler #3
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00372/06748
2. 34-157-22063-0014
3. 108
4. Resource Exploration Inc
5. N Am Coal #5
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00373/06749
2. 34-157-22062-0014
3. 108
4. Resource Exploration Inc
5. Shinaberry #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00374/06750

2. 34-157-21868-0014
3. 108
4. Resource Exploration Inc
5. Swift #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00375/06751
2. 34-157-21972-0014
3. 108
4. Resource Exploration Inc
5. Besozzi #1A
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00376/06752
2. 34-157-22052-0014
3. 108
4. Resource Exploration Inc
5. Kozell #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00377/06753
2. 34-157-22083-0014
3. 108
4. Resource Exploration Inc
5. N Am Coal #3
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00378/06754
2. 34-157-21654-0014
3. 108
4. Resource Exploration Inc
5. Hyde #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00379/06755
2. 34-157-21945-0014
3. 108
4. Resource Exploration Inc
5. Kinsey #2A
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00380/06756
2. 34-157-21653-0014
3. 108
4. Resource Exploration Inc
5. Sproul #2
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00381/06757
2. 34-157-21670-0014
3. 108
4. Resource Exploration Inc
5. Jones #2
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00382/06758
2. 34-157-21731-0014
3. 108
4. Resource Exploration Inc
5. Kleski #2
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00383/06759
2. 34-157-21727-0014
3. 108
4. Resource Exploration Inc
5. Veley #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00384/06760
2. 34-157-21735-0014
3. 108
4. Resource Exploration Inc
5. Wright #1
6.
7. Tuscarawas OH
8. 6.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00385/06761
2. 34-157-22098-0014
3. 108
4. Resource Exploration Inc
5. Colvin #1
6.
7. Tuscarawas OH
8. 6.2 Million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00386/06762
2. 34-157-22059-0014
3. 108
4. Resource Exploration Inc
5. Kozell #2
6.
7. Tuscarawas OH
8. 6.2 Million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00387/06763
2. 34-157-22054-0014
3. 108
4. Resource Exploration Inc
5. N AM Coal #2
6.
7. Tuscarawas OH
8. 6.2 Million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00388/06764
2. 34-157-22096-0014
3. 108
4. Resource Exploration Inc
5. Marburger #1
6.
7. Tuscarawas OH
8. 6.2 Million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00389/06768
2. 34-121-22162-0014
3. 103
4. Tiger Oil Inc
5. W Devolld #1
6.
7. Noble OH
8. 20.0 Million cubic feet
9. October 2, 1979
10. East Ohio
1. 80-00390/06769
2. 34-053-22410-0014
3. 103
4. Orwig Oil Company
5. AC Vangilder #1
6.
7. Gallia OH
8. 1.0 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00391/06770
2. 34-005-23225-0014
3. 103
4. Hortin & Huffman
5. Larry G & Barbara S Hoover #1
6.
7. Ashland OH
8. 10.0 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00392/06771
2. 34-075-22152-0014
3. 103
4. William F Hill
5. Brady #1
6.
7. Holmes OH
8. 10.0 Million cubic feet
9. October 2, 1979
10.
1. 80-00393/06772
2. 34-151-23033-0014
3. 103
4. Belden & Blake and Co L P No. 71
5. J Muckley Comm #1-885
6.
7. Stark OH
8. 36.5 Million cubic feet
9. October 2, 1979
10.
1. 80-00394/06773
2. 34-157-23367-0014
3. 103
4. Belden & Blake and Co L P No. 71
5. R & L Van Fossen #1-895
6.
7. Tuscarawas OH
8. 36.5 Million cubic feet
9. October 2, 1979
10.
1. 80-00395/06774
2. 34-055-20233-0014
3. 108
4. Resource Exploration Inc
5. Owens #1
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00396/06775
2. 34-055-20242-0014
3. 108
4. Resource Exploration Inc
5. Owens #2
6.

7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00397/06776
2. 34-055-20243-0014
3. 108
4. Resource Exploration Inc
5. Owens #3
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00398/06777
2. 34-055-20167-0014
3. 108
4. Resource Exploration Inc
5. Slabaugh #1
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00399/06778
2. 34-055-20139-0014
3. 108
4. Resource Exploration Inc
5. Kuhns #1
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00400/06779
2. 34-055-20174-0014
3. 108
4. Resource Exploration Inc
5. Slabaugh #2
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00401/06780
2. 34-055-20230-0014
3. 108
4. Resource Exploration Inc
5. Gingerich #3
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00402/06781
2. 34-055-20227-0014
3. 108
4. Resource Exploration Inc
5. Weaver #3
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00403/06782
2. 34-055-20143-0014
3. 108
4. Resource Exploration Inc
5. Miller #1
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00404/06783
2. 34-055-20181-0014
3. 108
4. Resource Exploration Inc
5. Yoder #2
6.
7. Geauga OH
8. 3.5 Million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00405/06784
2. 34-055-20136-0014
3. 108
4. Resource Exploration Inc
5. Byler #1
6.
7. Geauga OH
8. 3.5 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00406/06785
2. 34-055-20156-0014
3. 108
4. Resource Exploration Inc
5. Mast #1
6.
7. Geauga OH
8. 3.5 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00407/06786
2. 34-055-20144-0014
3. 108
4. Resource Exploration Inc
5. Miller #2
6.
7. Geauga OH
8. 3.5 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00408/06807
2. 34-103-22094-0014
3. 103
4. Green Gas Co
5. Metzger #1
6.
7. Medina OH
8. 2.5 million cubic feet
9. October 2, 1979
10. Columbia Gas Trans Corp
1. 80-00409/06808
2. 34-127-24335-0014
3. 103
4. Partners Oil Company
5. Smith-Green #4-79A
6.
7. Perry OH
8. 100.0 million cubic feet
9. October 2, 1979
10. Foraker Gas Company Inc
1. 80-00410/06809
2. 34-127-24330-0014
3. 103
4. Partners Oil Company
5. Smith-Green #3-79A
6.
7. Perry OH
8. 100.0 million cubic feet
9. October 2, 1979
10. Foraker Gas Company Inc
1. 80-00411/06810
2. 34-127-24218-0014
3. 103
4. Partners Oil Company
5. Smith-Green #2
6.
7. Perry OH
8. 100.0 million cubic feet
9. October 2, 1979
10. Foraker Gas Company Inc
1. 80-00412/06811
2. 34-125-20040-0014
3. 103
4. Northern Indiana Producers
5. Burnos #2
6.
7. Paulding OH
8. .0 million cubic feet
9. October 2, 1979
10. Ohio-Northwest Development Inc
1. 80-00413/06812
2. 34-031-23537-0014
3. 103
4. Seneca Energy Corp
5. Lowe #5
6.
7. Coshocton OH
8. .0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission
1. 80-00450/05037
2. 34-133-20683-0014
3. 108
4. Jerry Moore Inc
5. Robert A Bauman #1-A
6. Atwater
7. Portage OH
8. 1.3 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00451/05038
2. 34-133-20682-0014
3. 108
4. Jerry Moore Inc
5. Lowell L Abbe #1A
6. Atwater
7. Portage OH
8. 5.0 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00452/05039
2. 34-133-20972-0014
3. 108
4. Jerry Moore Inc
5. Gary Alldredge Unit #1
6. Atwater
7. Portage OH
8. .3 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00453/05040
2. 34-133-20781-0014
3. 108
4. Jerry Moore Inc
5. Clarence M Bell #1
6. Atwater
7. Portage OH
8. 5.2 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00454/05041
2. 34-133-20708-0014
3. 108
4. Jerry Moore Inc
5. Howard N Dockery #1
6. Atwater
7. Portage OH
8. 3.7 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00455/05042

2. 34-133-20658-0014
3. 108
4. Jerry Moore Inc
5. Donna Jones Hollendonner #1
6. Atwater
7. Portage OH
8. 1.0 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00456/05043
2. 34-133-20845-0014
3. 108
4. Jerry Moore Inc
5. J & K Kovacich Unit #1
6. Atwater
7. Portage OH
8. 2.0 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00457/05044
2. 34-133-20667-0014
3. 108
4. Jerry Moore Inc
5. Orrvall Robinson #1
6. Atwater
7. Portage OH
8. .5 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00458/05045
2. 34-133-20706-0014
3. 108
4. Jerry Moore Inc
5. Orville Robinson #1-A
6. Atwater
7. Portage OH
8. 4 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00459/05046
2. 34-133-20664-0014
3. 108
4. Jerry Moore Inc
5. James W Wilson #1
6. Atwater
7. Portage OH
8. 7 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00460/05047
2. 34-133-20786-0014
3. 108
4. Jerry Moore Inc
5. James W Wilson #1-A
6. Atwater
7. Portage OH
8. 1.0 million cubic feet
9. October 2, 1979
10. East Ohio Gas Company
1. 80-00461/05115
2. 34-073-21701-0014
3. 108
4. Marion Energy
5. Wendell K Phillip #2
6.
7. Hocking OH
8. 2.3 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00462/05116
2. 34-073-21660-0014
3. 108
4. Marion Energy
5. Wendell K Phillip #1
6.
7. Hocking OH
8. 2.3 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00463/05117
2. 34-089-23764-0014
3. 108
4. Dick Hart
5. V Ayle #1
6.
7. Licking OH
8. 2.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00464/05118
2. 34-089-23825-0014
3. 108
4. Dick Hart
5. V Ayle #2
6.
7. Licking OH
8. 4.3 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00465/06125
2. 34-073-21773-0014
3. 108
4. Estate of Barton A Holl
5. Mosure #1
6.
7. Hocking OH
8. 1.4 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00466/06128
2. 34-073-21948-0014
3. 108
4. Estate of Barton A Holl
5. Lambert #1
6.
7. Hocking OH
8. 4.3 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00467/06129
2. 34-073-21947-0014
3. 108
4. Estate of Barton A Holl
5. Barron #1
6.
7. Hocking OH
8. 1.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00468/06130
2. 34-073-21904-0014
3. 108
4. Estate of Barton A Holl
5. Goldfarb #1
6.
7. Hocking OH
8. .9 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00469/06131
2. 34-073-21849-0014
3. 108
4. Estate of Barton A Holl
5. Max Joy #1
6.
7. Hocking OH
8. 2.6 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00470/06132
2. 34-073-21864-0014
3. 108
4. Estate of Barton A Holl
5. Max Joy #2
6.
7. Hocking OH
8. 2.6 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00471/04035
2. 34-105-21676-0014
3. 108
4. Carl E Smith Inc
5. Laura J Fields Et Al #148
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00472/04036
2. 34-105-21680-0014
3. 108
4. Carl E Smith Inc
5. Roger A Ritchie #150
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00473/04037
2. 34-105-21582-0014
3. 108
4. Carl E Smith Inc
5. Leonard Massar #106
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00474/04038
2. 34-105-21581-0014
3. 108
4. Carl E Smith Inc
5. Eastern Local School #105
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00475/04039
2. 34-105-21583-0014
3. 108
4. Carl E Smith Inc
5. Charles Massar Heirs #107
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00476/04040
2. 34-105-21584-0014
3. 108
4. Carl E Smith Inc
5. Rufus W Cline #108
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00477/04041
2. 34-105-21585-0014
3. 108
4. Carl E Smith Inc
5. James O Swain #109
6.

7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00478/04042
2. 34-105-21592-0014
3. 108
4. Carl E Smith Inc
5. Leota Massar Et Al #110
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00479/04043
2. 34-105-21589-0014
3. 108
4. Carl E Smith Inc
5. Paul R Roush #113
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00480/04044
2. 34-105-21600-0014
3. 108
4. Carl E Smith Inc
5. Robert Allen Tripp #116
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00481/04588
2. 34-167-40120-014
3. 108
4. Valentine Oil Properties
5. Glenna Miller #2
6.
7. Washington OH
8. 7.3 million cubic feet
9. October 2, 1979
10. The River Gas Co
1. 80-00482/04589
2. 34-167-31900-014
3. 108
4. Valentine Oil Properties
5. Charles Miller #1 (Form G B Anderson)
6.
7. Washington OH
8. 2.7 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission
1. 80-00483/04590
2. 34-167-23152-0014
3. 108
4. Valentine Oil Properties
5. Minger #1
6.
7. Washington OH
8. .9 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission
1. 80-00484/04591
2. 34-167-23171-0014
3. 108
4. Valentine Oil Properties
5. Jones #1
6.
7. Washington OH
8. 2.5 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission
1. 80-00485/04592
2. 34-167-23189-0014
3. 108
4. Valentine Oil Properties
5. Valentine #1
6.
7. Washington OH
8. 2.6 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission
1. 80-00486/04973
2. 34-119-23248-0014
3. 108
4. Alan Schottenstien
5. L Doverspike #2
6.
7. Muskingum OH
8. 10.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00487/04976
2. 34-119-23266-0014
3. 108
4. Alan Schottenstien
5. Opal Best #2
6.
7. Muskingum OH
8. 1.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00488/03809
2. 34-169-21909-0014
3. 108
4. Energy Investments Incorporated
5. Ralph R Krabill #1
6.
7. Wayne OH
8. 120 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00489/04022
2. 34-105-21615-0014
3. 108
4. Carl E Smith Inc
5. ASA A Hoskins #123
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00490/04023
2. 34-105-21616-0014
3. 108
4. Carl E Smith Inc
5. Carl Findling Et al #124
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00491/04024
2. 34-105-21499-0014
3. 108
4. Carl E Smith Inc
5. Floyd V Hawk #125
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00492/04026
2. 34-105-21619-0014
3. 108
4. Carl E Smith Inc
5. Paul G Buckley Et al #127
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00493/04027
2. 34-105-21621-0014
3. 108
4. Carl E Smith Inc
5. Lewis F White Et al #129
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00494/04028
2. 34-105-21602-0014
3. 108
4. Carl E Smith Inc
5. Oscar J Pennington #119
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00495/04029
2. 34-105-21601-0014
3. 108
4. Carl E Smith Inc
5. Lester Hawk #120
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00496/04030
2. 34-105-21647-0014
3. 108
4. Carl E Smith Inc
5. Everett T Calaway & Joseph Pullins #
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00497/04031
2. 34-105-21642-0014
3. 108
4. C W Henderson #140
5. Everett T Calaway & Joseph Pullins #
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00498/04032
2. 34-105-21646-0014
3. 108
4. Carl E Smith Inc
5. Burke Buckley #142
6.
7. Meigs OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00499/04033
2. 34-009-21800-0014
3. 108
4. Carl E Smith Inc
5. Roger Clark #143
6.
7. Athens OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00500/04034

2. 34-009-21802-0014
3. 108
4. Carl E Smith Inc
5. Ranson L Calaway #147
6.
7. Athens OH
8. 5.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00501/06587
2. 34-067-20179-0014
3. 108
4. Resource Exploration Inc
5. E Slensby #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00502/06589
2. 34-067-20208-0014
3. 108
4. Resource Exploration Inc
5. Stewart #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00503/06590
2. 34-067-20227-0014
3. 108
4. Resource Exploration Inc
5. Anderson #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00504/06591
2. 34-067-20215-0014
3. 108
4. Resource Exploration Inc
5. Hunnell-Bajorek #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00505/06592
2. 34-067-20197-0014
3. 108
4. Resource Exploration Inc
5. Floyd #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00506/06593
2. 34-067-20230-0014
3. 108
4. Resource Exploration Inc
5. Keefer Latham #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00507/06594
2. 34-067-20211-0014
3. 108
4. Resource Exploration Inc
5. Putman #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00508/06596
2. 34-067-20225-0014
3. 108
4. Resource Exploration Inc
5. Fulton #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00509/06595
2. 34-067-20270-0014
3. 108
4. Resource Exploration Inc
5. Clark #5
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00510/06597
2. 34-067-20199-0014
3. 108
4. Resource Exploration Inc
5. Cleghorn #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00511/06598
2. 34-067-20205-0014
3. 108
4. Resource Exploration Inc
5. Shriver #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00512/06599
2. 34-067-20181-0014
3. 108
4. Resource Exploration Inc
5. Mace #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00513/06600
2. 34-067-20168-0014
3. 108
4. Resource Exploration Inc
5. W Clark #4
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00514/06601
2. 34-067-20169-0014
3. 108
4. Resource Exploration Inc
5. W Mallernee #1
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00515/06602
2. 34-067-20186-0014
3. 108
4. Resource Exploration Inc
5. Kimberlin #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00516/06603
2. 34-067-20167-0014
3. 108
4. Resource Exploration Inc
5. W Clark #3
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00517/06604
2. 34-067-20172-0014
3. 108
4. Resource Exploration Inc
5. W Clark #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00518/06605
2. 34-067-20281-0014
3. 108
4. Resource Exploration Inc
5. Reaves #2
6.
7. Harrison OH
8. 12.0 million cubic feet
9. October 2, 1979
10. Columbus Gas Transmission Corp
1. 80-00519/06133
2. 34-073-21888-0014
3. 108
4. Estate of Barton A Holl
5. Max Joy #3
6.
7. Hocking OH
8. 2.6 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00520/06229
2. 34-075-21981-0014
3. 108
4. The Oxford Oil Co
5. R J Patterson #5
6.
7. Holmes OH
8. 3.0 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission Corp
1. 80-00521/06308
2. 34-105-21072-0014
3. 108
4. William H Putnam
5. #1 Anchorage—W J Warner 5406
6.
7. Meigs OH
8. .7 million cubic feet
9. October 2, 1979
10. Columbia Gas Transmission
1. 80-00522/06309
2. 34-105-21011-0014
3. 108
4. William H Putnam
5. #1 Anchorage—Burns 5108
6.

7. Meigs OH
 8. 2.9 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00523/06310
 2. 34-105-20996-0014
 3. 108
 4. William H Putnam
 5. #2 Anchorage—Humphrey 4947
 6.
 7. Meigs OH
 8. .1 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00524/06311
 2. 34-105-20851-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage—W Reed 4945
 6.
 7. Meigs OH
 8. 1.2 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00525/06312
 2. 34-105-21076-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage—T F Dye 5432
 6.
 7. Meigs OH
 8. 2.6 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00526/06313
 2. 34-105-20997-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage—C E Myers 5092
 6.
 7. Meigs OH
 8. 1.4 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00527/06314
 2. 34-105-21042-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage—A L Reed 5294
 6.
 7. Meigs OH
 8. 2.1 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00528/06315
 2. 34-105-21050-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage—E B Hall 5316
 6.
 7. Meigs OH
 8. 1.9 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00529/06316
 2. 34-105-20963-0014
 3. 108
 4. William H Putnam
 5. #2 Anchorage Buckley 4952
 6.
 7. Meigs OH
 8. .8 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00530/06319

2. 34-105-20850-0014
 3. 108
 4. William H Putnam
 5. Anchorage C Emrick 4944 #1
 6.
 7. Meigs OH
 8. 5.8 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00531/06320
 2. 34-105-20959-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage B Buckley 5009
 6.
 7. Meigs OH
 8. 1.3 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00532/06321
 2. 34-105-20958-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage D Mays 5029
 6.
 7. Meigs OH
 8. .7 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00533/06322
 2. 34-105-20991-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage C Barnett 5082
 6.
 7. Meigs OH
 8. 3.0 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission
 1. 80-00534/06456
 2. 34-105-20954-0014
 3. 108
 4. William H Putnam
 5. #1 Anchorage W Pickens 4954
 6.
 7. Meigs OH
 8. .3 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission Corp
 1. 80-00535/06520
 2. 34-133-21275-0014
 3. 103
 4. Jud Noble and Associates Inc
 5. Grudosky #3
 6.
 7. Portage OH
 8. 20.0 million cubic feet
 9. October 2, 1979
 10. American Energy Services Inc
 1. 80-00536/06566
 2. 34-157-23335-0014
 3. 103
 4. William N Tipka
 5. Orr Raber #1
 6.
 7. Tuscarawas, OH
 8. .0 million cubic feet
 9. October 2, 1979
 10. The East Ohio Gas Co
 1. 80-00537/06567
 2. 34-157-23331-0014
 3. 103
 4. William N Tipka
 5. Proctor #2
 6.

7. Tuscarawas, OH
 8. 30.0 million cubic feet
 9. October 2, 1979
 10. The East Ohio Gas Co
 1. 80-00538/06576
 2. 34-119-24797-0014
 3. 103
 4. Porter Brothers
 5. Mary Rita German #1
 6.
 7. Muskingum OH
 8. 12.0 million cubic feet
 9. October 2, 1979
 10. National Gas & Oil Corp
 1. 80-00539/06568
 2. 34-157-23337-0014
 3. 103
 4. William N Tipka
 5. Thos Rosenberry #1
 6.
 7. Tuscarawas, OH
 8. .0 million cubic feet
 9. October 2, 1979
 10.
 1. 80-00540/06577
 2. 34-119-24700-0014
 3. 103
 4. W J Lydic Inc
 5. Albert Harman #1
 6.
 7. Muskingum OH
 8. 12.0 million cubic feet
 9. October 2, 1979
 10. East Ohio Gas Co

West Virginia Department of Mines, Oil and Gas Division

1. Control Number (FERC/State)
 2. API Well number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or Block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-00431
 2. 47-109-00155
 3. 108
 4. Consolidated Gas Supply Corporation
 5. Lash Litz Beasley 9072
 6. Pineville Field Area A-59442
 7. Wyoming WV
 8. 4.0 million cubic feet
 9. October 2, 1979
 10. General System Purchasers
 1. 80-00432
 2. 47-109-00105
 3. 108 denied
 4. Consolidated Gas Supply Corporation
 5. NR & Poca Cons Coal Co 9002
 6. Pineville Field Area A-59442
 7. Wyoming WV
 8. 15.0 million cubic feet
 9. October 2, 1979
 10. General System Purchasers
 1. 80-00433
 2. 47-109-00224
 3. 108 denied
 4. Consolidated Gas Supply Corporation
 5. Loop Creek Colliery Co 9160
 6. Pineville Field Area A-59442
 7. Wyoming WV
 8. 21.0 million cubic feet

9. October 2, 1979
10. General System Purchasers
1. 80-00434
2. 47-109-00239
3. 108 denied
4. Consolidated Gas Supply Corporation
5. Loop Crk Colliery Co 9183
6. Pineville Field Area A-59442
7. Wyoming WV
8. 12.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00435
2. 47-109-00134
3. 108 denied
4. Consolidated Gas Supply Corporation
5. Loop Crk Colliery Co 9041
6. Pineville Field Area A-59442
7. Wyoming WV
8. 20.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00436
2. 47-109-00169
3. 108 denied
4. Consolidated Gas Supply Corporation
5. Loop Creek Colliery Supply Co 9090
6. Pineville Field Area A-59442
7. Wyoming WV
8. 20.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00437
2. 47-081-00117
3. 108 denied
4. Consolidated Gas Supply Corporation
5. Joseph Chambers 9211
6. Pineville Field Area A-59442
7. Raleigh WV
8. 6.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00438
2. 47-081-00115
3. 108 denied
4. Consolidated Gas Supply Corporation
5. H. G Farmer 9204
6. Pineville Field Area A-59442
7. Raleigh WV
8. 4.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00439
2. 47-081-00285
3. 108 denied
4. Consolidated Gas Supply Corporation
5. Henry Bryson 11171
6. Pineville Field Area A-59442
7. Raleigh WV
8. 10.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00440
2. 47-109-00180
3. 108
4. Consolidated Gas Supply Corporation
5. J H Crutchfield 9112
6. Pineville Field Area A-59442
7. Wyoming WV
8. 5.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00441
2. 47-109-00177
3. 108
4. Consolidated Gas Supply Corporation
5. Olga Coal Co 10094
6. Pineville Field Area A-59442
7. Wyoming WV
8. 7.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00442
2. 47-109-00170
3. 108
4. Consolidated Gas Supply Corporation
5. New River & Poca Coal 9095
6. Pineville Field Area A-59442
7. Wyoming WV
8. 6.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00443
2. 47-081-00152
3. 108
4. Consolidated Gas Supply Corporation
5. J H Cook 9359
6. Pineville Field Area A-59442
7. Raleigh WV
8. 5.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00444
2. 47-081-00151
3. 108
4. Consolidated Gas Supply Corporation
5. Ellen Elkins 9338
6. Pineville Field Area A-59442
7. Raleigh WV
8. 7.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00445
2. 47-081-00150—D
3. 108
4. Consolidated Gas Supply Corporation
5. O J Harvey 9336
6. Pineville Field Area A-59442
7. Raleigh WV
8. 15.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00446
2. 47-081-00147
3. 108
4. Consolidated Gas Supply Corporation
5. F L Daniel 9329
6. Pineville Field Area A-59442
7. Raleigh WV
8. 4.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00447
2. 47-081-00143
3. 108
4. Consolidated Gas Supply Corporation
5. Arch Mankin 9320
6. Pineville Field Area A-59442
7. Raleigh WV
8. 5.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00448
2. 47-081-00141—D
3. 108
4. Consolidated Gas Supply Corporation
5. H G Farmer 9317
6. Pineville Field Area A-59442
7. Raleigh WV
8. 3.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
1. 80-00449
2. 47-081-00120
3. 108
4. Consolidated Gas Supply Corporation
5. O C Daniel 9212
6. Pineville Field Area A-59442
7. Raleigh WV
8. 2.0 million cubic feet
9. October 2, 1979
10. General System Purchasers
- U.S. Geological Survey**
Albuquerque, N. Mex.
1. Control Number (FERC/State)
2. API Well Number
3. Section of NPGA
4. Operator
5. Well Name
6. Field or OCS Area Name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00233/COA-2439-79
2. 05-067-06162-0000
3. 103
4. Lynco Oil Corporation
5. Black Mountain #1
6. Ignacio Blanco Mesaverde
7. La Plata County CO
8. 55.0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00234/COA-2440-79
2. 05-067-06138-0000-0
3. 103
4. Lynco Oil Corporation
5. Black Mountain #2
6. Ignacio Blanco Pictured Cliffs
7. La Plata CO
8. 50.0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00203/NM-2559-79
2. 30-039-21660-0000
3. 103
4. Odessa Natural Corporation
5. Little Federal No 29-3
6. Chacon Dakota
7. Rio Arriba NM
8. 121.2 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00204/NM-2560-79
2. 30-039-21666-0000-0
3. 103
4. Odessa Natural Corporation
5. Little Federal No 33-1
6. Chacon Dakota
7. Rio Arriba NM
8. 292.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00205/NM-2516-79
2. 30-045-23064-0000-0
3. 103
4. El Paso Natural Gas Company
5. Mudge #7A
6. Blanco
7. San Juan NM
8. 360.0 million cubic feet

9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00206/NM-2517-79
 2. 30-045-23058-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Vandewart A #4A
 6. Blanco
 7. San Juan NM
 8. 360.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company, Southern Union Gathering Co
 1. 80-00207/NM-2518-79
 2. 30-045-23134-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Allison Unit #53
 6. Blanco
 7. San Juan NM
 8. 140.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00208/NM-2519-79
 2. 30-039-21633-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. San Juan 29-7 Unit #78A
 6. Blanco
 7. Rio Arriba NM
 8. 60.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company, Northwest Pipeline Corp
 1. 80-00209/NM-2523-79
 2. 30-039-21603-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Klein 27
 6. Basin
 7. Rio Arriba NM
 8. 130.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00210/NM-2522-79
 2. 30-039-21632-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. San Juan 29-7 Unit #69A
 6. Blanco
 7. Rio Arriba NM
 8. 330.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company, Northwest Pipeline Corp
 1. 80-00211/NM-2524-79
 2. 30-045-22826-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Moore 7A
 6. Blanco
 7. San Juan NM
 8. 569.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00212/NM-2525-79
 2. 30-039-21331-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. San Juan 29-7 Unit #110
 6. Basin
 7. Rio Arriba NM
 8. 101.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00213/NM-2526-79
 2. 30-045-23084-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Hubbard #1A
 6. Blanco
 7. San Juan NM
 8. 270.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00214/NM-2527-79
 2. 30-039-21746-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. San Juan 29-7 Unit #113
 6. Basin
 7. Rio Arriba NM
 8. 160.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00215/NM-2528-79A
 2. 30-045-22464-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Fields #7A (Mesaverde)
 6. Blanco
 7. San Juan NM
 8. 333.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00216/NM-2528-79-B
 2. 30-045-22464-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Fields #7A (Pictured Cliffs)
 6. Blanco
 7. San Juan NM
 8. 79.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00217/NM-2530-79
 2. 30-045-22726-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. Lucerne A #7
 6. Blanco
 7. San Juan NM
 8. 210.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00218/NM-2529-79
 2. 30-039-21625-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. San Juan 29-7 Unit #89A
 6. Blanco
 7. Rio Arriba NM
 8. 300.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company, Northwest Pipeline Corp
 1. 80-00219/NM-2531-79
 2. 30-045-22916-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. San Juan 32-9 Unit #28A
 6. Blanco
 7. San Juan NM
 8. 150.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00220/NM2532-79
 2. 30-039-21731-0000-0
 3. 103
 4. El Paso Natural Gas Company
 5. San Juan 28-7 Unit #256
 6. Basin
 7. Rio Arriba NM
 8. 115.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company Northwest Pipeline Corp
 1. 80-00221/NM1174-79
 2. 30-045-22063-0000-0
 3. 108
 4. El Paso Natural Gas Company
 5. Scott #19
 6. Blanco-Pictured Cliff Gas
 7. San Juan NM
 8. 19.0 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00222/NM2119-79
 2. 30-045-08111-0000-0
 3. 108
 4. El Paso Natural Gas Company
 5. San Jacinto #2
 6. Aztec-Pictured Cliffs Gas
 7. San Juan NM
 8. 21.2 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00223/NM-2408-79
 2. 30-039-07001-0000-0
 3. 108
 4. El Paso Natural Gas Company
 5. Rinco Unit #29
 6. Blanco-Mesaverde Gas
 7. Rio Arriba NM
 8. 18.6 million cubic feet
 9. October 2, 1979
 10. El Paso Natural Gas Company
 1. 80-00224/NM-2433-79-8
 2. 30-039-21299-0000-0
 3. 108
 4. Northwest Production Corporation
 5. Jicarilla 123C #26
 6. Blanco South-Pictured Cliff Gas
 7. Rio Arriba NM
 8. 8.0 million cubic feet
 9. October 2, 1979
 10. Northwest Pipeline Corporation
 1. 80-00225/NM-2433-79-3
 2. 30-039-21299-0000-0
 3. 103
 4. Northwest Production Corporation
 5. Jicarilla 123C #26
 6. South Blanco
 7. Rio Arriba NM
 8. 8.0 million cubic feet
 9. October 2, 1979
 10. Northwest Pipeline Corporation
 1. 80-00226/NM-2434-79-8
 2. 30-039-21300-0000-0
 3. 108
 4. Northwest Production Corporation
 5. Jicarilla 123C #25
 6. Blanco South Pictured Cliffs Gas
 7. Rio Arriba NM
 8. 10.0 million cubic feet
 9. October 2, 1979
 10. Northwest Pipeline Corporation
 1. 80-00227/NM-2434-79-3
 2. 30-039-21300-0000-0
 3. 103
 4. Northwest Production Corporation
 5. Jicarilla 123C #25
 6. South Blanco
 7. Rio Arriba NM
 8. 10.0 million cubic feet

9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00228/NM-2435-79-8
2. 30-039-21298-0000-0
3. 108
4. Northwest Production Corporation
5. Jicarilla 123C #24
6. Blanco South-Pictured Cliffs Gas
7. Rio Arriba NM
8. 14.0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00229/NM-2435-79-3
2. 30-039-21298-0000-0
3. 103
4. Northwest Production Corporation
5. Jicarilla 123C #24
6. South Blanco
7. Rio Arriba NM
8. 14.0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00230/NM-2436-79-8
2. 30-043-20259-0000-0
3. 108
4. El Paso Natural Gas Company
5. Jicarilla 183 #8
6. Ballard-Pictured Cliffs Gas
7. Sandoval NM
8. 13.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00231/NM-2436-79-3
2. 30-043-20259-0000-0
3. 103
4. El Paso Natural Gas Company
5. Jicarilla 183 #8
6. Ballard
7. Sandoval NM
8. 20.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00232/NM-2438-79-3
2. 30-045-22425-0000-0
3. 103
4. El Paso Natural Gas Company
5. Schwerdtfeger 2A
6. Blanco
7. San Juan NM
8. 1.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00235/NM2454-79-8
2. 30-039-21387-0000-0
3. 108
4. Cotton Petroleum Corporation
5. Apache No. 18
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 8.8 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00236/NM-2454-79-3
2. 30-039-21387-0000-0
3. 103
4. Cotton Petroleum Corporation
5. Apache No. 18
6. South Blanco Pictured Cliff
7. Rio Arriba NM
8. 12.6 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00237/NM2455-79-10
2. 30-039-21446-0000-0
3. 108
4. Cotton Petroleum Corporation
5. Apache No. 19
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 14.7 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00238/NM-2455-79-3
2. 30-039-21446-0000-0
3. 103
4. Cotton Petroleum Corporation
5. Apache No. 19
6. South Blanco Pictured Cliff
7. Rio Arriba NM
8. 19.7 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00239/NM2456-79-8
2. 30-039-21447-0000-0
3. 108
4. Cotton Petroleum Corporation
5. Apache No. 20
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 20.4 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00240/NM-2456-79-3
2. 30-039-21447-0000-0
3. 103
4. Cotton Petroleum Corporation
5. Apache No. 20
6. Spth Blanco Pictured Cliff
7. Rio Arriba NM
8. 31.7 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00241/NM-2474-79
2. 30-045-06732-0000-0
3. 108
4. Depco Inc
5. Hancock No. 4
6. West Kutz (Picture Cliffs)
7. San Juan NM
8. 9.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00242/NM-2475-79
2. 30-045-06653-0000-0
3. 108
4. Depco Inc
5. Mudge A No 1
6. West Kutz (Picture Cliffs)
7. San Juan NM
8. 6.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00243/NM-2502-79-A
2. 30-039-21374-0000-0
3. 103
4. El Paso Natural Gas Company
5. Kimbell Com #1 (Chacra)
6. Otero
7. Rio Arriba NM
8. 18.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00244/NM-2502-79-B
2. 30-039-21374-0000-0
3. 103
4. El Paso Natural Gas Company
5. Kimbell Com #1 (Pictured Cliffs)
6. South Blanco
7. Rio Arriba NM
8. 10.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00245/NM-2544-79
2. 30-039-20844-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 28-6 Unit #213
6. Basin
7. Rio Arriba NM
8. 310.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp
1. 80-00246/NM-2547-79
2. 30-039-06270-0000-0
3. 108
4. Cabot Corporation
5. Humble—Federal A #1
6. Gavilan—Pictured Cliffs
7. Rio Arriba NM
8. 9.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00247/NM-2548-79
2. 30-039-82239-0000-0
3. 108
4. Kenai Oil and Gas Inc
5. Egan #1
6. Blanco PC South NE-SEC 18-24N-6W
7. Rio Arriba NM
8. 12.1 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00248/NM-2549-79
2. 30-039-20007-0000-0
3. 108
4. Kenai Oil and Gas Inc
5. McKenzie #3
6. Blanco PC South SE Sec 25-25N-6W
7. Rio Arriba NM
8. 6.9 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00250/NM-19-79
2. 30-045-10414-0000-0
3. 108
4. Blackwood & Nichols Co Ltd
5. Northeast Blanco Unit #53-28
6. Blanco Mesaverde SW 28-31N-7W
7. San Juan NM
8. 15.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00251/NM-2823-79
2. 30-045-06612-0000-0
3. 108
4. Getty Oil Company
5. Charley-Pah No 3
6. Blanco P Cliffs S
7. San Juan NM
8. 18.6 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00252A/NM-2772-79-A
2. 30-039-21360-0000-0
3. 103
4. Caulkins Oil Company
5. Breech A 264 (Pictured Cliffs)
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 43.1 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00252B/NM-2772-79-B

2. 30-039-21360-0000-0
3. 103
4. Caulkins Oil Company
5. Breech A 264 (Otero Chacra)
6. Otero Chacra
7. Rio Arriba NM
8. 43.1 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00253A/NM-2771-79A
2. 30-039-21359-0000-0
3. 103
4. Caulkins Oil Company
5. Breech A 291 (Pictured Cliffs)
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 48.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00253B/NM-2771-79B
2. 30-039-21359-0000-0
3. 103
4. Caulkins Oil Company
5. Breech A 291 (Otero Chacra)
6. Otero Chacra
7. Rio Arriba NM
8. 48.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00254A/NM-2780-79A
2. 30-039-00000-0000-0
3. 103
4. Caulkins Oil Company
5. Breech B 121 (Pictured Cliffs)
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 37.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00254B/NM-2780-79B
2. 30-039-00000-0000-0
3. 103
4. Caulkins Oil Company
5. Breech B 121 (Otero Chacra)
6. Otero Chacra
7. Rio Arriba NM
8. 37.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00255A/NM-2777-79A
2. 30-039-21355-0000-0
3. 103
4. Caulkins Oil Company
5. Breech B 193 (Pictured Cliffs)
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 85.8 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00255B/NM-2777-79B
2. 30-039-21355-0000-0
3. 103
4. Caulkins Oil Company
5. Breech B 193 (Otero Chacra)
6. Otero Chacra
7. Rio Arriba NM
8. 85.8 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00256A/NM-2776-79A
2. 30-039-21527-0000-0
3. 103
4. Caulkins Oil Company
5. Breech B 196 (Pictured Cliffs)
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 125.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00256B/NM-02776-79B
2. 30-039-21527-0000-0
3. 103
4. Caulkins Oil Company
5. Breech B 196 (Otero Chacra)
6. Otero Chacra
7. Rio Arriba NM
8. 125.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00257/NM-2775-79
2. 30-039-21549-0000-0
3. 103
4. Caulkins Oil Company
5. Breech D 212
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 90.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00258/NM 2774-79
2. 30-039-21358-0000-0
3. 103
4. Caulkins Oil Company
5. Breech C 246
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 81.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00259/NM 2773-79
2. 30-039-21550-0000-0
3. 103
4. Caulkins Oil Company
5. Breech C 247
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 72.2 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00260/NM 2815-79
2. 30-039-07869-0000-0
3. 108
4. Getty Oil Company
5. Jicarilla C No 4
6. Blanco P Cliffs S
7. Rio Arriba NM
8. 19.1 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00261/NM 2814-79
2. 30-039-05897-0000-0
3. 108
4. Getty Oil Company
5. Jicarilla C No 3
6. Blanco P Cliffs S
7. Rio Arriba NM
8. 15.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00262/NM 2813-79
2. 30-039-05845-0000-0
3. 108
4. Getty Oil Company
5. Jicarilla C No 8
6. Blanco P Cliffs S
7. Rio Arriba NM
8. 17.7 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00263/NM 2812-79
2. 30-039-05898-0000-0
3. 108
4. Getty Oil Company
5. Jicarilla C No 7
6. Blanco P Cliffs S
7. Rio Arriba NM
8. 18.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00264/NM 2811-79
2. 30-039-05811-0000-0
3. 108
4. Getty Oil Company
5. Jicarilla C No 6
6. Basin Dakota
7. Rio Arriba NM
8. 11.5 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas
1. 80-00265/NM 2784-79
2. 30-039-21363-0000-0
3. 103
4. Caulkins Oil Company
5. Breech F 40
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 48.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00266/NM 2783-79
2. 30-039-21364-0000-0
3. 103
4. Caulkins Oil Company
5. Breech F 44
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 47.9 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00267/NM 2782-79
2. 30-039-21526-0000-0
3. 103
4. Caulkins Oil Company
5. Breech E 70
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 100.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00268/NM 2781-7039
2. 30-039-21353-0000-0
3. 103
4. Caulkins Oil Company
5. Breech E 112
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 51.9 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00269/NM 2778-79
2. 30-039-21357-0000-0
3. 103
4. Caulkins Oil Company
5. Breech C 141
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 48.3 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00270/NM 2779-79
2. 30-039-21356-0000-0
3. 103
4. Caulkins Oil Company
5. Breech D 137
6. South Blanco Pictured Cliffs

7. Rio Arriba NM
8. 42.6 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00271/NM 2820-79
2. 30-039-05878-0000-0
3. 108
4. Getty Oil Company
5. Lydia Rentz No 6
6. Blanco P Cliffs S
7. Rio Arriba NM
8. 3.9 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corp
1. 80-00272/NM 2818-79
2. 30-045-06484-0000-0
3. 108
4. Getty Oil Company
5. Marshall A No 5
6. Blanco P Cliffs S
7. San Juan NM
8. 4.3 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00273/NM 2817-79
2. 30-045-06536-0000-0
3. 108
4. Getty Oil Company
5. Marshall A No 3
6. Blanco P Cliffs S
7. San Juan NM
8. 8.8 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00274/NM-2816-79
2. 30-039-21078-0000-0
3. 108
4. Getty Oil Company
5. Mexico Federal Q No 1
6. Basin Dakota
7. Rio Arriba NM
8. 15.6 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00275/NM 2822-79
2. 30-039-05877-0000-0
3. 108
4. Getty Oil Company
5. Lydia Rentz No 3
6. Blanco P Cliffs S
7. Rio Arriba NM
8. 4.6 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corp
1. 80-00414/NM 80-78
2. 30-045-22212-0000-0
3. 108 denied
4. Dugan Production Corp
5. George Washington #3
6. WAW Fruitland PC
7. San Juan NM
8. 37.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Co
1. 80-00415/NM 2732-79
2. 30-045-06632-0000-0
3. 108 denied
4. Depco Inc
5. Hancock No 6
6. West Kutz (Picture Cliffs)
7. San Juan NM
8. 14.0 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00416/NM-2742-79
2. 30-039-06623-0000-0
3. 108 Denied
4. Caulkins Oil Company
5. Breech A 131
6. South Blanco Pictured Cliffs
7. Rio Arriba, NM
8. 17.9 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00417/NM-2747-79
2. 30-039-06576-0000-0
3. 108 Denied
4. Caulkins Oil Company
5. Breech A 179
6. South Blanco Pictured Cliffs
7. Rio Arriba, NM
8. 18.7 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00418/NM-2748-79
2. 30-039-06566-0000-0
3. 108 Denied
4. Caulkins Oil Company
5. Breech A 177
6. South Blanco Pictured Cliffs
7. Rio Arriba, NM
8. 21.2 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00419/NM-2751-79
2. 30-039-06835-0000-0
3. 108 Denied
4. Caulkins Oil Company
5. Breech F 8
6. Blanco Mesa Verde 8 PC
7. Rio Arriba, NM
8. 20.3 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00420/NM-2753-79
2. 30-039-06840-0000-0
3. 108 Denied
4. Caulkins Oil Company
5. Breech F 12
6. South Blanco Pictured Cliffs
7. Rio Arriba, NM
8. 11.9 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00421/NM-2786-79
2. 30-039-06523-0000-0
3. 108 Denied
4. Caulkins Oil Company
5. Breech C 241
6. South Blanco Pictured Cliffs
7. Rio Arriba, NM
8. 8.9 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00422/NM-2787-79
2. 30-039-08165-0000-0
3. 108 Denied
4. Caulkins Oil Company
5. Breech A 229
6. Blanco Mesa Verde
7. Rio Arriba, NM
8. 13.1 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00424/CC552-9
2. 05-077-05127-0000-0
3. 108
4. Burton W Hancock
5. Government No 1
6. East Bar-X
7. Mesa County, Co
8. 5.0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00425/CC558-9
2. 05-103-08113-0000-0
3. 103
4. Aermican Resources Management Corp
5. Govt 1-3 C-3640
6. Trail Canyon
7. Rio Blanco, CO
8. 25.6 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00426/CC559-9
2. 05-103-07987-0000-0
3. 108
4. American Resources Management Corp
5. Govt 12-3X (3-12X)
6. Trail Canyon
7. Rio Blanco County, CO
8. 12.4 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00427/CC622-9
2. 05-103-07218-0000-0
3. 108
4. American Resources Management Corp
5. Cascade #2
6. Trail Canyon Field
7. Rio Blanco, CO
8. 5.8 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00428/CC649-9
2. 05-103-08108-0000-0
3. 102
4. Twin Arrow Inc
5. Continental 1-17
6. Cathedral
7. Rio Blanco, CO
8. .0 million cubic feet
9. October 2, 1979
10. IGC Production Company
1. 80-00429/CC651-9
2. 05-103-08190-0000-0
3. 103
4. Twin Arrow Inc
5. Shenandoah 5-7
6.
7. Rio Blanco, CO
8. .0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00423/M230-9
2. 25-071-21203-0000-0
3. 108
4. Midlands Gas Corporation
5. 2451 #1 Federal
6. Bowdoin
7. Phillips, MT
8. 6.0 million cubic feet
9. October 2, 1979

U.S. Geological Survey, Casper, Wyo.

1. Control number (FERC/State)
2. API Well number
3. Section of NGPA
4. Operator

10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00430
2. 49-013-20585-0000-0
3. 102
4. Monsanto Company
5. Line #1-7
6. Madden
7. Fremont, WY
8. million cubic feet
9. October 2, 1979
10. Colorado Interstate Gas Co

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before November 13, 1979.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33234 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP80-12]

Sea Robin Pipeline Co.; Application

October 22, 1979.

Take notice that on October 4, 1979, Sea Robin Pipeline Company (Sea Robin), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP80-12 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for United Gas Pipe Line Company (United), all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Sea Robin asserts that it would continue gas transportation service for United, which has been heretofore provided for Texas Eastern Transmission Corporation (Texas Eastern), pursuant to the terms and provisions of a gas transportation agreement between Sea Robin and Texas Eastern dated April 18, 1977, under Sea Robin's Rate Schedule X-17. Under Rate Schedule X-17, Sea Robin transports up to 40,000 Mcf per day for Texas Eastern from various offshore locations to the terminus of Sea Robin's pipeline system near Erath, Louisiana, it is indicated.

By letter agreement between Texas Eastern and United, dated August 31, 1979, Texas Eastern has assigned to United all of Texas Eastern's obligations, rights, title and interest under the said agreement of April 18, 1977, and United has accepted the assignment. In accordance with a letter agreement between Sea Robin and United dated September 20, 1979, Sea Robin has acknowledged assignment and United has agreed to abide by all the terms and conditions of the assignment of transportation service.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Sea Robin to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33231 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP77-410]

Sea Robin Pipeline Co.; Petition To Amend

October 22, 1979.

Take notice that on October 3, 1979, Sea Robin Pipeline Company (Sea Robin), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP77-410 a petition to amend the order of November 2, 1977, issuing a certificate of public convenience and necessity in the instant docket pursuant to Section 7(c) of the Natural Gas Act by authorizing an additional point of receipt under its existing transportation agreement with Texas Eastern Transmission Corporation (Texas Eastern), all as more fully set forth in the petition to amend which is on file with the Commission and open for public inspection.

Sea Robin requests authorization to establish a new point of receipt at Eugene Island Block 256, offshore Louisiana; to enable it to accept up to 3,500 Mcf per day of natural gas for Texas Eastern's account under the existing transportation agreement between Sea Robin and Texas Eastern dated April 18, 1977, as amended August 30, 1979. Sea Robin would receive such volumes, and transport and redeliver equivalent quantities, less fuel and company-used gas, to Columbia Gas Transmission Corporation for the account of Texas Eastern at the existing authorized point of redelivery at the terminus of Sea Robin's system near Erath, Louisiana, it is indicated.

The petition indicates that production is scheduled to commence on October 15, 1979. No new facilities would be required by Sea Robin to receive or to make the proposed deliveries.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a

petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33232 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP77-396]

Sea Robin Pipeline Co.; Petition To Amend

October 22, 1979.

Take notice that on September 28, 1979, Sea Robin Pipeline Company (Sea Robin), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP77-396 a petition to amend the order of November 2, 1977, issued in said docket pursuant to Section 7(c) of the Natural Gas Act so as to allow the transportation of gas-well-gas in addition to the authorized transportation of oil-well-gas for Amoco Production Company (Amoco) from Blocks 125, 127, 128, and 141, South Marsh Island Area, offshore Louisiana, (SMI 142 Field) to an existing delivery point near Erath, Vermilion Parish, Louisiana, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Sea Robin states that pursuant to the order of November 2, 1977, it is authorized to purchase one-half of the oil-well-gas attributable to the interests of Amoco in Blocks 125, 127, 128, and 141, in the SMI 142 Field and to transport a like quantity for Amoco, not to exceed volumes purchased by Sea Robin, from the SMI 142 Field and redeliver such gas to Columbia Gulf Transmission Company for the account of Amoco, at an existing point of delivery at the terminus of Sea Robin's pipeline system located near Erath, Vermilion Parish, Louisiana. The gas is ultimately delivered to Florida Gas Transmission Company and Florida Power and Light Company in partial satisfaction of Amoco's warranty obligations as set forth in Docket Nos. CI65-584 and CP65-393.

It is indicated that by letter agreement dated May 3, 1979, and May 7, 1979, Sea Robin and Amoco have amended their original transportation and gas purchase agreements to provide for the sale by Amoco and the purchase by Sea Robin of one-half of the gas-well-gas attributable to Amoco's interest in the above-mentioned blocks in the SMI 142 Field and the transportation and redelivery by Sea Robin of an equivalent volume of gas-well-gas in the above described manner for the account of Amoco. Such gas is also to be utilized

by Amoco in satisfaction of its warranty obligations, it is stated.

No new facilities would be required to implement the proposed transportation of additional volumes of gas for Amoco.

Any person desiring to be heard or to make any protest with reference to said petition should on or before November 14, 1979 file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33233 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. EF80-5011]

Western Area Power Administration; Filing

October 22, 1979.

The filing company submits the following: Take notice that the Assistant Secretary for Resource Applications of the Department of Energy, by Rate Order No. WAPA-2, did confirm and approve, on an interim basis, effective November 1, 1979, Rate Schedule CV-F4 and CV-P3, applicable to power from the Western Area Power Administration's Central Valley Project. The new rate schedule replaces schedule CV-F3R and CV-P2R.

The rate schedules are submitted to the Commission for confirmation and approval on a final basis pursuant to authority vested in the Commission by Delegation Order No. 0204-33. The Department suggests that the Commission approve the rates for a four (4)-year period ending October 31, 1983, with the understanding that the rates can be raised at an earlier date if needed to comply with cost recovery criteria.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the

Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before November 13, 1979. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33230 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP79-499]

Colorado Interstate Gas Co.; Application

October 22, 1979.

Take notice that on September 24, 1979, Colorado Interstate Gas Company (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP79-499 an application pursuant to Section 7 of the Natural Gas Act and § 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission for and approval of the abandonment, during the 12-month period commencing January 1, 1980, and operation of field gas compression and related metering and appurtenant facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction, relocation, and operation and abandonment of facilities which would not result in changing Applicant's system saleable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction, relocation, removal or abandonment of field gas compression facilities would not exceed \$3,000,000, with no single project to exceed \$500,000. Applicant states that these costs would be financed from current working funds on hand, funds from operations, short-term borrowing, or long-term financing.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to

intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc 79-33203 Filed 10-26-79; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. CP80-20]

**Columbia Gas Transmission Corp.;
Application**

October 22, 1979.

Take notice that on October 10, 1979, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkly Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP80-20 and application pursuant to Section 7(c) of the Natural Gas Act and § 157.7(c) of the Regulations thereunder (18 CFR 157.7(c)), for a certificate of public convenience and necessity authorizing the construction, for a twelve-month period commencing March 1, 1980, and operation of facilities to make miscellaneous rearrangements on its system, all as more fully set forth in the application which is on file with

the Commission and open to public inspection

The stated purpose of this budget-type application is to augment Applicants ability to act with reasonable dispatch in making miscellaneous rearrangements which would not result in any material change in the transportation and sales service presently rendered by Applicant.

Applicant requests a waiver of the cost limitation prescribed by § 157.7(e) in order to increase total expenditures from \$300,000 to \$750,000. Such a request is predicted upon the climbing inflation which has eroded the usefulness of the budget authorization since the Commission last revised the cost limitations, it is asserted.

Applicant proposes to finance the estimated cost of construction with funds generated from internal sources.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if not petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33204 Filed 10-26-79; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. GP79-143]

**Consolidated Gas Supply Corp. v.
Appalachian Exploration & Dev. Inc., et
al.; Notice of Protest**

October 22, 1979.

Take notice that on August 15, 1979,¹ Consolidated Gas Supply Corporation (Consolidated) filed with the Federal Energy Regulatory Commission (Commission) pursuant to 18 CFR 154.94, a protest to the claim of contractual authority to collect maximum lawful prices under the following sections of the Natural Gas Policy Act of 1978 (NGPA) for the following contracts:

**Appalachian Exploration & Development,
Inc.—Producer**

Clause type B-1; Contract No. 1019, R/S 0007, dated December 1, 1947, § 103, § 108.
Clause type B-4; Contract No. 3178, R/S 0013, dated July 1, 1966, § 103, § 108.

Ashland Exploration, Inc.—Producer

Clause type B-1; Contract No. 659, R/S 0082, dated October 11, 1924, § 108.
Clause type B-1; Contract No. 3933, R/S 0257, dated September 19, 1977, § 103.
Clause type B-2; Contract No. 1106, R/S 0083, dated February 20, 1940, § 108.
Clause type B-2; Contract No. 1173, R/S 0085, dated January 3, 1944, § 108.
Clause type B-8; Contract No. 1225, R/S 0113, dated May 1, 1952, § 103, § 108.
Clause type B-3; Contract No. 1127, R/S 0084, dated August 12, 1941, § 108.

Chemco Inc.—Producer

Clause type G; Contract No. 353, dated February 10, 1964, § 108.

Cities Service Company—Producer

Clause type B-1; Contract No. 618, R/S 0264, dated December 24, 1923, § 108.
Clause type B-1; Contract No. 657, R/S 0261, dated July 1, 1953, § 108.
Clause type B-1; Contract No. 759, R/S 0262, dated March 18, 1926, § 108.
Clause type B-1; Contract No. 2477, R/S 0282, dated October 18, 1961, § 108.
Clause type B-1; Contract No. 3423, R/S 0318, dated July 25, 1969, § 108.
Clause type B-1; Contract No. 3629, R/S 0391, dated July 18, 1972, § 108.
Clause type B; Contract No. 33532 R/S 0337, dated November 20, 1970, § 108.

Charles M. Griffith—Producer

Clause type G; Contract No. 333, dated March 26, 1968, § 108.

¹Supplements to the original August 15, 1979 filing were submitted to the Commission by Consolidated on October 4, 1979, October 10, 1979, and October 11, 1979.

Phillips Petroleum Co.—Producer

Clause type B-3; Contract No. 2732, R/S 0345, dated January 30, 1963, § 108.
 Clause type B-5; Contract No. 2900, R/S 0408, dated April 1, 1964, § 108.

These contracts are on file with the Commission and are open to public inspection.

Any person desiring to be heard or to make any response with respect to these protests should file with the Commission on or before November 14, 1979, a petition to intervene in accordance with 18 CFR 1.8 or 1.10. All protests filed with the Commission will be considered by it in determining the appropriate action to be taken herein, but will not serve to make the protestants parties to this proceeding. Any person wishing to become a party to this proceeding, or to participate as a party in any hearing herein, must file a petition to intervene in accordance with the Commission's Rules.

After the period for protests and intervention has expired, these protests will be forwarded to the Commission's Chief Administrative Law Judge for disposition in accordance with Order No. 23-B (44 FR 38834, July 3, 1979).

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33205 Filed 10-26-79; 8:45 am]
 BILLING CODE 6450-01-M

[Docket No. CP79-501]**Gas Gathering Corp.; Application**

October 22, 1979.

Take Notice that on September 25, 1979, Gas Gathering Corporation (Applicant), P.O. Box 519, Hammond, Louisiana 70404, filed in Docket No. CP79-501 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of up to 2,000 Mcf of natural gas per day for Transcontinental Gas Pipe Line Corporation (Transco), all as more fully set forth in the application on file with the Commission and open to public inspection.

Transco has contracted to buy natural gas reserves produced by Energy Corporation of America, Inc.'s (ENCO) Iberville Land Company No. 5, in the Happytown Field, St. Martin Parish, Louisiana. Applicant requests authorization to transport and deliver up to 2,000 Mcf of natural gas per day for Transco's account to Transco of its Sherburne, Louisiana, meter station in Pointe Coupee Parish, Louisiana, a distance of approximately 7 miles.

Applicant indicates that approximately 500 feet of 2½-inch pipe and a meter station would be installed to receive ENCO's gas, at a maximum cost of \$8,000.

It is stated that Applicant would be paid 5.5 cents per Mcf, on a monthly basis, for gas transported, on a pressure base of 15.025 psia so long as ENCO's agreed gas purchase rate with Transco is no more than \$1.10 per Mcf. However, a proportional increase, above the \$1.10 gas purchase price, would apply to the transportation charge, it is stated.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 157.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33206 Filed 10-26-79; 8:45 am]
 BILLING CODE 6450-01-M

[Docket No. ER80-34]**Interstate Power Co.; Notice of Filing**

October 22, 1979.

The filing company submits the following:

Take notice that Interstate Power Company (Company) on October 15, 1979, tendered for filing an electric service agreement dated August 7, 1979, with the City of Windom, Minnesota. This Agreement supersedes and cancels the previous electric service agreement Interstate Power Company Rate Schedule FERC No. 40, as supplemented. The Electric Service Agreement filed herein provides for the wheeling of Western Area Power Administration power and energy to Windom and the sale of firm supplemental power by Interstate to Windom.

The Company requests waiver of the Commission's notice requirements to allow for an effective date of August 7, 1979.

A copy of this filing has been served upon the City of Windom, Minnesota.

Any person desiring to be heard to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions and protests should be filed on or before November 13, 1979. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33207 Filed 10-26-79; 8:45 am]
 BILLING CODE 6450-01-M

[Docket No. CP80-4]**Lone Star Gas Co., a Division of Enserch Corp.; Application**

October 22, 1979.

Take notice that on October 1, 1979, Lone Star Gas Company, a Division of Enserch Corporation (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP80-4 an application pursuant to Section 7(c) of the Natural Gas Act and § 157.7(c) of the Regulations thereunder (18 CFR 157.7(c)) for a certificate of public convenience

and necessity authorizing the construction, during the calendar year 1980, and operation of facilities to make miscellaneous rearrangements on its system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in making miscellaneous rearrangements which would not result in any material changes in the service presently rendered by Applicant.

Applicant states that the total cost of the proposed facilities would not exceed \$300,000, which cost Applicant would finance from cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33208 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP80-1]

Lone Star Gas Co., a Division of Enserch Corp.; Application

October 22, 1979.

Take notice that on October 1, 1979, Lone Star Gas Company, a Division of Enserch Corporation (Lone Star), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP80-1 an application pursuant to Section 7 of the Natural Gas Act and § 157.7(e) of the Regulations thereunder (18 CFR 157.7(e)) for permission and approval to abandon, during the calendar year 1980, direct sale service and facilities no longer required for deliveries of natural gas to Lone Star's customers, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Lone Star's ability to act with reasonable dispatch in abandoning service and removing direct sale measuring, regulating and related facilities.¹

The application indicates that Lone Star would not abandon any direct service unless it would have received a written request or written permission from the customer to terminate service. In the event such request or permission could not be obtained, a statement certifying that the customer has no further need for service would be filed with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 7 and 15 of the Natural Gas Act and the Commission's Rules of

¹Lone Star states that it would abandon service and facilities only when deliveries to any one direct sale customer would not exceed 100,000 Mcf of natural gas during the last year of service.

Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33209 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP80-2]

Lone Star Gas Co., a Division of Enserch Corp.; Application

October 22, 1979.

Take notice that on October 1, 1979, Lone Star Gas Company, a Division of Enserch Corporation (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP80-2 an application pursuant to Section 7 of the Natural Gas Act and § 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission and approval to abandon, during the calendar year 1980, and the operation of various field compression and related metering and appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction, acquisition, relocation, and operation and abandonment of facilities which would not result in changing Applicant's system saleable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction and abandonment under § 157.7(g) would not exceed \$1,300,000 and no single project would exceed \$325,000. Applicant proposes to finance the costs of said facilities from working capital.

Any person desiring to be heard or to make any protest with reference to said application should on or before

November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33210 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP80-5]

Lone Star Gathering Co.; Application

October 22, 1979.

Take notice that on October 1, 1979, Lone Star Gathering Company (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP80-5 an application pursuant to Section 7(c) of the Natural Gas Act and § 157.7(c) of the Regulations thereunder (18 CFR 157.7(c)) for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1980, and operation of facilities to make miscellaneous rearrangements on its system, all as more fully set forth in the application on

file with the Commission and open to public inspection.

The stated purpose of this budge-type application is to augment Applicant's ability to act with reasonable dispatch in making miscellaneous rearrangements which would not result in any material changes in the service presently rendered by Applicant.

Applicant states that the total cost of the proposed facilities would not exceed \$100,000, which cost Applicant would finance from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33211 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP79-498]

Michigan Wisconsin Pipe Line Co.; Application

October 22, 1979.

Take notice that on September 21, 1979, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP79-498 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to provide transportation services for Southern Natural Gas Company (Southern), construct and operate measurement facilities necessary to provide the transportation services, and exchange natural gas with Great Lakes Gas Transmission Company (Great Lakes), all as more fully set forth in the application which is on file with the Commission and open for public inspection.

It is indicated that ANR Storage Company (ANR) filed in Docket No. CP79-416 a request for authorization to provide natural gas storage service for Southern and for such purpose to acquire, develop, and operate, for underground natural gas storage fields located in Kalkaska County, Michigan. Applicant herein seeks authorization to provide transportation services for Southern and to construct and operate pipeline and measurement facilities necessary to provide such services.

Pursuant to a gas transportation agreement dated January 31, 1979, covering transportation for 50-day storage service and a second agreement dated February 1, 1979, covering transportation for 100-day storage service, with Southern, Applicant has agreed to provide transportation services for Southern of up to an aggregate of 11,502,700 Mcf of gas, plus compressor fuel. Together, the agreements provide that during the 1981 and ensuing summer periods, Southern would deliver 57,514 Mcf of gas at an existing point of connection between their systems located in St. Mary Parish, Louisiana (Shadyside delivery point), it is stated. Applicant states it would transport and redeliver equivalent volumes to Great Lakes at a point of interconnection between the pipeline systems of Applicant and Great Lakes at Farwell, Michigan (Farwell delivery point), and Great Lakes would redeliver equivalent volumes to ANR at a proposed point of connection between ANR and Great Lakes (Kalkaska delivery point) pursuant to a transportation and exchange arrangement between Applicant and Great Lakes.

It is stated that during the winter period, ANR would deliver the storage volumes to Great Lakes for transportation to Applicant. It is also stated that Applicant would transport and redeliver equivalent volumes, to Southern at the Shadyside delivery point at an aggregate daily rate of up to 173,496 Mcf. As consideration for providing the transportation services, Applicant states that the agreements covering the transportation services provide for an initial rate of \$561,561 per month for transportation related to the 50-day storage service and \$475,633 per month for the transportation related to the 100-day storage service.

Applicant requests authorization to construct and operate the following new facilities:

1. 72.0 miles of 36-inch O.D. pipeline loop on Applicant's southeastern mainline in Louisiana, Mississippi, Tennessee, Kentucky, and Indiana, between Applicant's North Tepetate, Louisiana, and Defiance, Ohio, compressor stations at an estimated cost of \$51,670,710.

2. 9.4 miles of 42-inch O.D. pipeline loop located in VanBuren, Ottawa, and Kent Counties, Michigan, between Applicant's Bridgman and W.C. Woolfolk compressor stations at an estimated cost of \$10,239,510.

3. Auxiliary measuring equipment at an existing meter station, at Applicant's Lincoln Compressor Station, Clare County, Michigan, estimated to cost \$171,770.

In order to implement the above-described arrangement, Applicant states that it and Great Lakes have entered into a gas transportation and exchange agreement dated March 1, 1979. Applicant indicates that the agreement provides that during the summer period Great Lakes would exchange a maximum quantity of 60,000 Mcf of gas per day. It is stated that during the summer period, the point of delivery where Applicant would make deliveries of exchange gas is at the Farwell interconnection and the point of delivery where Great Lakes would make redelivery of the exchange gas is at the Kalkaska delivery point. Applicant asserts that during the winter period ANR would make deliveries of up to 176,150 Mcf per day of gas to Great Lakes of storage gas at the Kalkaska delivery point, and Great Lakes would provide transportation and make redeliveries of equivalent volumes to Applicant at the Farwell interconnection. As consideration for providing the transportation service, Great Lakes would make a monthly charge of \$0.49 cents per Mcf of maximum daily quantity per month during each contract year (April 1

through March 31), together with a charge of 3.0 cents per Mcf for all gas received by Great Lakes for Applicant's account under the gas transportation and exchange contract at the Kalkaska delivery point during the winter period.

Applicant estimates that the total cost of the proposed facilities would be \$62,203,100 which would be financed initially with treasury funds and other funds generated internally together with borrowings from banks and/or short term lines of credit as required.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33212 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ER80-33]

The Montana Power Co.; Agreement for Sale of Non-Firm Energy

October 22, 1979.

The filing company submits the following:

Take notice that the Montana Power Company (Montana) on October 15, 1979, tendered for filing in accordance with Section 35 of the Commission's Regulations, a Letter Agreement dated January 17, 1977, as amended by Letter Agreement dated May 13, 1977 and August 22, 1977, between Montana and Southern California Edison Company (Southern California Edison) providing for the sale of non-firm provisional energy.

Montana states that under the terms of this Letter Agreement, as amended, it will make available to Southern California Edison non-firm energy and that Southern California Edison will make a like amount of energy available to Montana at Montana's request prior to June 30, 1977.

Montana indicates that the terms of the Letter Agreement, as amended, have been agreed to by the parties and would provide to Montana revenues from jurisdictional sales of \$305,244 and to Southern California Edison of \$141,120 based on the period commencing November 1, 1976 and ending September 1, 1977, the expiration date of the Letter Agreement, as amended.

An effective date of November 1, 1976 is proposed and waiver of the Commission's notice requirements is therefore requested. No special cost of service studies were prepared in connection with the derivation of the rate contained herein.

A copy of this filing has been sent to the Southern California Edison Company.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before November 13, 1979. Protests will be considered by the Commission in determining the appropriate action to be taken. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the

Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33251 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP75-154]

Montana-Dakota Utilities Co.; Notice of Petition To Amend

October 22, 1979.

Take notice that on September 21, 1979, Montana-Dakota Utilities Co. (Petitioner), 400 North Fourth Street, Bismarck, North Dakota 58501, filed in Docket No. CP75-154 a petition to amend the order of May 11, 1977,¹ issued in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to authorize Petitioner to exchange, transport and sell natural gas to and with Kansas-Nebraska Natural Gas Company (K-N) in accordance with three amendatory agreements dated July 19, 1977, October 9, 1978, and March 6, 1979, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Pursuant to the May 11, 1977, order Petitioner and K-N were authorized, *inter alia*, to exchange, transport and sell natural gas in accordance with a gas sales, transportation and exchange agreement dated May 10, 1974, between the two companies. It is indicated that the agreement provided that Petitioner would connect the wells covered by the agreement either to K-N's gathering system or its own gathering system with delivery from the gathering system to be made at Petitioner's Saco Compressor Station. Although the agreement contemplated the connection of wells to Petitioner's gathering system, Petitioner indicates that when it came time to connect wells which, because of their location, could be more economically connected to the gathering system of Petitioner, it was discovered that revision of the agreement was necessary.

Therefore, by amendatory agreements dated July 19, 1977, October 9, 1978, and March 6, 1979, Petitioner and K-N amended the May 10, 1974, agreement to provide for the connection of such wells to Petitioner's gathering system and the deletion of said wells from K-N's system. Said amendments, it is said, *inter alia*, exclude the volumes associated with these wells from the gathering and delivery charge Petitioner

¹This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

is required to pay K-N since they are not connected to K-N's facilities; specify the formula by which each party's share of the cost of facilities to connect these wells is to be determined; and provide for the proportion of gas to be received from these wells by each party. Consequently, Petitioner requests that the Commission amend the order in the instant docket to provide for such changes. Petitioner also requests authorization to add and delete wells/ acreage under the terms of the agreement as required from time to time.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33214 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ER80-33]

The Montana Power Co.; Notice of Cancellation

October 22, 1979.

The filing Company submits the following: Take notice that on October 15, 1979, The Montana Power Company ("Montana") tendered for filing a Notice of Cancellation of an agreement for the sale of non-firm energy between Montana and Southern California Edison Company. Montana states that the agreement has been terminated in accordance with its terms.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 13, 1979. Protests will be considered by the Commission in determining the

appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33213 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ER80-32]

The Montana Power Co.; Notice of Cancellation

October 22, 1979.

The filing Company submits the following: Take notice that on October 15, 1979, The Montana Power Company ("Montana") tendered for filing a Notice of Cancellation of an agreement for the sale of firm energy between Montana and Southern California Edison Company. Montana states that the agreement has expired as of its own terms and has not been renewed.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 13, 1979. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33215 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ER80-31]

The Montana Power Co.; Notice of Cancellation

October 22, 1979.

The filing company submits the following: Take notice that on October 15, 1979, The Montana Power Company ("Montana") tendered for filing a Notice of Cancellation of an agreement for the sale of firm energy and capacity between Montana and San Diego Gas and Electric Company. Montana states that the agreement has expired as of its own terms and has not been renewed.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825

North Capitol Street, N.E., Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions and protests should be filed on or before November 13, 1979. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33216 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP80-7]

Mountain Fuel Supply Co.; Application

October 22, 1979.

Take notice that on October 1, 1979, Mountain Fuel Supply Company (Mountain Fuel), 180 East First South Street, Salt Lake City, Utah 84139, filed in Docket No. CP80-7 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of up to 150,000 Mcf per day of natural gas for Columbia Gas Transmission Corporation (Columbia Gas) and up to 150,000 Mcf per day of natural gas for Natural Gas Pipeline Company of America (Natural) and further authorizing the construction and operation of related transmission facilities necessary to effectuate the proposed transportation service, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

The application indicates that in Docket No. CP79-80 three joint applicants proposed the construction and operation of an 840-mile pipeline facility to be known as the Trailblazer System. This system is intended to operate as an integrated facility, but is composed of three distinct segments, each having different ownership and operating interests.

By application filed on February 6, 1979, in Docket No. CP79-176, Mountain Fuel proposed to transport and exchange up to 304,030 Mcf per day of natural gas for the Trailblazer applicants and to construct and operate the necessary facilities to interconnect the system of Mountain Fuel with the existing system of Colorado Interstate Gas Company (CIG), and as required with the CIG segment of the Trailblazer system.

On April 25, 1979, Mountain Fuel entered into an agreement with CIG,

Columbia Gulf Transmission Company (Columbia Gulf) and Natural by which Mountain Fuel became a participant in the Trailblazer system. A subsidiary of Mountain Fuel would become a one-fourth interest partner in the Overthrust Pipeline Company (Overthrust) and would be responsible for constructing and operating the Overthrust segment of the Trailblazer system.

By amendment filed May 23, 1979, Natural, CIG, and Columbia Gulf, have included Mountain Fuel or a subsidiary as a partner in Overthrust and have agreed that certain revisions in the western and central segments of the Trailblazer system would be made. As a result of the participation of Mountain Fuel, the Overthrust pipeline segment is to be owned by a partnership consisting of Mountain Fuel Resources, Inc. (Resources) a subsidiary of Mountain Fuel, CIG Gas Supply Company, a subsidiary of CIG, Columbia Gulf, and Natural-Overthrust, Inc., a subsidiary of Natural. Resources, rather than CIG, would construct and operate the revised Overthrust pipeline. The route changes would provide a more economical and efficient design permitted by the participation of Mountain Fuel and the use of Mountain Fuel's existing pipeline facilities and right-of-way.

Mountain Fuel has agreed to transport for the accounts of Columbia Gas and Natural, using Mountain Fuel's existing transmission facilities, and certain new facilities, a combined volume of natural gas of up to 300,000 Mcf per day. In order to effectuate the proposed service Mountain Fuel proposes to construct and operate the following new facilities:

1. Approximately 0.28 mile of 20-inch exchange pipeline to interconnect the proposed new compressor facilities (Rock Springs Compressor Plant) at Mountain Fuel's existing Nightingale Compressor Station and the CIG segment, located in Sweetwater County, Wyoming.

- A new exchange compressor plant (Rock Springs) totalling approximately 5,300 BHP to be located at Mountain Fuel's existing Nightingale Compressor Station to enable Mountain Fuel to deliver natural gas to the CIG segment, located in Sweetwater County, Wyoming.

3. Minor modifications to Mountain Fuel's existing Eakin Compressor Station to permit the two-way flow of natural gas through the station which is located in Uinta County, Wyoming.

4. Miscellaneous metering, regulating, and other appurtenant facilities as may be required.

The proposed facilities would cost approximately \$7,477,000 which would be financed by funds on hand or by short-term borrowing.

Pursuant to the gas transportation agreements, Natural and Columbia Gas

would deliver to Mountain Fuel for transportation all volumes of natural gas obtained by Natural or Columbia Gas which can be connected to Mountain Fuel's existing natural gas transmission system. The volumes subject to the gas transportation agreements would be delivered to Mountain Fuel at point(s) of receipt to be mutually agreed upon. Mountain Fuel would receive such volumes as are delivered by Natural and Columbia Gas and would redeliver equivalent volumes at the proposed Rock Springs point of interconnection between the facilities of Mountain Fuel and the CIG segment. The Rock Springs delivery point is located in Sweetwater County, Wyoming, near the site of Mountain Fuel's existing Nightingale Compressor Station and Kanda delivery point; the latter is utilized for the exchange of gas between Mountain Fuel and CIG.

The application asserts that the gas transportation agreement is for a primary term of fifteen years commencing on January 1 following the date of initial delivery, and from year-to-year thereafter. Mountain Fuel estimates that the initial volumes of gas to be transported pursuant to the gas transportation agreements are 93,254 Mcf per day for Natural and 36,926 Mcf per day for Columbia Gas, for a total of 130,180 Mcf per day.

Mountain Fuel proposes to charge Natural and Columbia Gas a system-wide transportation rate of 15.0 cents per Mcf for natural gas delivered to Mountain Fuel for delivery to the Rock Springs delivery point.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will

be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition to leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Mountain Fuel to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33217 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP79-503]

Mustang Fuel Corp. and Oklahoma Gas & Electric Co.; Petition

October 22, 1979.

Take notice that on September 21, 1979, Mustang Fuel Corporation (Mustang), 1100 First National Center East, Oklahoma City, Oklahoma 73102, and Oklahoma Gas and Electric Company (Oklahoma), 321 North Harvey, Oklahoma City, Oklahoma 73102, filed in Docket No. CP79-503 a petition pursuant to § 1.7(c) of the Commission's Rules of Practice and Procedure (18 CFR 1.7(c)) for a declaratory order stating that Mustang and Oklahoma are classified as intrastate pipelines for the purpose of transactions under the Natural Gas Policy Act of 1978 (NGPA), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

It is stated that pursuant to an agreement dated August 1, 1960, between Mustang and Oklahoma, Mustang gathers natural gas purchased by Oklahoma in fields of production located in Oklahoma and transports Oklahoma's gas to gas-fired electric generation stations located in the state of Oklahoma where such gas is consumed by Oklahoma in the generation of electricity. It is asserted that Mustang purchases no gas, and sells no gas as well. Mustang's gathering and transmission facilities are dedicated solely for the gathering and transmission of gas purchased and consumed by Oklahoma in the state of Oklahoma.

Oklahoma purchases gas pursuant to approximately 2,300 individual contracts from producers in fields located in the state of Oklahoma for consumption by

Oklahoma in its gas-fired generating stations, state Applicants. It is indicated that Oklahoma has constructed new electric generating coal-fired stations in lieu of gas-fired stations. Oklahoma's new coal-fired plants are base load units, for economy and efficiency, resulting in curtailed usage of the gas-fired plants, particularly during off-peak periods when the demand upon Oklahoma's system is less than maximum, it is stated. Applicants assert that this circumstance, combined with the need to operate the gas-fired plants at maximum capacity during peak-load conditions, has created a surplus gas situation during off-peak periods. The maximum deliverability of the gas wells supplying Oklahoma is required during peak-load periods, but the usage during off-peak periods is curtailed resulting in annual contractual minimum gas take quantities in excess of Oklahoma's decreasing annual gas requirements, it is stated.

The petition states that Oklahoma desires to sell or assign its surplus deliverability by entering into transactions authorized by the NGPA. The petition further states that it is necessary for Oklahoma to dispose of its off-peak surplus gas under the NGPA because most of Oklahoma's contracts with producers contain provisions prohibiting commingling of the gas with interstate gas and the sale or transportation of such gas in interstate commerce. Such provisions are rendered unenforceable by express terms of the NGPA, it is stated.

The petition indicates that Mustang and Oklahoma have reviewed the availability of the surplus gas with potential interstate gas pipeline purchasers and such purchasers have indicated an interest in acquiring the surplus gas by transactions authorized by the NGPA. However, such acquisitions cannot be negotiated and commenced until the status of Mustang and Oklahoma as "intrastate pipelines" under the NGPA is resolved. Applicants state questions arise as to the status of Mustang as it neither purchases nor sells gas and as to the status of Oklahoma as it neither sells nor transports gas, even though the aggregate of the activities of Applicants would fall within the statutory definition of an intrastate pipeline under Section 2(16) of the NGPA. Sections 311 and 312 authorize the transportation, sale, and assignment of natural gas by an intrastate pipeline which necessitates the classification of an entity as an intrastate pipeline before eligibility for such transactions is obtained, Applicants state. Applicants state that

under the facts as outlined, there is no doubt that Mustang falls within the definition of Section 2(16) of the NGPA, as Mustang is engaged in the transportation of natural gas which is not subject to the jurisdiction of the Commission under the Natural Gas Act. However, Applicants state, since Mustang does not purchase or sell gas, it does not have supplies available for transactions contemplated by Sections 311 and 312 of the NGPA.

Oklahoma is not engaged directly in the transportation of gas not subject to the jurisdiction of the Commission under the Natural Gas Act; however, it is engaged in such transportation indirectly by virtue of Oklahoma's relationship with Mustang, it is asserted. Oklahoma has, by contract, secured exclusive dedication of the Mustang system for the transportation of gas owned by Oklahoma, advises Mustang where to deliver its gas and the volumes needed, and controls the permissible use of the transportation system. Under these facts, Applicants state that Oklahoma may properly be found to be engaged in the transportation of gas by means of an intrastate system not subject to Commission jurisdiction under the Natural Gas Act and through its control of Mustang may properly be classified as an intrastate pipeline within the definition in Section 2(16) of the NGPA and for purposes of engaging in transactions under Sections 311 and 312 of the NGPA. Additionally, Applicants state that the classification of Oklahoma as above-mentioned is fully consistent with the intent and purposes of Congress in enacting Sections 311 and 312 in that these provisions were designed to permit prompt availability or surplus intrastate supplies for the interstate markets.

Any person desiring to be heard or to make any protest with reference to said petition should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a

petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33218 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[No. 96]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

October 18, 1979.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

Arkansas Oil and Gas Commission

1. Control Number (F.E.R.C./State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21938
2. 03-139-10846
3. 102
4. T L James & Company Inc
5. Natural Resources No 1—Ser #24308
6. Tubal Field
7. Union AR
8. 73.0 million cubic feet
9. September 27, 1979
10. Arkansas-Louisiana Gas Company
1. 79-21939
2. 03-139-10934
3. 102
4. T L James & Company Inc
5. Natural Resources No A-1 Serial #2
6. Tubal Field
7. Union County AR
8. 73.0 million cubic feet
9. September 27, 1979
10. Arkansas-Louisiana Gas Company
1. 79-21940
2. 03-139-11026
3. 102
4. T L James & Company Inc
5. Natural Resources No C-1 Serial #251
6. Tubal Field
7. Union County AR
8. 73.0 million cubic feet
9. September 27, 1979
10. Arkansas-Louisiana Gas Company
1. 79-21941
2. 03-139-11057
3. 102
4. T L James & Company Inc
5. Natural Resources No D-1 Serial #25
6. Tubal Field
7. Union County AR
8. 73.0 million cubic feet
9. September 27, 1979
10. Arkansas-Louisiana Gas Company

Louisiana Office of Conservation

1. Control Number (F.E.R.C./State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21722/79-1450
2. 17-045-20548
3. 102
4. Continental Oil Company
5. Williams Inc A No 16
6. Bayou Long
7. Iberia LA
8. 3600.0 million cubic feet
9. September 24, 1979
10. Southern Natural Gas Company
1. 79-21723/79-1671
2. 17-109-22080
3. 102
4. Pennzoil Producing Company
5. Exxon Fee No 2-D
6. Lirette
7. Terrebonne LA
8. 1750.0 million cubic feet
9. September 24, 1979
10. United Gas Pipeline Company
1. 79-21724/79-1670
2. 17-109-22080
3. 102
4. Pennzoil Producing Company
5. Exxon Fee No 2
6. Lirette
7. Terrebonne LA
8. 150.0 million cubic feet
9. September 24, 1979
10. United Gas Pipeline Company
1. 79-21725/79-2175
2. 17-101-21013
3. 102
4. The Superior Oil Company
5. St Mary Parish Land Co No 1
6. Wax Lake
7. St Mary Parish LA
8. .0 million cubic feet
9. September 24, 1979
- 10.
1. 79-21726/79-2043
2. 17-113-20860
3. 102
4. The Superior Oil Company
5. B T Broussard No 2
6. Kaplan
7. Vermilion Parish LA
8. 750.0 million cubic feet
9. September 24, 1979
- 10.
1. 79-21727/79-1843
2. 17-045-20580
3. 102
4. Continental Oil Company
5. Williams Inc 4 No 6
6. Bayou Long
7. Iberia LA
8. 3600.0 million cubic feet
9. September 24, 1979
10. Southern Natural Gas Co
1. 79-21728/79-2212
2. 17-027-20549
3. 102

4. Kerr-McGee Corporation
5. Maude N McDonald Well No 1
6. McCasland Creek
7. Claiborne PA LA
8. 37.0 million cubic feet
9. September 24, 1979
- 10.

1. 79-21729/79-2194
2. 17-113-20852
3. 102
4. Dynamic Exploration Inc
5. Juanette #1
6. Grosse Isle
7. Vermilion LA
8. 146.0 million cubic feet
9. September 24, 1979
10. United Gas Pipeline Company

1. 79-21730/79-2193
2. 17-113-20883
3. 102
4. Dynamic Exploration Inc
5. Duhon #1
6. Grosse Isle
7. Vermilion LA
8. 127.8 million cubic feet
9. September 24, 1979
10. Dow Chemical USA
1. 79-21731/79-2191
2. 17-031-20818
3. 102, 103
4. Louisiana General Petroleum Corp
5. N H Ford et al #1
6. Canadian Bayou
7. DeSoto LA
8. 376.3 million cubic feet
9. September 24, 1979
10. Southern Natural Gas Company

Montana Board of Oil and Gas Conservation

1. Control Number (F.E.R.C./State)
2. API Well Number
3. Section of NGPA
4. Operator
5. Well Name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21732/4-79-194
2. 25-025-21114
3. 108
4. Pacer Resources Inc
5. Pacer State 11-3-6
6. Plevna
7. Fallon MT
8. 900.0 million cubic feet
9. September 24, 1979
10. Montana-Dakota Utilities
1. 79-21733/8-79-243
2. 25-083-21280
3. 102
4. Patrick Petroleum Co
5. Albin-McMillen #1
6. West Brorson
7. Richland MT
8. 50.0 million cubic feet
9. September 24, 1979
10. Crystal Oil Company
1. 79-21734/8-79-242
2. 25-101-21744
3. 102
4. Diamond Shamrock Corporation
5. Underdahl Fee 22-34
6. Wildcat

7. Toole MT
8. 20.0 million cubic feet
9. September 24, 1979
10.

1. 79-21735/8-79-241
2. 25-085-21150
3. 102
4. Diamond Shamrock Corporation
5. Diamond Sunmark Crusch No 1
6. Shotgun Creek
7. Roosevelt MT
8. 170.0 million cubic feet
9. September 24, 1979
10. True Oil Company

1. 79-21736/3-79-112
2. 25-005-21893
3. 108
4. Energetics Inc
5. Mundt Land & Livestock #31-13
6. Sawtooth Mountain
7. Blaine MT
8. 3.8 million cubic feet
9. September 24, 1979
10. Northern Natural Gas Company

New Mexico Department of Energy and Minerals, Oil Conservation Division

1. Control Number (F.E.R.C./State)
2. API Well Number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 79-21707
2. 30-015-22670
3. 103
4. Perry R Bass
5. Big Eddy Unit No. 65
6. Undesignated East Carlsbad Morrow
7. Eddy County NM
8. 298.9 million cubic feet
9. September 21, 1979
10. Natural Gas Pipeline Co of America

1. 79-21708
2. 30-015-22492
3. 102
4. Yates Petroleum Corporation
5. Rio Pecos GB Com #2
6. UND Red Lake-Penn
7. Eddy NM
8. 2860.0 million cubic feet
9. September 21, 1979
10. Transwestern Pipeline Co

1. 79-21709
2. 30-015-20534
3. 102
4. Yates Petroleum Corporation
5. Holden DE #1
6. Riverside-Atoka
7. Eddy NM
8. .0 million cubic feet
9. September 21, 1979
10.

1. 79-21710
2. 30-015-22023
3. 102
4. Yates Petroleum Corporation
5. Millman HD State Com #1
6. Millman-Morrow South
7. Eddy NM
8. 269.0 million cubic feet

9. September 21, 1979
10. El Paso Natural Gas Co
1. 79-21711
2. 30-045-22762
3. 103
4. Amoco Production Company
5. State Gas Com J #1A
6. Blanco Mesaverde
7. San Juan NM
8. 246.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Company

1. 79-21712
2. 30-045-22762
3. 103
4. Amoco Production Company
5. State Gas Com J #1A
6. Blanco Mesaverde
7. San Juan NM
8. 246.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Company

1. 79-21713
2. 30-045-22438
3. 103
4. Amoco Production Company
5. Keys Gas Com A #1A
6. Blanco Mesaverde
7. San Juan NM
8. 55.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Company

1. 79-21714
2. 30-045-22805
3. 103
4. Amoco Production Company
5. Usselman Gas Com #1A
6. Blanco Mesaverde
7. San Juan NM
8. 150.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Company

1. 79-21715
2. 30-045-22142
3. 103
4. Amoco Production Company
5. Uptegrove Gas Com #1A
6. Blanco Mesaverde
7. San Juan NM
8. 350.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Company

1. 79-21716
2. 30-045-22493
3. 103
4. Amoco Production Company
5. Sullivan Gas Com B #1A
6. Blanco Mesaverde
7. San Juan NM
8. 125.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Company

1. 79-21717
2. 30-045-22454
3. 103
4. Amoco Production Company
5. Ridenour Gas Com #1A
6. Blanco Mesaverde
7. San Juan NM
8. 230.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Company

1. 79-21718
2. 30-015-21584

3. 102
4. Yates Petroleum Corporation
5. Haldeman EN Com #1
6. Eagle Creek Atoka-Morrow East
7. Eddy NM
8. 370.0 million cubic feet
9. September 21, 1979
10. Transwestern Pipeline Co

1. 79-21719
2. 30-015-21889
3. 102
4. Yates Petroleum Corporation
5. Rio Pecos GB Com #1
6. Red Lake Penn
7. Eddy NM
8. 2340.0 million cubic feet
9. September 21, 1979
10. Transwestern Pipeline Co

1. 79-21720
2. 30-015-22248
3. 102
4. Yates Petroleum Corporation
5. La Cama Com #1
6. Wildcat Cisco
7. Eddy NM
8. .0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Co

1. 79-21721
2. 30-015-22146
3. 102
4. Yates Petroleum Corporation
5. State HU Com #1
6. Millman-Strawn
7. Eddy NM
8. 421.0 million cubic feet
9. September 21, 1979
10. El Paso Natural Gas Co

1. 79-21737
2. 30-025-10711
3. 108
4. Arco Oil and Gas Company
5. W T Matkins WN #3
6. Langlie Mattix
7. Lea NM
8. 3.7 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Company

1. 79-21738
2. 30-015-22934
3. 103
4. Mesa Petroleum Co
5. Rio State #2
6. Undesignated-Morrow
7. Eddy NM
8. 2000.0 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Company

1. 79-21739
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs T No 16
6. Chaveroo San Andres
7. Roosevelt NM
8. 1.7 million cubic feet
9. September 24, 1979
10. Cities Service Co

1. 79-21740
2. 30-025-05520
3. 108
4. Phillips Petroleum Company
5. Cheryl A No 1
6. Eumont Yates 7R Queen
7. Lea NM

8. 6.8 million cubic feet
9. September 24, 1979
10. Warren Petroleum Corporation
1. 79-21741
2. 30-015-22871
3. 103
4. Yates Petroleum Corporation
5. Beauregard Com No 1 Sec 23-18S-27E
6. Atoka Morrow Gas East
7. Eddy, NM
8. .0 million cubic feet
9. September 24, 1979
10.
1. 79-21742
2. 30-025-20784
3. 108
4. Phillips Petroleum Company
5. Santa Fe No 88
6. Vacuum Glorieta
7. Lea, NM
8. 4.0 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Company
1. 79-21743
2. 30-005-10440
3. 108
4. Arco Oil and Gas Company
5. State BF #2
6. Chaveroo
7. Chaves, NM
8. 2.4 million cubic feet
9. September 24, 1979
10. Cities Service Company
1. 79-21744
2. 30-025-20270
3. 108
4. Phillips Petroleum Company
5. Santa Fe No 87
6. Vacuum Wolfcamp
7. Lea, NM
8. 2.0 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Company
1. 79-21891
2. 30-015-22755
3. 103
4. Yates Petroleum Corporation
5. Waldrip JY No 1
6. Atoka Yeso
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21892
2. 30-015-22294
3. 103
4. Yates Petroleum Corporation
5. Ferguson IF No 2
6. Yeso
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21893
2. 30-015-22328
3. 103
4. Yates Petroleum Corporation
5. Gushwa DR No 2
6. Penasco Draw
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21894
2. 30-015-22185
3. 103
4. Yates Petroleum Corporation
5. Humphrey IH No 1
6. Penasco Draw (Yeso Sa)
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21895
2. 30-015-22745
3. 103
4. Yates Petroleum Corporation
5. Oneil JL No 1
6. Atoka Yeso
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21896
2. 30-005-60289
3. 102
4. R L Foree
5. State-Com #1
6. Sams Ranch Grayburg
7. Chaves, NM
8. 140.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21897
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs T No 3
6. Chaveroo San Andres
7. Roosevelt, NM
8. .7 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21898
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs T No 2
6. Chaveroo San Andres
7. Roosevelt, NM
8. .5 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21899
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs U No 2
6. Chaveroo San Andres
7. Roosevelt, NM
8. 2.4 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21900
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 1
6. Chaveroo San Andres
7. Roosevelt, NM
8. .3 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21901
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 2
6. Chaveroo San Andres
7. Roosevelt, NM
8. .4 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21902
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs T No 4
6. Chaveroo San Andres
7. Roosevelt, NM
8. .6 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21903
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs T No 6
6. Chaveroo San Andres
7. Roosevelt, NM
8. .8 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21904
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs T No 8
6. Chaveroo San Andres
7. Roosevelt, NM
8. 1.7 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21905
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 8
6. Chaveroo San Andres
7. Roosevelt, NM
8. .4 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21906
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs T No 5
6. Chaveroo San Andres
7. Roosevelt, NM
8. .4 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21907
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 3
6. Chaveroo San Andres
7. Roosevelt, NM
8. .3 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21908
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 5
6. Chaveroo San Andres
7. Roosevelt, NM
8. .8 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21909

2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 4
6. Chaveroo San Andres
7. Roosevelt, NM
8. .4 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21910
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 7
6. Chaveroo San Andres
7. Roosevelt, NM
8. .3 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21911
2. 30-041-00000
3. 108
4. Getty Oil Company
5. Hobbs W No 6
6. Chaveroo San Andres
7. Roosevelt, NM
8. .7 million cubic feet
9. September 25, 1979
10. Cities Service Co
1. 79-21914
2. 30-015-22135
3. 103
4. Yates Petroleum Corporation
5. Stark BG No 2
6. Penasco Draw (S A)
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21915
2. 30-015-22311
3. 103
4. Yates Petroleum Corporation
5. Babcock IR No 1
6. Penasco Draw Sa Yeso
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21916
2. 30-015-20511
3. 103
4. Yates Petroleum Corporation
5. Donegan CE No 1
6. Eagle Creek San Andres
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21917
2. 30-015-22215
3. 103
4. Yates Petroleum Corporation
5. Ferguson IF No 1
6. Penasco Draw (Yeso Sa)
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21918
2. 30-015-22887
3. 103
4. Yates Petroleum Corporation
5. Irish Hills KW State No 1-Y
6. Penasco Draw Yeso Sa

7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company
1. 79-21919
2. 30-015-22891
3. 103
4. Yates Petroleum Corporation
5. SRC State KZ No 1
6. Penasco Draw Sa Yeso
7. Eddy, NM
8. .0 million cubic feet
9. September 25, 1979
10. Transwestern Pipeline Company

North Dakota Geological Survey

1. Control number (FERC/State)
2. API well number
3. Section of NCPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-22029/140-NGPA
2. 33-053-00759
3. 102
4. Gulf Oil Corporation
5. Eckert Foundation #1
6. Indian Hill
7. McKenzie ND
8. 95.0 million cubic feet
9. September 26, 1979
10.
1. 79-22030/141-NGPA
2. 33-007-00340
3. 102
4. Gulf Oil Corporation
5. Bernel Zabolotny #1-4-3C
6. Little Knife
7. Billings ND
8. 137.0 million cubic feet
9. September 26, 1979
10. Montana Dakota Utilities
1. 79-22031/142-NGPA
2. 33-007-00319
3. 102
4. Gulf Oil Corporation
5. Marian Torphy #1-29-2B
6. Little Knife
7. Billings ND
8. 4.0 million cubic feet
9. September 26, 1979
10. Montana Dakota Utilities

Oklahoma Corporation Commission

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21840/0086
2. 35-087-00000
3. 108
4. E Lyle Johnson
5. Guffin #2 ID# 836840
6. Flint Creek
7. McClain OK

8. 10.7 million cubic feet
9. September 25, 1979
10. Sun Oil Company
1. 79-21841/00361
2. 35-007-21355
3. 103
4. Anadarko Production Co
5. Potter A No 1
6. Mocane-Laverne
7. Beaver OK
8. 324.0 million cubic feet
9. September 25, 1979
10. Colorado Interstate Gas Co
1. 79-21842/00363
2. 35-139-21105
3. 103
4. Anadarko Production Co
5. Cities Service M No 1
6. Goff Creek
7. Texas OK
8. 96.0 million cubic feet
9. September 25, 1979
10. Panhandle Eastern Pipeline Co
1. 79-21843/00364
2. 35-017-21028
3. 103
4. Phillips Petroleum Company
5. Ruzicka A No 1
6. S E Richland
7. Canadian OK
8. 60.0 million cubic feet
9. September 25, 1979
10.
1. 79-21844/00366
2. 35-045-20687
3. 103
4. Energy Reserves Group Inc
5. Mark Miller No 1
6. Peek South
7. Ellis OK
8. 144.0 million cubic feet
9. September 25, 1979
10. Panhandle Eastern Pipeline Co
1. 79-21845/00376
2. 35-047-21631
3. 103
4. Birchall Petroleum Inc
5. Birchall-Guthrie well No 1-10
6. Enid Northeast
7. Garfield OK
8. 91.3 million cubic feet
9. September 25, 1979
10. Champlain Petroleum Company
1. 79-21846/00377
2. 35-003-20621
3. 103
4. Energy Reserves Group Inc
5. Maxey #2
6. Helena
7. Alfalfa OK
8. 70.0 million cubic feet
9. September 25, 1979
10. Union Texas Petroleum
1. 79-21847/00382
2. 35-153-20938
3. 103
4. S Keith Tuthill & Bill J Barbee
5. Walker #2-24
6. SW Freedom
7. Woodward OK
8. 180.0 million cubic feet
9. September 25, 1979
10. Panhandle Eastern Pipe Line
1. 79-21848/00422

2. 35-009-35562
3. 108
4. El Paso Natural Gas Company
5. Pucket #7
6. Erick South (Brown Dolomite)
7. Beckham OK
8. 13.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21849/00424
2. 35-009-00073
3. 108
4. El Paso Natural Gas Company
5. Pucket #1
6. Erick South (Brown Dolomite)
7. Beckham OK
8. 16.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21850/00426
2. 35-009-20125
3. 108
4. El Paso Natural Gas Company
5. Story #2
6. Erick South (Brown Dolomite)
7. Beckham OK
8. 21.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21851/00429
2. 35-009-35571
3. 108
4. El Paso Natural Gas Company
5. Story #1
6. Erick South (Brown Dolomite)
7. Beckham OK
8. 14.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21852/00431
2. 35-009-35566
3. 108
4. El Paso Natural Gas Company
5. Pennington #1
6. Erick South (Brown Dolomite)
7. Beckham OK
8. 18.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21853/00434
2. 35-009-35595
3. 108
4. El Paso Natural Gas Company
5. Brindle #1
6. Erick South (Brown Dolomite)
7. Beckham OK
8. 4.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21854/00438
2. 35-009-35594
3. 108
4. El Paso Natural Gas Company
5. Magnolia Prather A #1
6. Erick South (Brown Dolomite)
7. Beckham OK
8. 9.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21855/00558
2. 35-129-20333
3. 107
4. Texas Pacific Oil Company Inc.
5. Pankey Unit No 1
6. Revdon
7. Roger Mills OK
8. 2.5 million cubic feet
9. September 25, 1979
10. Kansas-Nebraska Natural Gas Co Inc,
Panhandle Eastern Pipeline Company
1. 79-21856/00559
2. 35-129-20314
3. 107
4. Texas Pacific Oil Company Inc
5. Bette Hollis No 2
6. Reydon
7. Roger Mills OK
8. 50.0 million cubic feet
9. September 25, 1979
10. Kansas-Nebraska Natural Gas Co Inc,
Panhandle Eastern Pipeline Co
1. 79-21857/00652
2. 35-051-20642
3. 107
4. An-Son Corporation
5. Pendley #1
6. Pendley #1
7. Grady OK
8. 1825.0 million cubic feet
9. September 25, 1979
10. Lone Star Gas Company
1. 79-21858/00815
2. 35-015-20703
3. 107
4. BTA Oil Producers
5. 7709 Laverty #1
6. Laverty-Springer
7. Caddo OK
8. 511.0 million cubic feet
9. September 25, 1979
10. Cities Service Gas Co
1. 79-21859/00819
2. 35-149-20037
3. 107
4. El Paso Natural Gas Company
5. Floyd Niece #2
6. Elk City
7. Washita OK
8. 4380.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21860/00820
2. 35-009-20211
3. 107
4. El Paso Natural Gas Company
5. Coy #1
6. Elk City
7. Beckham OK
8. 846.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-21861/00835
2. 35-129-20300
3. 107
4. DYCO Petroleum Corporation
5. Burns-Estes #1
6. Reydon West
7. Roger Mills OK
8. 2000.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company, Kansas
Nebraska Natural Gas Co, Panhandle
Eastern Pipeline Co
1. 79-21862/00435
2. 35-009-35590
3. 108
4. El Paso Natural Gas Company
5. Bliss #1
6. Erick South
7. Beckham OK
8. 19.0 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company
1. 79-16442/00008 (Revised)
2. 35-043-20896
3. 102 103
4. OFT Exploration Inc
5. Bill Ohair 1-12
6. Section 12-19-N-20W
7. Dewey Ok
8. 40.0 million cubic feet
9. August 14, 1979
10. Panhandle Eastern Pipeline Co
1. 79-16444/00011 (Revised)
2. 35-153-20802
3. 102 103
4. OFT Exploration Inc
5. Susie Dodge 1-03
6. N E Cedardale Section 3-22N-18W
7. Woodward OK
8. 350.0 million cubic feet
9. August 14, 1979
10. Northern Natural Gas Co
- Texas Railroad Commission Oil and Gas
Division**
1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well Name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21746/07578
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 9 Well #3
6. Farmer Field (San Andres)
7. Crockett TX
8. 20.6 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21747/07577
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 9 Well #2
6. Farmer Field (San Andres)
7. Crockett TX
8. 9.8 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21748/07576
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 9 Well #1
6. Farmer Field (San Andres)
7. Crockett TX
8. 7.0 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21749/07575
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 9 Well #2
6. Farmer Field (San Andres)
7. Crockett TX
8. 7.9 million cubic feet
9. September 24, 1979

10. Big Lake Gas Corporation
1. 79-21750/07572
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 12-A Well #4
6. Farmer Field (San Andres)
7. Crockett TX
8. 9.8 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21751/07571
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 12 Well #6
6. Farmer Field (San Andres)
7. Crockett TX
8. 7.6 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21752/07569
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 12-B Well #1
6. Farmer Field (San Andres)
7. Crockett TX
8. 4.6 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21753/07568
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 12 Well #3
6. Farmer Field (San Andres)
7. Crockett TX
8. 5.1 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21754/07567
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 12 Well #4
6. Farmer Field (San Andres)
7. Crockett TX
8. 9.4 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21755/07566
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 12-A Well #5
6. Farmer Field (San Andres)
7. Crockett TX
8. 12.8 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21756/07565
2. 42-105-00000
3. 103
4. Robert M Wynne
5. University 12-A Well #3
6. Farmer Field (San Andres)
7. Crockett TX
8. 7.5 million cubic feet
9. September 24, 1979
10. Big Lake Gas Corporation
1. 79-21757/07346
2. 42-365-00000
3. 108
4. Getty Oil Company
5. Werner F No 1 ID #29846
6. Carthage (Pettit Up)
7. Panola TX
8. 13.5 million cubic feet
9. September 24, 1979
10. Texas Gas Transmission Corp
1. 79-21758/07324
2. 42-365-00000
3. 108
4. Getty Oil Company
5. Wallace Unit No 1 ID #29842
6. Carthage (Pettit Up)
7. Panola TX
8. 6.6 million cubic feet
9. September 24, 1979
10. Texas Gas Transmission Corp
1. 79-21759/07091
2. 42-135-32155
3. 103
4. Continental Oil Company
5. Gist Unit (19373) #104
6. Foster
7. Ector TX
8. .7 million cubic feet
9. September 24, 1979
10. Odessa Natural Gas Co
1. 79-21760/07090
2. 42-135-32154
3. 103
4. Continental Oil Company
5. Gist Unit (19373) #103
6. Foster
7. Ector TX
8. .7 million cubic feet
9. September 24, 1979
10. Odessa Natural Gas Co
1. 79-21761/06995
2. 42-239-31155
3. 102
4. The Superior Oil Company
5. W L Traylor 6
6. Maude B Traylor N (34)
7. Calhoun TX
8. 18.0 million cubic feet
9. September 24, 1979
10. Lo Vaca Gathering Co
1. 79-21762/03985
2. 42-195-30593
3. 102
4. Argonaut Energy Corporation
5. Lowe B #2 79065
6. Hunter (Council Grove)
7. Hansford TX
8. 95.2 million cubic feet
9. September 24, 1979
10. Northern Natural Gas Company
1. 79-21763/03338
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Perkins J J No 22
6. Panhandle Hutchinson
7. Hutchinson TX
8. 1.5 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co
1. 79-21764/03337
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Perkins J J No 8
6. Panhandle Hutchinson
7. Hutchinson TX
8. 1.7 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co
1. 79-21765/03335
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Perkins J J No 3
6. Panhandle Hutchinson
7. Hutchinson TX
8. .5 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co
1. 79-21766/03334
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Perkins J J No 2
6. Panhandle Hutchinson
7. Hutchinson TX
8. 1.7 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co
1. 79-21767/03333
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Perkins J J No 1
6. Panhandle Hutchinson
7. Hutchinson TX
8. 3.3 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co
1. 79-21768/03147
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Rell No 1
6. Panhandle West
7. Hutchinson TX
8. 4.3 million cubic feet
9. September 24, 1979
10. Panhandle Eastern Pipeline Co
1. 79-21769/03143
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Chapp J A No 4
6. Panhandle West
7. Hutchinson TX
8. 8.6 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co Panhandle Eastern Pipeline Co
1. 79-21770/03140
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Garland S No 2
6. Panhandle West
7. Hutchinson TX
8. 7.3 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co Panhandle Eastern Pipeline Co
1. 79-21771/02742
2. 42-233-00000
3. 108
4. Phillips Petroleum Company
5. Yake-G No 2
6. Panhandle West
7. Hutchinson TX
8. 16.2 million cubic feet
9. September 24, 1979
10. El Paso Natural Gas Co Panhandle Eastern Pipeline Company

Virginia Department of Labor and Industry,
Division of Mines and Quarries

1. Control number (F.E.R.C./State)
 2. API well number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
1. 79-21920
 2. 45-051-20168-0003
 3. 108
 4. Philadelphia Oil Company
 5. P-24 Henry Keel
 6. Nora
 7. Dickenson VA
 8. 7.3 million cubic feet
 9. September 27, 1979
 10. Kentucky West VA Gas Company

West Virginia Department of Mines, Oil and
Gas Division

1. Control number (F.E.R.C./State)
 2. API well number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
1. 79-21684
 2. 47-039-00597
 3. 108
 4. Cities Service Company
 5. Landers B # 1
 6. Colbon 6
 7. Kanawha, WV
 8. 6.3 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21685
 2. 47-039-00629
 3. 108
 4. Cities Service Company
 5. Pushkin A # 1
 6. Colbon 6
 7. Kanawha, WV
 8. 1.0 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21686
 2. 47-039-00674
 3. 108
 4. Cities Service Company
 5. Hanna B # 1
 6. Colbon 6
 7. Kanawha, WV
 8. 11.9 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21687
 2. 47-039-01278
 3. 108
 4. Cities Service Company
 5. Vickers B # 1
 6. Colbon 6
 7. Kanawha, WV
 8. 8.8 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21688
 2. 47-039-02308
 3. 108
 4. Cities Service Company
 5. Cavender B-1
 6. Kaput
 7. Kanawha, WV
 8. 8.5 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21689
 2. 47-039-02445
 3. 108 Denied
 4. Cities Service Company
 5. Hughart C-1
 6. Kaput
 7. Kanawha, WV
 8. 16.6 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21690
 2. 47-047-00198
 3. 108
 4. Cities Service Company
 5. McCormick A-1
 6. Jolo 30
 7. McDowell, WV
 8. 6.4 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21691
 2. 47-047-00462
 3. 108
 4. Cities Service Company
 5. McCormick A-3
 6. Jolo 30
 7. McDowell, WV
 8. 15.2 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21692
 2. 47-039-00972
 3. 108
 4. Cities Service Company
 5. Holmes A # 1
 6. Colbon 6
 7. Kanawha, WV
 8. 9.5 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21693
 2. 47-039-00914
 3. 108
 4. Cities Service Company
 5. Moore A # 1
 6. Colbon 6
 7. Kanawha WV
 8. 6.0 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21694
 2. 47-039-00888
 3. 108
 4. Cities Service Company
 5. Jackson B # 1
 6. Colbon 6
 7. Kanawha WV
 8. 3.6 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21695
 2. 47-039-00855
 3. 108
 4. Cities Service Company
 5. Taylor B # 1

6. Colbon 6
 7. Kanawha WV
 8. 9.0 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21696
 2. 47-039-00845
 3. 108
 4. Cities Service Company
 5. Jones E # 1
 6. Colbon 6
 7. Kanawha WV
 8. 10.0 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21697
 2. 47-039-00795
 3. 108
 4. Cities Service Company
 5. Fields B # 1
 6. Colbon 6
 7. Kanawha WV
 8. 8.9 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21698
 2. 47-039-00788
 3. 108
 4. Cities Service Company
 5. Harrison A # 1
 6. Colbon 6
 7. Kanawha WV
 8. 8.8 million cubic feet
 9. September 24, 1979
 10. Consolidated Gas Supply Co
1. 79-21699
 2. 47-067-00079
 3. 108
 4. Cities Service Company
 5. Grose C # 1
 6. Gauley
 7. Nicholas WV
 8. 5.8 million cubic feet
 9. September 24, 1979
 10. Equitable Gas Company
1. 79-21700
 2. 47-067-00096
 3. 108
 4. Cities Service Company
 5. Federal Coal Co A # 2
 6. Gauley
 7. Nicholas WV
 8. 2.6 million cubic feet
 9. September 24, 1979
 10. Equitable Gas Company
1. 79-21701
 2. 47-067-00104
 3. 108
 4. Cities Service Company
 5. Summers D # 1
 6. Gauley
 7. Nicholas WV
 8. 4.3 million cubic feet
 9. September 24, 1979
 10. Equitable Gas Company
1. 79-21702
 2. 47-067-00103
 3. 108
 4. Cities Service Company
 5. Johnson B # 1
 6. Gauley
 7. Nicholas WV
 8. 7.0 million cubic feet
 9. September 24, 1979
 10. Equitable Gas Company

1. 79-21703
2. 47-067-00097
3. 108
4. Cities Service Company
5. Grose D #1
6. Gauley
7. Nicholas WV
8. 4.2 million cubic feet
9. September 24, 1979
10. Equitable Gas Company
1. 79-21704
2. 47-067-00456
3. 108
4. Cities Service Company
5. Dickinson B #16
6. Gauley
7. Nicholas WV
8. 10.0 million cubic feet
9. September 24, 1979
10. Equitable Gas Company
1. 79-21705
2. 47-067-00257
3. 108
4. Cities Service Company
5. Shelton A #1
6. Gauley
7. Nicholas WV
8. 7.9 million cubic feet
9. September 24, 1979
10. Equitable Gas Company
1. 79-21706
2. 47-067-00254
3. 108
4. Cities Service Company
5. Flynn Coal & Lumb A #10
6. Gauley
7. Nicholas WV
8. 11.7 million cubic feet
9. September 24, 1979
10. Equitable Gas Company
1. 79-21772
2. 47-039-02711
3. 108
4. Ray Resources Div of Flying Diamond
5. Michael Dist #534
6. Jefferson Dist
7. Kanawha WV
8. .1 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21773
2. 47-043-01687
3. 108
4. Ray Resources Div of Flying Diamond
5. James Nunn #717
6. Duval Dist
7. Lincoln WV
8. 2.0 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21774
2. 47-043-01681
3. 108 denied
4. Ray Res Div of Flying Diamond Oil C
5. S Cartwright #715
6. Washington Dist
7. Kanawha WV
8. .5 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21775
2. 47-043-01683
3. 108 denied
4. Ray Res Div of Flying Diamond Oil C
5. S Cartwright #71
6. Washington Dist
7. Lincoln WV
8. .5 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21776
2. 47-043-01659
3. 108 denied
4. Ray Res Div of Flying Diamond Oil C
5. D J Craddock #574
6. Washington Dist
7. Lincoln WV
8. .1 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21777
2. 47-043-01606
3. 108 denied
4. Ray Res Div of Flying Diamond Oil C
5. D J Craddock #502
6. Washington Dist
7. Lincoln WV
8. .6 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21778
2. 47-043-01620
3. 108 denied
4. Ray Res Div of Flying Diamond Oil Co
5. D J Craddock #514
6. Washington Dist
7. Lincoln WV
8. .6 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21779
2. 47-043-01609
3. 108 denied
4. Ray Res Div of Flying Diamond Oil Co
5. D J Craddock #511
6. Washington Dist
7. Lincoln WV
8. .6 million cubic feet
9. September 25, 1979
10. Industrial Gas
1. 79-21780
2. 47-005-00228
3. 108
4. Cities Service Company
5. R H Wood #6
- 6.
7. Boone WV
8. .0 million cubic feet
9. September 21, 1979
10. Consolidated Gas Supply Corp
1. 79-21781
2. 47-041-01572
3. 108
4. Consolidated Gas Supply Corp
5. A W Woodford 10945
6. West Virginia Other A-85772
7. Lewis WV
8. 15.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21782
2. 47-041-01641
3. 108
4. Consolidated Gas Supply Corporation
5. F White 11031
6. West Virginia Other A-85772
7. Lewis WV
8. 17.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21783
2. 47-041-01674
3. 108
4. Consolidated Gas Supply Corporation
5. B White 11158
6. West Virginia Other A-85772
7. Lewis WV
8. 19.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21784
2. 47-041-01676
3. 108
4. Consolidated Gas Supply Corporation
5. I Simmons 11150
6. West Virginia Other A-85772
7. Lewis WV
8. 16.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21785
2. 47-041-00940
3. 108
4. Consolidated Gas Supply Corporation
5. Hubert B Zinn 10420
6. West Virginia Other A-85772
7. Lewis WV
8. 21.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21786
2. 47-041-00992
3. 108
4. Consolidated Gas Supply Corporation
5. J J Kenney 10368
6. West Virginia Other A-85772
7. Lewis WV
8. 10.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21787
2. 47-097-01401
3. 108
4. Consolidated Gas Supply Corporation
5. M M Bennett 11404
6. West Virginia Other A-85772
7. Upshur WV
8. 18.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21788
2. 47-097-00342
3. 108
4. Consolidated Gas Supply Corporation
5. Mabel Mick 9202
6. West Virginia other A-85772
7. Upshur WV
8. 13.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21789
2. 47-041-01166
3. 108
4. Consolidated Gas Supply Corporation
5. Charlie E Lawson 10501
6. West Virginia other A-85772
7. Lewis WV
8. 9.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21790
2. 47-041-01383
3. 108
4. Consolidated Gas Supply Corporation
5. A N Morrison 10677

6. West Virginia other A-85772
7. Lewis WV
8. 10.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21791
2. 47-097-00638
3. 108
4. Consolidated Gas Supply Corporation
5. R W Johnson 10320
6. West Virginia other A-85772
7. Upshur WV
8. 8.0 millin cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21792
2. 47-097-00664
3. 108
4. Consolidated Gas Supply Corporation
5. Elbert Catright 10331
6. West Virginia other A-85772
7. Upshur WV
8. 9.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21793
2. 47-097-00683
3. 108
4. Consolidated Gas Supply Corporation
5. Delmar H Brake 10392
6. West Virginia other A-85772
7. Upshur WV
8. 5.0 million cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21794
2. 47-097-00724
3. 108
4. Consolidated Gas Supply Corporation
5. Tommy Post 10432
6. West Virginia other A-85772
7. Upshur WV
8. 9.0 milion cubic feet
9. September 25, 1979
10. General System Purchasers
1. 79-21795
2. 47-013-02454
3. 108
4. Pennzoil Company
5. W T Rafferty #10
6. Sherman District
7. Calhoun WV
8. 1.5 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21796
2. 47-013-02746
3. 108
4. Pennzoil Company
5. Laura V Ash #2 (PZL)
6. Sherman District
7. Calhoun WV
8. 2.3 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21797
2. 47-013-02169
3. 108
4. Pennzoil Company
5. S A Hayes #W-7
6. Sherman District
7. Calhoun WV
8. 1.7 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21798
2. 47-013-02171
3. 108
4. Pennzoil Company
5. O E & B V Elliott #W-2
6. Sherman District
7. Calhoun WV
8. .9 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21799
2. 47-021-01564
3. 108
4. Pennzoil Company
5. Pinkard Brannon W-1
6. Troy
7. Gilmer WV
8. .7 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21800
2. 47-013-02747
3. 108
4. Pennzoil Company
5. Laura V Ash #3 (PZL)
6. Sherman District
7. Calhoun WV
8. 2.3 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21801
2. 47-013-02748
3. 108
4. Pennzoil Company
5. Laura V Ash #4 (PZL)
6. Sherman District
7. Calhoun WV
8. 2.3 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21802
2. 47-013-02763
3. 108
4. Pennzoil Company
5. J B Bennett #1
6. Sherman District
7. Calhoun WV
8. 1.5 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21803
2. 47-013-02764
3. 108
4. Pennzoil Company
5. J. B Bennett #3
6. Sherman District
7. Calhoun WV
8. 1.6 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21804
2. 47-013-02467
3. 108
4. Pennzoil Company
5. L Bennett #1
6. Sherman District
7. Calhoun WV
8. 2.1 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21821
2. 47-013-02831
3. 108
4. Pennzoil Company
5. M W Shaffer #1
6. Lee
7. Calhoun WV
8. 2.2 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21822
2. 47-013-02839
3. 108
4. Pennzoil Company
5. L G Garrett #1
6. Lee
7. Calhoun WV
8. 2.0 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21823
2. 47-021-03343
3. 108 Denied
4. Pennzoil Company
5. W M Cole #2
6. Troy
7. Gilmer WV
8. .0 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21824
2. 47-021-03344
3. 108 Denied
4. Pennzoil Company
5. W M Cole #4
6. Troy
7. Gilmer WV
8. .0 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21825
2. 47-017-00613
3. 108 Denied
4. Pennzoil Company
5. Andrew Hurst No 3
6. Cove
7. Doddridge WV
8. .0 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21826
2. 47-017-02216
3. 108 Denied
4. Pennzoil Company
5. Andrew Hurst #2
6. Cove
7. Doddridge WV
8. .0 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21827
2. 47-013-02106
3. 108 Denied
4. Pennzoil Company
5. W T Rafferty #2
6. Sherman District
7. Calhoun WV
8. 1.5 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21828
2. 47-013-02815
3. 108
4. Pennzoil Company
5. P F Mercer #1
6. Sheridan District
7. Calhoun WV
8. 2.3 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp

1. 79-21829
2. 47-035-00251
3. 108
4. Cities Service Company
5. Ludwig A-1
6. Charleston
7. Jackson WV
8. 4.4 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corp
1. 79-21830
2. 47-035-00207
3. 108
4. Cities Service Company
5. Starcher A-1
6. Charleston
7. Jackson WV
8. 19.5 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corp
1. 79-21831
2. 47-047-00537
3. 108
4. Cities Service Company
5. Beach D-2
6. Bradshaw
7. McDowell WV
8. 11.5 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corp
1. 79-21832
2. 47-035-00305
3. 108 Denied
4. Cities Service Company
5. Carney A-2
6. Charleston
7. Jackson WV
8. .9 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corp
1. 79-21833
2. 47-035-01206
3. 108 Denied
4. Cities Service Company
5. Benson A-1
6. Charleston
7. Jackson WV
8. 20.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corp
1. 79-21834
2. 47-013-02153
3. 108
4. Pennzoil Company
5. S A Hayes #W-6
6. Sherman District
7. Calhoun WV
8. 1.7 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21835
2. 47-013-02165
3. 108
4. Pennzoil Company
5. O E & B V Elliott #W-1
6. Sherman District
7. Calhoun WV
8. .9 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21836
2. 47-013-02140
3. 108
4. Pennzoil Company
5. S A Hayes #W-2
6. Sherman District
7. Calhoun WV
8. 1.7 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21837
2. 47-013-02145
3. 108
4. Pennzoil Company
5. S A Hayes #W-3
6. Sherman District
7. Calhoun WV
8. 1.7 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21838
2. 47-013-02152
3. 108
4. Pennzoil Company
5. S A Hayes #W-5
6. Sherman District
7. Calhoun WV
8. 1.7 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21839
2. 47-013-02139
3. 108
4. Pennzoil Company
5. S A Hayes #W-1
6. Sherman District
7. Calhoun WV
8. 1.7 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21863
2. 47-079-00403
3. 108
4. Cities Service Company
5. Landers A #1
6. Colbon 6
7. Putnam WV
8. 2.3 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21864
2. 47-047-00535
3. 108
4. Cities Service Company
5. Kennedy A-1
6. Jolo 30
7. McDowell WV
8. 5.2 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21865
2. 47-019-00040
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #2
6. Gauley
7. Fayette WV
8. 3.9 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21866
2. 47-019-00043
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #3
6. Gauley
7. Fayette WV
8. 2.0 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21867
2. 47-019-00044
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #4
6. Gauley
7. Fayette WV
8. 4.7 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21868
2. 47-019-0045
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #5
6. Gauley
7. Fayette WV
8. 3.8 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21869
2. 47-019-00064
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #14
6. Gauley
7. Fayette WV
8. 4.0 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21870
2. 47-019-00058
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #13
6. Gauley
7. Fayette WV
8. 9.3 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21871
2. 47-019-00057
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #12
6. Gauley
7. Fayette WV
8. 1.6 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21872
2. 47-019-00053
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #10
6. Gauley
7. Fayette WV
8. 2.8 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21873
2. 47-019-00052
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #8
6. Gauley
7. Fayette WV
8. 7.6 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21874
2. 47-019-00050
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #9

6. Gauley
7. Fayette WV
8. 4.0 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21875
2. 47-019-00049
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #7
6. Gauley
7. Fayette WV
8. 2.8 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21876
2. 47-019-00048
3. 108
4. Cities Service Company
5. Gauley Mountain Coal Co A #6
6. Gauley
7. Fayette WV
8. 2.0 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21877
2. 47-067-00025
3. 108
4. Cities Service Company
5. Dickinson B #4
6. Gauley
7. Nicholas WV
8. 15.4 million cubic feet
9. September 25, 1979
10. Equitable Gas Company
1. 79-21921
2. 47-087-01030
3. 108
4. Pennzoil Company
5. L S Goff #W-3
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 25, 1979
10. Consolidated Gas Supply Corp
1. 79-21922
2. 47-087-01029
3. 108
4. Pennzoil Company
5. L S Goff #W-2
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21923
2. 47-087-00989
3. 108
4. Pennzoil Company
5. L S Goff #W-1
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21924
2. 47-087-00202
3. 108
4. Pennzoil Company
5. W S Craig #19
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21925
2. 47-087-01054
3. 108
4. Pennzoil Company
5. L S Goff #W-6
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21926
2. 47-087-01038
3. 108
4. Pennzoil Company
5. L S Goff #W-5
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21927
2. 47-087-01037
3. 108
4. Pennzoil Company
5. L S Goff #W-4
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21928
2. 47-087-01105
3. 108
4. Pennzoil Company
5. L S Goff #16
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21929
2. 47-087-01101
3. 108
4. Pennzoil Company
5. L S Goff #W-15
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21930
2. 47-087-01100
3. 108
4. Pennzoil Company
5. L S Goff #W-14
6. Spencer
7. Roane, WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21931
2. 47-087-01093
3. 108
4. Pennzoil Company
5. L S Goff #W-13
6. Spencer
7. Roane, WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21932
2. 47-087-01089
3. 108
4. Pennzoil Company
5. L S Goff #W-12
6. Spencer
7. Roane, WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21933
2. 47-087-01084
3. 108
4. Pennzoil Company
5. L S Goff #W-11
6. Spencer
7. Roane, WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21934
2. 47-087-01070
3. 108
4. Pennzoil Company
5. L S Goff #W-10
6. Spencer
7. Roane, WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21935
2. 47-087-00201
3. 108
4. Pennzoil Company
5. J M Perrine #4
6. Spencer
7. Roane, WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21936
2. 47-087-02457
3. 108 Denied
4. Pennzoil Company
5. W S Craig #17
6. Spencer
7. Roane, WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21937
2. 47-087-02456
3. 108 Denied
4. Pennzoil Company
5. W S Craig #16
6. Spencer
7. Roane, WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21942
2. 47-035-01208
3. 108
4. Cities Service Company
5. Lane A-1
6. Charleston
7. Jackson, WV
8. 11.5 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21943
2. 47-035-01071
3. 108
4. Cities Service Company
5. Starcher C-1
6. Charleston
7. Jackson, WV
8. 17.0 million cubic feet
9. September 26, 1979

10. Columbia Gas Transmission Corp
1. 79-21944
2. 47-035-01111
3. 108
4. Cities Service Company
5. Union National Bank A-1
6. Charleston
7. Jackson, WV
8. 4.8 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21945
2. 47-035-01118
3. 108
4. Cities Service Company
5. Jordan Consolidated A-1
6. Charleston
7. Jackson, WV
8. 4.5 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21946
2. 47-035-01038
3. 108
4. Cities Service Company
5. Garnes A-1
6. Charleston
7. Jackson, WV
8. 8.6 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21947
2. 47-035-00311
3. 108
4. Cities Service Company
5. Winter A-2
6. Charleston
7. Jackson, WV
8. 6.4 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21948
2. 47-035-00293
3. 108
4. Cities Service Company
5. Winter A-1
6. Charleston
7. Jackson, WV
8. 8.6 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21949
2. 47-035-00291
3. 108
4. Cities Service Company
5. Shinn A-1
6. Charleston
7. Jackson, WV
8. 20.0 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21950
2. 47-021-03339
3. 108 Denied
4. Pennzoil Company
5. Pinkard Brannon #2
6. Troy
7. Gilmer, WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp.
1. 79-21951
2. 47-077-00061
3. 108
4. Cities Service Company
5. Breedlove A #1
6. Eglon
7. Preston, WV
8. 12.5 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21952
2. 47-077-00065
3. 108
4. Cities Service Co.
5. Burger A #1
6. Eglon
7. Preston, WV
8. 2.3 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21953
2. 47-047-00385
3. 108
4. Cities Service Company
5. Carter Land Co B-1
6. Bradshaw
7. McDowell, WV
8. 5.3 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21954
2. 47-047-00373
3. 108
4. Cities Service Company
5. Iafolla A-1
6. Bradshaw
7. McDowell, WV
8. 19.6 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21955
2. 47-047-00433
3. 108
4. Cities Service Company
5. Beach E-1
6. Bradshaw
7. McDowell, WV
8. 13.9 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21956
2. 47-047-00455
3. 108
4. Cities Service Company
5. Howard A-1
6. Bradshaw
7. McDowell, WV
8. 8.8 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21957
2. 47-047-00377
3. 108
4. Cities Service Company
5. Harman B-1
6. Bradshaw
7. McDowell, WV
8. 8.4 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21958
2. 47-047-00295
3. 108
4. Cities Service Company
5. Combs A-1
6. Bradshaw
7. McDowell, WV
8. 19.4 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21959
2. 47-047-00359
3. 108
4. Cities Service Company
5. Beach D-1
6. Bradshaw
7. McDowell, WV
8. 2.7 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21960
2. 47-047-00276
3. 108
4. Cities Service Company
5. Carter Land Co A #2
6. Bradshaw
7. McDowell, WV
8. 6.0 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21961
2. 47-047-00286
3. 108
4. Cities Service Company
5. Beach A-1
6. Bradshaw
7. McDowell, WV
8. 20.8 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21962
2. 47-047-00264
3. 108
4. Cities Service Company
5. Carter Land Co A #1
6. Bradshaw
7. McDowell, WV
8. 15.5 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21963
2. 47-035-01226
3. 108
4. Cities Service Company
5. King B-1
6. Charleston
7. Jackson, WV
8. 12.9 million cubic feet
9. September 26, 1979
10. Columbia Gas Transmission Corp
1. 79-21964
2. 47-035-01223
3. 108
4. Cities Service Company
5. Reed A-1
6. Charleston
7. Jackson WV
8. 13.9 million cubic feet
9. September 27, 1979
10. Columbia Gas Transmission Corp
1. 79-21965
2. 47-087-02455
3. 108
4. Pennzoil Company
5. W S Craig #14
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21966
2. 47-087-02693

3. 108
4. Pennzoil Company
5. J M Perrine #6
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21967
2. 47-087-02692
3. 108
4. Pennzoil Company
5. J M Perrine #5
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21968
2. 47-087-02673
3. 108
4. Pennzoil Company
5. A J Nester #2
6. Spencer
7. Roane WV
8. .8 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21969
2. 47-105-00257
3. 108
4. Pennzoil Company
5. E M Wilson #7
6. Burning Springs District
7. Wirt WV
8. 1.3 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21970
2. 47-105-00099
3. 108
4. Pennzoil Company
5. J J Mills #4
6. Burning Springs District
7. Wirt WV
8. 1.3 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21971
2. 47-105-00266
3. 108
4. Pennzoil Company
5. N W Haught #12
6. Burning Springs District
7. Wirt WV
8. 7.7 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-21972
2. 47-005-00576
3. 108
4. Consolidated Gas Supply Corporation
5. I K Sanders 8646
6. West Virginia other A-85772
7. Boone WV
8. 4.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21973
2. 47-005-00586
3. 108
4. Consolidated Gas Supply Corporation
5. Federal Coal Co 8790
6. West Virginia other A-85772
7. Boone WV
8. 1.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21974
2. 47-001-00035
3. 108
4. Consolidated Gas Supply Corporation
5. French Trimble 9021
6. West Virginia other A-85772
7. Barbour WV
8. 5.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21975
2. 47-001-00329
3. 108
4. Consolidated Gas Supply Corporation
5. Wilbur Casto 10868
6. West Virginia other A-85772
7. Barbour WV
8. 14.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21976
2. 47-019-00105
3. 108
4. Consolidated Gas Supply Corporation
5. Kanawha & Hocking Coal & Coke 9917
6. West Virginia other A-85772
7. Fayette WV
8. 7.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21977
2. 47-017-01750
3. 108
4. Consolidated Gas Supply Corporation
5. Floyd D Boner 2075
6. West Virginia other A-85772
7. Doddridge WV
8. 5.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21978
2. 47-013-01887
3. 108
4. Consolidated Gas Supply Corporation
5. Gertrude B Howell 10307
6. West Virginia other A-85772
7. Calhoun WV
8. 5.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21979
2. 47-013-00940
3. 108
4. Consolidated Gas Supply Corporation
5. M A Gump 6439
6. West Virginia other A-85772
7. Calhoun WV
8. 4.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21980
2. 47-013-00843
3. 108
4. Consolidated Gas Supply Corporation
5. Louis Bennett 8970
6. West Virginia other A-85772
7. Calhoun WV
8. 4.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21981
2. 47-041-01375
3. 108
4. Consolidated Gas Supply Corporation
5. F White 10688
6. West Virginia other A-85772
7. Lewis WV
8. 5.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21982
2. 47-041-01381
3. 108
4. Consolidated Gas Supply Corporation
5. F White 10689
6. West Virginia other A-85772
7. Lewis WV
8. 7.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21983
2. 47-097-00539
3. 108
4. Consolidated Gas Supply Corporation
5. John Grill Sr 10153
6. West Virginia other A-85772
7. Upshur WV
8. 4.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21984
2. 47-097-00629
3. 108
4. Consolidated Gas Supply Corporation
5. Willie Ours 10319
6. West Virginia other A-85772
7. Upshur WV
8. 1.4 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21985
2. 47-085-00031
3. 108
4. Consolidated Gas Supply Corporation
5. J C Frederick 4700
6. West Virginia other A-85772
7. Ritchie WV
8. .7 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21986
2. 47-035-00772
3. 108
4. Consolidated Gas Supply Corporation
5. Lewis H Miller 9486
6. West Virginia other A-85772
7. Jackson WV
8. 1.5 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21987
2. 47-041-00041
3. 108
4. Consolidated Gas Supply Corporation
5. A W Woodford 8499
6. West Virginia other A-85772
7. Lewis WV
8. 3.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21988
2. 47-097-00641
3. 108
4. Consolidated Gas Supply Corporation
5. Cora Queen 10309
6. West Virginia Other A-85772
7. Upshur WV

8. 4.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21989
2. 47-097-00749
3. 108
4. Consolidated Gas Supply Corporation
5. Thoe Queen 10444
6. West Virginia other A-85772
7. Upshur WV
8. 3.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21990
2. 47-097-00843
3. 108
4. Consolidated Gas Supply Corporation
5. S R Harrison Jr 10633
6. West Virginia other A-85772
7. Upshur WV
8. 7.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21991
2. 47-097-01057
3. 108
4. Consolidated Gas Supply Corporation
5. Georgia Campbell 10931
6. West Virginia other A-85772
7. Upshur WV
8. 7.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21992
2. 47-097-00324
3. 108
4. Consolidated Gas Supply Corporation
5. F O Marple 9131
6. West Virginia other A-85772
7. Upshur WV
8. 2.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21993
2. 47-041-01849
3. 108
4. Consolidated Gas Supply Corporation
5. Peterson Heirs 11462
6. West Virginia other A-85772
7. Lewis WV
8. 7.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21994
2. 47-019-00078
3. 108
4. Consolidated Gas Supply Corporation
5. Vanetta Land Co 9400
6. West Virginia Other A-85772
7. Fayette WV
8. 5.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21995
2. 47-001-00559
3. 108
4. Consolidated Gas Supply Corporation
5. L Dow Phillips 11384
6. West Virginia Other A-85772
7. Balbour WV
8. 21.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 79-21997
2. 47-087-02745
3. 108 Denied
4. Pennzoil Company
5. David Simmons #7
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-21998
2. 47-087-02867
3. 108
4. Pennzoil Company
5. Lucy J Webb #2
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-21999
2. 47-087-02712
3. 108
4. Pennzoil Company
5. Smith-Chambers #2
6. Smithfield District
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22000
2. 47-087-02416
3. 108 Denied
4. Pennzoil Company
5. P A Bays #3
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22001
2. 47-087-02082
3. 108
4. Pennzoil Company
5. David Simmons #33
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22002
2. 47-087-02874
3. 108 Denied
4. Pennzoil Company
5. R A Webb #4
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22003
2. 47-087-02875
3. 108 Denied
4. Pennzoil Company
5. R A Webb #5
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22004
2. 47-087-02895
3. 108 Denied
4. Pennzoil Company
5. H C Glaze #1
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated-Gas Supply Corp
1. 79-22005
2. 47-087-02746
3. 108 Denied
4. Pennzoil Company
5. David Simmons #8
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22006
2. 47-087-01954
3. 108 Denied
4. Pennzoil Company
5. David Simmons #32
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22007
2. 47-087-01927
3. 108 Denied
4. Pennzoil Company
5. J A Harris #17
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22008
2. 47-087-01027
3. 108 Denied
4. Pennzoil Company
5. David Simmons #27
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22009
2. 47-087-01079
3. 108
4. Pennzoil Company
5. Wm Kaufman #W-21
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22010
2. 47-087-01953
3. 108
4. Pennzoil Company
5. J A Harris #19
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22011
2. 47-087-01955
3. 108
4. Pennzoil Company
5. J H Bays #6
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22012
2. 47-087-01956

3. 108
4. Pennzoil Company
5. J H Starr #6
6. Smithfield
7. Roane WV
8. .9 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22013
2. 47-087-01962
3. 108
4. Pennzoil Company
5. J A Harris #18
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22014
2. 47-087-01874
3. 108
4. Pennzoil Company
5. J G Greathouse #9
6. Spencer
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22015
2. 47-087-02042
3. 108
4. Pennzoil Company
5. C C Short #5
6. Spencer
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22016
2. 47-087-00012
3. 108 Denied
4. Pennzoil Company
5. David Simmons #12
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22017
2. 47-087-00053
3. 108 Denied
4. Pennzoil Company
5. David Simmons #19
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22018
2. 47-087-00054
3. 108 Denied
4. Pennzoil Company
5. David Simmons #10
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22019
2. 47-087-00055
3. 108 Denied
4. Pennzoil Company
5. David Simmons #23
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22020
2. 47-087-00056
3. 108 Denied
4. Pennzoil Company
5. Chambers HRS #7
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22021
2. 47-087-00057
3. 108 Denied
4. Pennzoil Company
5. Chambers HRS #11
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22022
2. 47-087-00058
3. 108 Denied
4. Pennzoil Company
5. Chambers HRS #9
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22023
2. 47-087-00059
3. 108 Denied
4. Pennzoil Company
5. Chambers HRS #10
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22024
2. 47-087-00060
3. 108 Denied
4. Pennzoil Company
5. Chambers HRS #13
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22025
2. 47-087-00064
3. 108
4. Pennzoil Company
5. Asbury Lewis #1
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22026
2. 47-087-00073
3. 108 Denied
4. Pennzoil Company
5. David Simmons #15
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22027
2. 47-033-00571
3. 108
4. Consolidated Gas Supply Corporation
5. Virginia Haymond 11336
6. West Virginia Other A-85772
7. Harrison WV
8. 8.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22028
2. 47-021-00948
3. 108
4. Consolidated Gas Supply Corporation
5. Louis Bennett 9787
6. West Virginia Other A-85772
7. Gilmer WV
8. 3.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22032
2. 47-033-00838
3. 108
4. Consolidated Gas Supply Corporation
5. G W Post 4517
6. West Virginia Other A-85772
7. Harrison WV
8. .7 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22033
2. 47-033-00892
3. 108
4. Consolidated Gas Supply Corporation
5. E Bussey 7930
6. West Virginia Other A-85772
7. Harrison WV
8. 19.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22034
2. 47-013-00818
3. 108
4. Consolidated Gas Supply Corporation
5. Bennett-Stalnaker 8922
6. West Virginia Other A-85722
7. Calhoun WV
8. 18.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22035
2. 47-013-00795
3. 108
4. Consolidated Gas Supply Corporation
5. Lou Ball 8878
6. West Virginia Other A-85772
7. Calhoun WV
8. 4.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22036
2. 47-013-00589
3. 108
4. Consolidated Gas Supply Corporation
5. W C Conley 8547
6. West Virginia Other A-85772
7. Calhoun WV
8. 16.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22037
2. 47-013-00588
3. 108
4. Consolidated Gas Supply Corporation
5. Jeff L Kelley 8541
6. West Virginia Other A-85772

7. Calhoun WV
8. 1.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22038
2. 47-013-00563
3. 108
4. Consolidated Gas Supply Corporation
5. Hunter M Bennette 8523
6. West Virginia Other A-85772
7. Calhoun WV
8. 3.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22039
2. 47-013-00562
3. 108
4. Consolidated Gas Supply Corporation
5. M C Fowler 8519
6. West Virginia Other A-85772
7. Calhoun WV
8. 5.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22040
2. 47-013-00443
3. 108
4. Consolidated Gas Supply Corporation
5. Pell Estate 7797
6. West Virginia Other A-85772
7. Calhoun WV
8. 8.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22041
2. 47-001-00388
3. 108
4. Consolidated Gas Supply Corporation
5. Ruth Woods Dayton 10989
6. West Virginia Other A-85772
7. Barbour WV
8. 7.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22042
2. 47-005-00461
3. 108
4. Consolidated Gas Supply Corporation
5. Dora E Hopkins 8508
6. West Virginia Other A-85772
7. Boone WV
8. 3.0 million cubic feet
9. September 26, 1979
10. General System Purchasers
1. 79-22043
2. 47-085-02163
3. 108
4. Pennzoil Company
5. Hays J C #7
6. Murphy
7. Ritchie WV
8. .5 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22044
2. 47-087-00100
3. 108
4. Pennzoil Company
5. T L Bartlett #4
6. Spencer
7. Roane WV
8. .6 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22045
2. 47-085-02096
3. 108
4. Pennzoil Company
5. Sarah J Lemon #26
6. Murphy District
7. Ritchie WV
8. 5.1 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22046
2. 47-085-00977
3. 108
4. Pennzoil Company
5. S A Goff No 2
6. Union
7. Ritchie WV
8. 5.0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22047
2. 47-085-04081
3. 108 Denied
4. Pennzoil Company
5. W H Hall No 2
6. Union
7. Ritchie WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22048
2. 47-021-03368
3. 108 Denied
4. Pennzoil Company
5. G W Simmons #2
6. Troy
7. Gilmer WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22049
2. 47-021-03345
3. 108 Denied
4. Pennzoil Company
5. W M Cole #5
6. Troy
7. Gilmer WV
8. .0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp.
1. 79-22050
2. 47-085-00164
3. 108
4. Pennzoil Company
5. Haught-Lambert #13
6. Murphy District
7. Ritchie WV
8. 7.0 million cubic feet
9. September 26, 1979
10. Consolidated Gas Supply Corp
1. 79-22051
2. 47-087-02869
3. 108
4. Pennzoil Company
5. Lucy J Webb #4
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22052
2. 47-087-02870
3. 108
4. Pennzoil Company
5. Lucy J Webb #6
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22053
2. 47-087-02871
3. 108
4. Pennzoil Company
5. Lucy J Webb #7
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22054
2. 47-087-02868
3. 108
4. Pennzoil Company
5. Lucy J Webb #3
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22055
2. 47-087-02434
3. 108
4. Pennzoil Company
5. C B Chambers #3
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22056
2. 47-087-02046
3. 108
4. Pennzoil Company
5. C C Short #7
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22057
2. 47-087-02044
3. 108
4. Pennzoil Company
5. B E Rogers #7
6. Spencer
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22058
2. 47-087-02397
3. 108
4. Pennzoil Company
5. P A Bays #5
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22059
2. 47-087-02043
3. 108
4. Pennzoil Company
5. C C Short #6
6. Spencer
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22060

2. 47-087-02873
3. 108 denied
4. Pennzoil Company
5. R A Webb #3
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22061
2. 47-087-02439
3. 108 denied
4. Pennzoil Company
5. Chambers Hrs #18
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22062
2. 47-087-02509
3. 108
4. Pennzoil Company
5. A W Edgell #18
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22063
2. 47-087-02536
3. 108
4. Pennzoil Company
5. E S Fisher #6
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22064
2. 47-087-02440
3. 108
4. Pennzoil Company
5. S J Chambers #1
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22065
2. 47-087-02525
3. 108
4. Pennzoil Company
5. C B Ferrell #3
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22066
2. 47-087-02519
3. 108
4. Pennzoil Company
5. Alice E Pling #1
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22067
2. 47-087-03051
3. 108 denied
4. Pennzoil Company
5. Chambers Hrs #2
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
1. 79-22068
2. 47-087-03050
3. 108 denied
4. Pennzoil Company
5. Chambers Hrs #1
6. Smithfield
7. Roane WV
8. .0 million cubic feet
9. September 27, 1979
10. Consolidated Gas Supply Corp
- U.S. Geological Survey, Metairie, La.**
1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21807/G9-579
2. 17-705-40289-01D1-0
3. 102
4. Felmont Oil Corporation
5. OCS-0172 No B-1 (Form #11)
6. Vermilion
7. 86
8. 960.0 million cubic feet
9. September 25, 1979
10. Transcontinental Gas Pipe Line Corp
1. 79-21809/G9-577
2. 17-705-40289-01D2-0
3. 102
4. Felmont Oil Corporation
5. OCS-0172 No B-1-D (Form #11-D)
6. Vermilion
7. 86
8. 960.0 million cubic feet
9. September 25, 1979
10. Transcontinental Gas Pipe Line Corp
1. 79-21811/G9-521
2. 17-710-40507-00S1-0
3. 102 denied
4. Forest Oil Corporation
5. Eugene Island Block 309 G-4
6. Eugene Island
7. 309
8. 82.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corp, Texas Gas Transmission Corp, Consolidated Gas Supply Corp
1. 79-21813/G9-523
2. 17-708-40141-00S1-0
3. 102 denied
4. Forest Oil Corporation
5. South Marsh Isl Blk 143 A-1
6. South Marsh Island
7. 143
8. 166.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corp, Natural Gas Pipeline Co of Amer, Northern Natural Gas Co, Consolidated Gas Supply Corp
1. 79-21814/G9-541
2. 17-816-40051-00S1-0
3. 102 denied
4. Gulf Oil Corporation
5. OCS G-2445 A-25 S/P Blk 62
6. Viosca Knoll
7. 900
8. .0 million cubic feet
9. September 25, 1979
10. Southern Natural Gas Company
1. 79-21815/G9-543
2. 17-816-40042-00S1-0
3. 102 denied
4. Gulf Oil Corporation
5. OCS G-2445 A-17 S/P Blk 62
6. Viosca Knoll
7. 900
8. 183.0 million cubic feet
9. September 25, 1979
10. Southern Natural Gas Company
1. 79-21816/G9-540
2. 17-700-40202-0000-0
3. 102
4. Gulf Oil Corporation
5. West Cam Blk 198 OCS-3265 #B-1
6. West Cameron
7. 198
8. 5474.0 million cubic feet
9. September 25, 1979
10. Texas Eastern Transmission Corp
1. 79-21819/G9-632
2. 17-715-40206-00S1-0
3. 102
4. Gulf Oil Corporation
5. OCS G-3336 S Timb Blk 35 #E-2
6. South Timbalier
7. 35
8. 986.0 million cubic feet
9. September 25, 1979
10. Texas Eastern Transmission Corp
1. 79-21879/G9-630
2. 17-715-40259-00S1-0
3. 102
4. Gulf Oil Corporation
5. OCS G-2624 S Timb Blk 36 #B-7
6. South Timbalier
7. 36
8. 332.0 million cubic feet
9. September 25, 1979
10. Texas Eastern Transmission Corp, Tennessee Gas Pipeline Co
1. 79-21881/G9-544
2. 17-816-40030-00D1-0
3. 102
4. Gulf Oil Corporation
5. OCS G-2445 A-13 S/P Blk 62
6. Viosca Knoll
7. 900
8. .0 million cubic feet
9. September 25, 1979
10. Southern Natural Gas Company
1. 79-21882/G9-554
2. 17-700-40205-00D2-0
3. 102
4. Gulf Oil Corporation
5. W Cam Blk 266 A-12D
6. West Cameron Block 266
7. 265
8. 730.0 million cubic feet
9. September 25, 1979
10. Texas Eastern Transmission Corporation, Columbia Gas Transmission Corp, Michigan Wisconsin Pipeline Co
1. 79-21885/G9-522
2. 17-700-00229-00S2-0
3. 102
4. Forest Oil Corporation
5. West Cameron Block 229 A-2-A
6. West Cameron Block 229
7. 229

8. 511.0 million cubic feet
9. September 25, 1979
10. Natural Gas Pipeline Co of America
1. 79-21886/G9-524
2. 17-708-40179-00D2-0
3. 102 denied
4. Forest Oil Corporation
5. S Marsh Is Blk 142 A-4-D
6. South Marsh Island
7. 142
8. 1004.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corporation, Natural Gas Pipeline Co of Amer, Northern Natural Gas Co, Consolidated Gas Supply Corp
1. 79-21887/G9-530
2. 17-708-40148-00S1-0
3. 102 denied
4. Forest Oil Corporation
5. South Marsh Island Block 143 A-2
6. South Marsh Island
7. 143
8. 65.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corporation, Natural Gas Pipeline Co of Amer, Northern Natural Gas Co, Consolidated Gas Supply Corp
1. 79-21888/G9-525
2. 17-708-40230-00D2-0
3. 102 denied
4. Forest Oil Corporation
5. S Marsh Is Blk 142 A-8-D
6. South Marsh Island
7. 142
8. 1004.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corporation, Natural Gas Pipeline Co of Amer, Northern Natural Gas Co, Consolidated Gas Supply Corp
1. 79-21889/G9-531
2. 17-708-40230-00D1-0
3. 102 denied
4. Forest Oil Corporation
5. S Marsh Is Blk 143 A-8
6. South Marsh Island
7. 143
8. 2660.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corporation, Natural Gas Pipeline Co of Amer, Northern Natural Gas Co, Consolidated Gas Supply Corp
1. 79-21890/G9-529
2. 17-710-40456-00S1-0
3. 102 denied
4. Forest Oil Corporation
5. Eugene Is Blk 309 G-1
6. Eugene Island
7. 309
8. 82.0 million cubic feet
9. September 25, 1979
10. Columbia Gas Transmission Corporation, Texas Gas Transmission Corp, Consolidated Gas Supply Corp
1. 79-21996/G8-102
2. 17-706-40248-0000-0
3. 102
4. Texas Gas Exploration Corp
5. Texas Gas Expl #F-8
6. Vermilion
7. 267
8. 560.0 million cubic feet
9. September 26, 1979
10. Texas Gas Transmission Corp, Consolidated Gas Supply Corp, Columbia Gas Transmission Corp
1. 79-21745/G9-654
2. 42-711-40291-00D1-0
3. 102
4. Union Oil Company of California
5. OCS G-2423 #B-5
6. East High Island
7. 334
8. 51.0 million cubic feet
9. September 24, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Company, Michigan Wisconsin Pipeline Company
1. 79-21805/G8-272
2. 42-711-40183-00S1-0
3. 102
4. Sun Oil Company
5. OCS G-2422 #A-9
6. High Island E Add S Ext
7. A-332
8. 2300.0 million cubic feet
9. September 25, 1979
10. Trunkline Gas Co, Michigan-Wisconsin Pipeline Co, Panhandle Eastern Pipeline Co, Natural Gas P/L; United Gas P/L
1. 79-21806/G9-655
2. 42-711-40291-00D2-0
3. 102
4. Union Oil Company of California
5. OCS G-2423 #B-5-D
6. E High Island
7. 334
8. 66.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan-Wisconsin Pipeline Co
1. 79-21808/G8-270
2. 42-711-40290-00D2-0
3. 102
4. Sun Oil Company
5. OCS G-2418 A-18D
6. East High Island
7. A-327
8. 300.0 million cubic feet
9. September 25, 1979
10. Trunkline Gas Company, Michigan-Wisconsin Pipeline Co, Panhandle Eastern Pipeline Co, Natural Gas P/L; United Gas P/L
1. 79-21810/G9-651
2. 42-711-40254-00D1-0
3. 102
4. Union Oil Company of California
5. OCS G-2423 #B-1
6. East High Island
7. 334
8. 73.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan Wisconsin Pipeline Co
1. 79-21812/G9-656
2. 42-711-40292-00D1-0
3. 102 denied
4. Union Oil Company of California
5. OCS G-2423 #B-6
6. East High Island
7. 334
8. 59.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan Wisconsin Pipeline Co
1. 79-21817/G9-657
2. 42-711-40292-00D2-0
3. 102
4. Union Oil Company of California
5. OCS G-2423 #B-6-D
6. East High Island
7. 334
8. 53.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan Wisconsin Pipeline Co
1. 79-21818/G9-660
2. 42-711-40318-00D2-0
3. 102
4. Union Oil Company of California
5. OCS G-2423 #B-8-D
6. East High Island
7. 334
8. 58.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan Wisconsin Pipeline Co
1. 79-21878/G8-269
2. 42-711-40227-00D1-0
3. 102
4. Sun Oil Company
5. OCS G-2418 A-14
6. East High Island
7. A-327
8. 1000.0 million cubic feet
9. September 25, 1979
10. Trunkline Gas Company, Michigan-Wisconsin Pipeline Co, Panhandle Eastern Pipeline Co, Natural Gas P/L; United Gas P/L
1. 79-21880/G9-659
2. 42-711-40318-00D1-0
3. 102
4. Union Oil Company of California
5. OCS G-2423 #B-8
6. East High Island
7. 334
8. 85.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan Wisconsin Pipeline Co
1. 79-21883/G9-652
2. 42-711-40254-00D2-0
3. 102
4. Union Company of California
5. OCS G-2423 #B-1-D
6. East High Island
7. 334
8. 100.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan Wisconsin Pipeline Co
1. 79-21884/G9-653
2. 42-711-40273-00S1-0
3. 102
4. Union Oil Company of California
5. OCS G-2423 #B-3
6. East High Island
7. 334
8. 167.0 million cubic feet
9. September 25, 1979
10. Texas Gas Transmission Corp, El Paso Natural Gas Co, Michigan Wisconsin Pipeline Co

1. 79-18054/G8-128 (Revised)
2. 17-711-40261-01S1-0
3. 102
4. Tenneco Oil Company
5. OCS G-1019 # C-1
6. Ship Shoal
7. 182
8. 62.0 million cubic feet
9. August 28, 1979
10. Tennessee Gas Pipeline Co
1. 79-18055/G8-138 (Revised)
2. 17-711-40373-00S1-0
3. 102
4. Tenneco Exploration Ltd
5. OCS G-0821 # C-11
6. Ship Shoal
7. 183
8. 183.0 million cubic feet
9. August 28, 1979
10. Tenneco Oil Company

**United States Geological Survey
Albuquerque, New Mexico**

1. Control number (F.E.R.C./State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21820/NM 2562-79
2. 30-043-20212-0000-0
3. 103 Denied
4. Odessa Natural Corporation
5. Chacon Jicarilla D-6
6. Chacon Dakota
7. Sandoval, NM
8. 91.3 million cubic feet
9. September 25, 1979
10. El Paso Natural Gas Company

**United States Geological Survey Tulsa,
Oklahoma**

1. Control number (F.E.R.C./State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 79-21912 OK-46-9
2. 35-047-00000-0000-0
3. 103
4. Cotton Petroleum Corporation
5. Vance 36-3
6. Sooner Trend
7. Garfield, OK
8. 54.0 million cubic feet
9. September 25, 1979
10. Union Texas Petroleum
1. 79-21913/OK-44-9
2. 35-047-21576-0000-0
3. 103
4. Cotton Petroleum Corporation
5. Vance 35-2
6. Sooner Trend
7. Garfield, OK
8. 138.0 million cubic feet
9. September 25, 1979

10. Union Texas Petroleum

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's office of public information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before November 13, 1979.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33201 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[No. 100]

**Determinations by Jurisdictional
Agencies Under the Natural Gas Policy
Act of 1978**

October 19, 1979.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

Arkansas Oil and Gas Commission

1. Control number (F.E.R.C./State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00713
2. 03-083-10033
3. 103
4. Gulf Oil Corporation
5. Ragan No 1-33
6. Spadra
7. Logan AR
8. 100.0 million cubic feet
9. October 5, 1979
10. Arkansas Louisiana Gas Company
1. 80-00714
2. 03-083-00000
3. 103
4. Charles E McRay dba McRay and Assoc
5. Heartsill Ragon #1
6. Spadra
7. Logan AR
8. .0 million cubic feet
9. October 5, 1979
10. Arkansas Louisiana Gas Company

1. 80-00715
2. 03-083-00000
3. 103
4. Charles E McRay dba McRay and Assoc
5. Richard Nicko #1
6. Spadra
7. Logan AR
8. .0 million cubic feet
9. October 5, 1979
10. Arkansas Louisiana Gas Co
1. 80-00716
2. 03-071-10143
3. 103
4. Santa Fe Energy Company
5. King Estate #1
6. Clarksville
7. Johnson AR
8. 43.0 million cubic feet
9. October 5, 1979
- 10.
1. 80-00717
2. 03-091-10226
3. 102
4. Callon Petroleum Company
5. King #1
6. Genoa Field
7. Miller AR
8. 500.0 million cubic feet
9. October 5, 1979
10. Natural Gas Pipeline Company
1. 80-00718
2. 03-091-10220
3. 102
4. Callon Petroleum Company
5. Morton #1
6. Genoa Field
7. Miller AR
8. 180.0 million cubic feet
9. October 5, 1979
10. Natural Gas Pipeline Company
1. 80-00719
2. 03-091-10204
3. 102
4. American Petrofina Co of Texas
5. Rosa Meek No 1
6. Genoa
7. Miller AR
8. .0 million cubic feet
9. October 5, 1979
10. Natural Gas Pipeline Co of America
1. 80-00720
2. 03-091-10190
3. 102
4. American Petrofina Co of Texas
5. McIninch No 1
6. Genoa
7. Miller AR
8. 360.0 million cubic feet
9. October 5, 1979
10. Natural Gas Pipeline Co of America
1. 80-00721
2. 03-091-10176
3. 102
4. American Petrofina Co of Texas
5. King No 1
6. Genoa
7. Miller AR
8. 360.0 million cubic feet
9. October 5, 1979
10. Natural Gas Pipeline Co of America
1. 80-00722
2. 03-091-10239
3. 103
4. American Petrofina Co of Texas
5. Days Creek Unit #3-2

6. Days Creek
7. Miller AR
8. 95.0 million cubic feet
9. October 5, 1979
10. Natural Gas Pipeline Co of America
1. 80-00723
2. 03-091-10240
3. 103
4. American Petrofina Co of Texas
5. Days Creek Unit #4-2
6. Days Creek
7. Miller AR
8. .0 million cubic feet
9. October 5, 1979
10. Natural Gas Pipeline Co of America
- Colorado Oil and Gas Conservation Commission**
1. Control number (F.E.R.C./State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00871/79-154
2. 05-125-06139
3. 102
4. J-W Operating Company
5. Keller Cattle Company #5
6. Mildred
7. Yuma CO
8. 90.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00872/79-104
2. 05-125-06134
3. 103
4. Kansas-Nebraska Natural Gas Co Inc
5. Short 1-23
6. Republican
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10.
1. 80-00873/79-99
2. 05-125-06132
3. 108
4. Kansas-Nebraska Natural Gas Co Inc
5. Schafer 1-4
6. Vernon
7. Yuma CO
8. 4.0 million cubic feet
9. October 5, 1979
10.
1. 80-00874/79-96
2. 05-125-06146
3. 108
4. Kansas-Nebraska Natural Gas Co Inc
5. Hillman 1-9
6. Whisper
7. Yuma CO
8. 8.0 million cubic feet
9. October 5, 1979
10.
1. 80-00875/79-114
2. 05-125-06148
3. 108
4. Kansas-Nebraska Natural Gas Co Inc
5. Meckelburg 1-17
6. Buckboard
7. Yuma CO
8. 7.0 million cubic feet
9. October 5, 1979
10.
1. 80-00876/79-109
2. 05-125-06147
3. 108
4. Kansas-Nebraska Natural Gas Co Inc
5. Newbanks 1-15
6. Buckboard
7. Yuma CO
8. 6.0 million cubic feet
9. October 5, 1979
10.
1. 80-00877/79-101
2. 05-125-06138
3. 108
4. Kansas-Nebraska Natural Gas Co Inc
5. Pioneer Farms 1-4
6. Shout
7. Yuma CO
8. 8.0 million cubic feet
9. October 5, 1979
10.
1. 80-00878/79-117
2. 05-125-06165
3. 108
4. Kansas-Nebraska Natural Gas Co Inc
5. Shively 1-12
6. Blizzard
7. Yuma CO
8. 7.0 million cubic feet
9. October 5, 1979
10.
1. 80-00879/79-110
2. 05-125-06083
3. 108
4. Kansas-Nebraska Natural Gas Co Inc
5. Lippert 1-8
6. Vernon
7. Yuma CO
8. 7.0 million cubic feet
9. October 5, 1979
10.
1. 80-00880/79-111
2. 05-125-06079
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. Toner 1-28
6. Republican
7. Yuma CO
8. 7.0 million cubic feet
9. October 5, 1979
10.
1. 80-00881/79-115
2. 05-125-06095
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. State 1-16-346
6. Buckboard
7. Yuma CO
8. 6.0 million cubic feet
9. October 5, 1979
10.
1. 80-00882/79-98
2. 05-125-06133
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. Roundtree 1-17
6. Republican
7. Yuma CO
8. 7.0 million cubic feet
9. October 5, 1979
10.
1. 80-00883/79-95
2. 05-125-06062
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. KN State 1-16-347
6. Whisper
7. Yuma CO
8. 15.0 million cubic feet
9. October 5, 1979
10.
1. 80-00884/79-97
2. 05-125-06127
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. Engle 1-5
6. Beecher Island
7. Yuma CO
8. 11.0 million cubic feet
9. October 5, 1979
10.
1. 80-00885/79-146
2. 05-125-06152
3. 102
4. J-W Operating Company
5. Kenneth M Dunning #1
6. Mildred
7. Yuma CO
8. 90.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00886/79-132
2. 05-125-06183
3. 102
4. J-W Operating Company
5. T E Brophy #4
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00887/79-137
2. 05-125-06214
3. 102
4. J-W Operating Company
5. T E Brophy #11
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00888/79-163
2. 05-125-06150
3. 102
4. J-W Operating Company
5. State of Colorado #1
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00889/79-162
2. 05-125-06174
3. 102
4. J-W Operating Company
5. Matilda O Murrain #1
6. Waverly
7. Yuma CO
8. 7.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00890/79-148
2. 05-125-06247
3. 102
4. J-W Operating Company
5. E Henik #1
6. Wildcat

7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00891/79-166
2. 05-125-06177
3. 102
4. J-W Operating Company
5. State of Colorado #4
6. Mildred
7. Yuma CO
8. 3.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00892/79-149
2. 05-125-06161
3. 102
4. J-W Operating Company
5. Harry L Johnson #1
6. Mildred
7. Yuma CO
8. 10.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00893/79-141
2. 05-125-06278
3. 102
4. J-W Operating Company
5. T E Brophy #14
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00894/79-160
2. 05-125-06173
3. 102
4. J-W Operating Company
5. Robert Korf #1
6. Waverly
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00895/79-144
2. 05-125-06260
3. 102
4. J-W Operating Company
5. D Crossland #1
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00896/79-167
2. 05-125-06261
3. 102
4. J-W Operating Company
5. State of Colorado #9
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00897/79-164
2. 05-125-06157
3. 102
4. J-W Operating Company
5. State of Colorado #2
6. Waverly
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00898/79-161
2. 05-125-06181
3. 102
4. J-W Operating Company
5. Robert Korf #2
6. Waverly
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00899/79-142
2. 05-125-06279
3. 102
4. J-W Operating Company
5. T E Brophy #15
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00900/79-158
2. 05-125-06282
3. 102
4. J-W Operating Company
5. Kitzmiller #9
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00901/79-157
2. 05-125-06193
3. 102
4. J-W Operating Company
5. Kitzmiller #3
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00902/79-127
2. 05-125-06251
3. 102
4. J-W Operating Company
5. J Brophy #2
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co Inc
1. 80-00903/79-124
2. 05-125-08446
3. 102
4. J R Drilling & Exploration Company
5. State #1-7
6. Waite Lake
7. Weld County CO
8. 146.0 million cubic feet
9. October 5, 1979
10. Crystal Gas Resources Inc
1. 80-00904/79-120
2. 05-067-06178
3. 103
4. Houston Oil & Minerals Corporation
5. North Alkali Gulch #14-22
6. Alkali Gulch Field
7. La Plata County CO
8. 750.0 million cubic feet
9. October 5, 1979
10. Northwest Pipeline Corporation
1. 80-00905/78-170
2. 05-001-07274
3. 103
4. Okmar Oil Company
5. Simpson "A" #8
6. Beacon
7. Adams CO
8. 27.0 million cubic feet
9. October 5, 1979
10. Colorado Interstate Gas Company
1. 80-00906/79-93
2. 05-075-08652
3. 103
4. Leclair-Westwood Inc
5. Ashbaugh #1
6. Gaslight
7. Logan CO
8. 4.6 million cubic feet
9. October 5, 1979
10. Cities Service Oil Company
1. 80-00907/79-94
2. 05-087-07437
3. 103
4. Leclair-Westwood Inc
5. State #36-22
6. Adena
7. Morgan CO
8. 57.7 million cubic feet
9. October 5, 1979
10. Colorado Interstate Gas Company
1. 80-00908/79-112
2. 05-125-06100
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. Herbert 1-9
6. Beecher Island
7. Yuma CO
8. 13.0 million cubic feet
9. October 5, 1979
10.
1. 80-00909/79-113
2. 05-125-06068
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. Neuhaus 1-34
6. Shout
7. Yuma CO
8. 11.0 million cubic feet
9. October 5, 1979
10.
1. 80-00910/79-116
2. 05-125-06097
3. 108
4. Kansas Nebraska Natural Gas Co Inc
5. Stone 1-26
6. Republican
7. Yuma CO
8. 17.0 million cubic feet
9. October 5, 1979
10.
1. 80-00911/78-169B
2. 05-009-05038
3. 102
4. Okmar Oil Company
5. Burghart "A" #1
6. Greenwood South
7. Baca CO
8. 19.0 million cubic feet
9. October 5, 1979
10. Colorado Interstate
1. 80-00912/79-39
2. 05-103-07658
3. 108
4. Walter S Fees Jr
5. Kirby-Eidson #1-A
6. Blue Cloud
7. Rio Blanco CO
8. 20.0 million cubic feet
9. October 5, 1979
10. Northwest Pipeline Corporation
1. 80-00913/79-156

2. 05-125-06201
3. 102
4. J-W Operating Company
5. Keller Cattle Company #8
6. Wildcat
7. Yuma CO
8. 90.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00914/79-155
2. 05-125-06140
3. 102
4. J-W Operating Company
5. Keller Cattle Company #6
6. Mildred
7. Yuma CO
8. 50.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00915/79-151
2. 05-125-06190
3. 102
4. J-W Operating Company
5. K D Farms #1
6. Mildred
7. Yuma CO
8. 20.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00916/79-152
2. 05-125-06118
3. 102
4. J-W Operating Company
5. Keller Cattle Company #1
6. Mildred
7. Yuma CO
8. 9.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00917/79-150
2. 05-125-06293
3. 102
4. J-W Operating Company
5. Johnson #3
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00918/79-129
2. 05-125-06120
3. 102
4. J-W Operating Company
5. Thomas E Brophy #1
6. Waverly
7. Yuma CO
8. 12.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00919/79-130
2. 05-125-06149
3. 102
4. J-W Operating Company
5. Thomas E Brophy #2
6. Waverly
7. Yuma CO
8. 28.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00920/79-133
2. 05-125-06184
3. 102
4. J-W Operating Company
5. T E Brophy #5
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00921/79-128
2. 05-125-06249
3. 102
4. J-W Operating Company
5. J Brophy #4
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00922/79-131
2. 05-125-06156
3. 102
4. J-W Operating Company
5. Thomas E Brophy #3
6. Waverly
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00923/79-126
2. 05-125-06119
3. 102
4. J-W Operating Company
5. Joseph P Brophy #1
6. Waverly
7. Yuma CO
8. 5.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00924/79-125
2. 05-125-06228
3. 102
4. J-W Operating Company
5. A Bagley #1
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00925/79-165
2. 05-125-06155
3. 102
4. J-W Operating Company
5. State of Colorado #3
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00926/79-145
2. 05-125-06213
3. 102
4. J-W Operating Company
5. R Crossland #1
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00927/79-107
2. 05-125-06126
3. 102
4. Kansas Nebraska Natural Gas Co Inc
5. Soener 1-15
6. Armel
7. Yuma CO
8. 6.0 million cubic feet
9. October 5, 1979
10.
1. 80-00928/79-106
2. 05-125-06144
3. 102
4. Kansas Nebraska Natural Gas Co Inc
5. Davis 1-6
6. Schramm
7. Yuma CO
8. 12.0 million cubic feet
9. October 5, 1979
10.
1. 80-00929/79-108
2. 05-125-06145
3. 102
4. Kansas Nebraska Natural Gas Co Inc
5. Cuttler 1-5
6. Schramm
7. Yuma CO
8. 7.0 million cubic feet
9. October 5, 1979
10.
1. 80-00930/79-134
2. 05-125-06185
3. 102
4. J-W Operating Company
5. T E Brophy #6
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00931/79-136
2. 05-125-06203
3. 102
4. J-W Operating Company
5. T E Brophy #8
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00932/79-147
2. 05-125-06141
3. 102
4. J-W Operating Company
5. Bert L Henderson #1
6. Waverly
7. Yuma CO
8. 14.0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00933/79-140
2. 05-125-06245
3. 102
4. J-W Operating Company
5. T E Brophy #13
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00934/79-139
2. 05-125-06244
3. 102
4. J-W Operating Company
5. T E Brophy #12
6. Wildcat
7. Yuma CO
8. .0 million cubic feet
9. October 5, 1979
10. Kansas-Nebraska Natural Gas Co. Inc.
1. 80-00935/79-168
2. 05-125-06151
3. 102
4. J-W Operating Company
5. Harry J Tuell #1
6. Waverly

7. Yuma CO
 8. 20.0 million cubic feet
 9. October 5, 1979
 10. Kansas-Nebraska Natural Gas Co. Inc.
 1. 80-00936/79-138
 2. 05-125-06204
 3. 102
 4. J-W Operating Company
 5. T E Brophy #9
 6. Wildcat
 7. Yuma CO
 8. .0 million cubic feet
 9. October 5, 1979
 10. Kansas-Nebraska Natural Gas Co. Inc.
 1. 80-00937/79-135
 2. 05-125-06202
 3. 102
 4. J-W Operating Company
 5. T E Brophy #7
 6. Wildcat
 7. Yuma CO
 8. .0 million cubic feet
 9. October 5, 1979
 10. Kansas-Nebraska Natural Gas Co. Inc.
 1. 80-00938/79-159
 2. 05-125-06196
 3. 102
 4. J-W Operating Company
 5. Klinzmann #1
 6. Wildcat
 7. Yuma CO
 8. .0 million cubic feet
 9. October 5, 1979
 10. Kansas-Nebraska Natural Gas Co. Inc.
 1. 80-00939/79-143
 2. 05-125-06208
 3. 102
 4. J-W Operating Company
 5. M J Conrad #3
 6. Wildcat
 7. Yuma CO
 8. .0 million cubic feet
 9. October 5, 1979
 10. Kansas-Nebraska Natural Gas Co. Inc.
 1. 80-00940/79-153
 2. 05-125-06122
 3. 102
 4. J-W Operating Company
 5. Keller Cattle Company #3
 6. Mildred
 7. Yuma, CO
 8. 90.0 million cubic feet
 9. October 5, 1979
 10. Kansas-Nebraska Natural Gas Co Inc
 1. 80-00941/79-103
 2. 05-125-06130
 3. 103
 4. Kansas Nebraska Natural Gas Co Inc
 5. Lawver 1-33
 6. Vernon
 7. Yuma, CO
 8. 46.0 million cubic feet
 9. October 5, 1979
 10.
 1. 80-00942/79-102
 2. 05-125-06143
 3. 103
 4. Kansas Nebraska Natural Gas Co Inc
 5. Stults 1-32
 6. Republican
 7. Yuma, CO
 8. 20.0 million cubic feet
 9. October 5, 1979
 10.
 1. 80-00943/79-105

2. 05-125-06135
 3. 103
 4. Kansas Nebraska Natural Gas Co Inc
 5. Stone 1-24
 6. Republican
 7. Yuma, CO
 8. .0 million cubic feet
 9. October 5, 1979
 10.

Kansas Corporation Commission

1. Control number (F.E.R.C./State)
 2. Api well number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-00607/K-79-0215
 2. 15-047-20266
 3. 103
 4. Barnett Oil Inc
 5. Neidig #3
 6. Bradbridge
 7. Edwards, KS
 8. 94.0 million cubic feet
 9. October 3, 1979
 10. Kansas-Nebraska Natural Gas Co
 1. 80-00608/K-78-0334
 2. 15-097-20466
 3. 103
 4. Barnett Oil Inc
 5. Miller unit #4
 6. Greensburg
 7. Kiowa, KS
 8. 125.0 million cubic feet
 9. October 3, 1979
 10. Panhandle Eastern Pipeline Co
 1. 80-00609/K-78-0410
 2. 15-151-00000
 3. 108
 4. Braden-Deem Inc
 5. Barnes #1
 6. Carver-Robbins
 7. Pratt, KS
 8. 16.8 million cubic feet
 9. October 3, 1979
 10. Panhandle Eastern Pipeline
 1. 80-00610/K-78-0412
 2. 15-053-00000
 3. 103
 4. Ius Industries Inc
 5. Alden #2
 6. Ellsworth
 7. Ellsworth, KS
 8. 170.0 million cubic feet
 9. October 3, 1979
 10. Northern Natural Gas Co
 1. 80-00611/K-79-0075
 2. 15-007-20658
 3. 102
 4. McGinness Oil Company
 5. Ohlson #A-1
 6. Wildcat
 7. Barber, KS
 8. 183.0 million cubic feet
 9. October 3, 1979
 10. Panhandle Eastern Pipeline Co
 1. 80-00612/K-79-0060
 2. 15-047-20407
 3. 102
 4. Imperial Oil Company

5. Cross No 1-32
 6.
 7. Edwards, KS
 8. 100.0 million cubic feet
 9. October 3, 1979
 10. Kansas-Nebraska Nat Gas Co Inc
 1. 80-00710/K-79-0016
 2. 15-007-00000
 3. 108
 4. Braden-Deem Inc
 5. Wheat #1
 6. Aetna
 7. Barber, KS
 8. 18.0 million cubic feet
 9. October 4, 1979
 10. Kansas Power and Light Company
 1. 80-00711/K-79-0002
 2. 15-151-20476
 3. 103
 4. Hinkle Oil Company
 5. Lambert #1
 6. Larrison C S/2 SW/4 NE/4 31-19S-13W
 7. Pratt, KS
 8. 14.5 million cubic feet
 9. October 4, 1979
 10. Central States Gas Company
 1. 80-00712/K-79-0007
 2. 15-007-20543
 3. 103
 4. Hinkle Oil Company
 5. Shriver #1
 6. Larrison 150 S & 50 of C NW 6-30S-1
 7. Barber, KS
 8. 23.7 million cubic feet
 9. October 4, 1979
 10. Central States Gas Company

Louisiana Office of Conservation

1. Control number (F.E.R.C./State)
 2. Api well number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or Block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-00634/79-2279
 2. 17-067-00461
 3. 108
 4. Pennzoil Producing Company
 5. Sch BD Mhse No 2
 6. Monroe
 7. Morehouse, LA
 8. 9.0 million cubic feet
 9. October 4, 1979
 10. United Gas Pipe Line Co
 1. 80-00670/79-2289
 2. 17-111-01322
 3. 108
 4. Pennzoil Producing Co
 5. Stripling No 2
 6. Monroe
 7. Union, LA
 8. 6.0 million cubic feet
 9. October 4, 1979
 10. United Gas Pipe Line Co
 1. 80-00953/79-2257
 2. 17-111-01343
 3. 108
 4. Pennzoil Producing Company
 5. FEE 124 No 1
 6. Monroe
 7. Union, LA

8. 10.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00959/79-2401
2. 17-073-00555
3. 108
4. Ashland Exploration Inc
5. J D McGee Fee 3
6. Monroe
7. Quachita, LA
8. 13.2 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00628/79-2285
2. 17-031-01752
3. 108
4. Norboc Inc
5. B L Lord Etal #1
6. Brushy Bayou
7. Desoto, LA
8. 1.4 million cubic feet
9. October 4, 1979
10. Tennessee Gas Pl Co
1. 80-00629/79-2284
2. 17-075-22380
3. 103
4. Gulf Oil Corporation
5. SL 195 QQ 84
6. West Black Bay
7. Plaquemine, LA
8. 4.0 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Co
1. 80-00630/79-2283
2. 17-073-20666
3. 108
4. John H McCarter Jr
5. Ed Carter #1
6. Monroe Gas
7. Quachita, LA
8. 4 million cubic feet
9. October 4, 1979
10. Strahan Oil & Gas Co Inc
1. 80-00631/79-2282
2. 17-111-01965
3. 108
4. Pennzoil Producing Compnay
5. Jones-Edwards No 1
6. Monroe
7. Union, LA
8. 4.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00632/79-2281
2. 17-067-00336
3. 108
4. Pennzoil Producing Compnay
5. Mhse Ph Sch Bd No A-4
6. Monroe
7. Morehouse, LA
8. 13.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00633/79-2280
2. 17-067-00339
3. 108
4. Pennzoil Producing Company
5. Mhse Ph Sch Bd No A-3
6. Monroe
7. Morehouse LA
8. 10.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Company
1. 80-00635/79-2278
2. 17-067-00338
3. 108
4. Pennzoil Producing Company
5. Mhse Ph Sch Bd No A-1
6. Monroe
7. Morehouse LA
8. 3.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00636/79-2277
2. 17-111-00000
3. 108
4. Pennzoil Producing Company
5. School Board No 3
6. Monroe
7. Union LA
8. 17.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00637/79-2276
2. 17-111-01959
3. 108
4. Pennzoil Producing Company
5. School Board No 2
6. Monroe
7. Union LA
8. 16.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00638/79-2275
2. 17-111-01958
3. 108
4. Pennzoil Producing Company
5. School Board No 1
6. Monroe
7. Union LA
8. 10.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00639/79-2274
2. 17-111-01714
3. 108
4. Pennzoil Producing Company
5. School Bd Union No 2
6. Monroe
7. Union LA
8. 8.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00640/79-2273
2. 17-111-00000
3. 108
4. Pennzoil Producing Company
5. School Bd Union No 1
6. Monroe
7. Union LA
8. 7.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Company
1. 80-00641/79-2383
2. 17-067-00565
3. 108
4. Ashland Exploration Inc
5. Flemming #1
6. Monroe
7. Morehouse LA
8. 9.5 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Co
1. 80-00642/79-2382
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. M L Squires 1
6. Monroe
7. Morehouse LA
8. 3.0 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00643/79-2381
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. W F Millsaps Fee 2
6. Monroe
7. Morehouse LA
8. 4.4 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00644/79-2380
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Helen M Clark No 1
6. Monroe
7. Morehouse LA
8. 1.4 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00645/79-2379
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Sallie S Patton 1
6. Monroe
7. Morehouse LA
8. 8.6 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00646/79-2378
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Mahala Burton No 1
6. Monroe
7. Morehouse LA
8. 8.5 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00647/79-2377
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Stovall Drilling Co Fee 1
6. Monroe
7. Morehouse LA
8. 2.3 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00648/79-2376
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. D B Spyker 1
6. Monroe
7. Morehouse LA
8. 6.3 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00649/79-2375
2. 17-111-01894
3. 108
4. Ashland Exploration Inc
5. H Su 150 E Nichols #6
6. Monroe
7. Union LA
8. 12.2 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00650/79-2374

2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Carbons Consolidated Fee #5 014835
6. Monroe
7. Morehouse LA
8. 7.0 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00651/79-2373
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Carbons Consolidated Fee #3 012786
6. Monroe
7. Morehouse LA
8. 3.4 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00652/79-2372
2. 17-067-00212
3. 108
4. Ashland Exploration Inc
5. Carbons Consolidated Fee #2
6. Monroe
7. Morehouse LA
8. 4.0 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00653/79-2371
2. 17-067-00488
3. 108
4. Ashland Exploration Inc
5. Stovall Drilling Co fee 7
6. Monroe
7. Morehouse LA
8. 8.7 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00654/79-2370
2. 17-067-00494
3. 108
4. Ashland Exploration Inc
5. Stovall Drilling Co Fee 6
6. Monroe
7. Morehouse LA
8. 9.9 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00655/79-2369
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Noe-Wright No 1
6. Monroe
7. Morehouse LA
8. 7.5 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00656/79-2368
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Fannie Wright No 1
6. Monroe
7. Morehouse LA
8. 9.0 million cubic feet
9. October 4, 1979
10. Southern Natural Gas Company
1. 80-00657/79-2367
2. 17-075-22563
3. 103
4. Gulf Oil Corporation
5. Quarantine Bay S L 195 QQ #294
6. Quarantine Bay
7. Plaquemines LA
8. 180.0 million cubic feet
9. October 4, 1979
10. United Gas Pipeline Company
1. 80-00658/79-2366
2. 17-031-20607
3. 108
4. May Petroleum Inc
5. Pet Ra Sur Olinkraft 3 (153354)
6. Caspiana
7. Desoto LA
8. 10.0 million cubic feet
9. October 4, 1979
10. Arkansas Louisiana Gas Co
1. 80-00659/79-2362
2. 17-061-20194
3. 103
4. Bass Enterprises Prod Co
5. Cv Ra Sua Felix G Leguin #1
6. Hico Knowles
7. Lincoln LA
8. 73.0 million cubic feet
9. October 4, 1979
10. United Gas Pipeline Co
1. 80-00660/79-2363
2. 17-061-20196
3. 103
4. Bass Enterprises Prod Co
5. Cv Ra Suc Etta H Colvin #3
6. Hico Knowles
7. Lincoln LA
8. 455.0 million cubic feet
9. October 4, 1979
10. United Gas Pipeline Co
1. 80-00661/79-2361
2. 17-061-20195
3. 103
4. Bass Enterprises Prod Co
5. Cv Ra Sud Pauline Drewett #1
6. Hico Knowles
7. Lincoln LA
8. 490.0 million cubic feet
9. October 4, 1979
10. United Gas Pipeline Co
1. 80-00662/79-2360
2. 17-061-20206
3. 102 103
4. Bass Enterprises Prod Co
5. Cv Davis Rh Suk Mamie Lewis #1
6. Middlefork
7. Lincoln LA
8. 180.0 million cubic feet
9. October 4, 1979
10. United Gas Pipeline Co
1. 80-00663/79-2296
2. 17-073-00366
3. 108
4. Pennzoil Producing Company
5. Magnolia Fee 401 No 2
6. Monroe
7. Quachita LA
8. 2.0 million cubic feet
9. October 4, 1979
10. United Gas Pipeline Co
1. 80-00664/79-2295
2. 17-111-00000
3. 108
4. Pennzoil Producing Co
5. Parks No 2
6. Monroe
7. Union, LA
8. 3.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00665/79-2294
2. 17-111-01841
3. 108
4. Pennzoil Producing Co
5. Parks J J No 2
6. Monroe
7. Union, LA
8. 5.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00666/79-2293
2. 17-111-01849
3. 108
4. Pennzoil Producing Co
5. Parks J J No 1
6. Monroe
7. Union, LA
8. 5.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00667/79-2292
2. 17-111-00000
3. 108
4. Pennzoil Producing Co
5. Norsworthy No 4
6. Monroe
7. Union, LA
8. 3.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Company
1. 80-00668/79-2291
2. 17-111-00000
3. 108
4. Pennzoil Producing Co
5. Norsworthy No 3
6. Monroe
7. Union, LA
8. 5.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00669/79-2290
2. 17-111-01323
3. 108
4. Pennzoil Producing Co
5. Stripling No 3
6. Monroe
7. Union, LA
8. 5.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00671/79-2288
2. 17-111-00000
3. 108
4. Pennzoil Producing Co
5. Stripling A J No 1
6. Monroe
7. Union, LA
8. 6.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00672/79-2287
2. 17-111-01964
3. 108
4. Pennzoil Producing Co
5. Jones-Edwards No 3
6. Monroe
7. Union, LA
8. 6.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Co
1. 80-00673/79-2286
2. 17-111-00000
3. 108
4. Pennzoil Producing Co
5. Jones-Edwards No 2
6. Monroe

7. Union, LA
8. 7.0 million cubic feet
9. October 4, 1979
10. United Gas Pipe Line Company
1. 80-00724/79-2337
2. 17-081-20339
3. 103
4. Frank Matthews Operating Co
5. Frank Matthews Fee No 1
6. Red River Bull Bayou
7. Red River Parish, LA
8. 38.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00725/79-2336
2. 17-081-20342
3. 103
4. Frank Matthews Operating Co
5. Matthews Fee # 3
6. Red River Bull Bayou
7. Red River Parish, LA
8. 38.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00726/79-2335
2. 17-031-20590
3. 108
4. Northeast Resources Inc
5. Cv Ra Su A Everlena R Horton No 1
6. Chemard Lake
7. DeSoto Parish, LA
8. .0 million cubic feet
9. October 5, 1979
10. Lumar Gas Gathering
1. 80-00727/79-2334
2. 17-031-20582
3. 108
4. Northeast Resources
5. Rod Ra Su A Sara C Samuels # 1
6. Chemard Lake
7. DeSoto Parish, LA
8. .0 million cubic feet
9. October 5, 1979
10. Lumar Gas Gathering
1. 80-00728/79-2451
2. 17-073-00113
3. 108
4. Ashland Exploration Inc
5. L W Stubbs No 8
6. Monroe
7. Ouachita, LA
8. 8.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00729/79-2452
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. L W Stubbs No 10
6. Monroe
7. Ouachita, LA
8. 3.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00730/79-2453
2. 17-073-00237
3. 108
4. Ashland Exploration Inc
5. L W Stubbs No 11
6. Monroe
7. Ouachita, LA
8. 5.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00731/79-2454
2. 17-073-00238
3. 108
4. Ashland Exploration Inc
5. L W Stubbs No 12
6. Monroe
7. Ouachita, LA
8. 6.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00732/79-2455
2. 17-073-00147
3. 108
4. Ashland Exploration Inc
5. L W Stubbs No 13
6. Monroe
7. Ouachita, LA
8. 5.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00733/79-2318
2. 17-101-21115
3. 107
4. Quintana Petroleum Corporation
5. GC MA-10 Ra Su Maryland # 9
6. Garden City
7. St Mary, LA
8. 5110.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Trans Corp United Gas Pipeline Co Michigan Wisconsin Pipeline Co
1. 80-00734/79-2319
2. 17-113-20910
3. 103
4. Hilliard Oil & Gas Inc
5. Bolner-Broussard No 1
6. Erath
7. Vermilion Parish, LA
8. 234.0 million cubic feet
9. October 5, 1979
10. Dow Chemical Company
1. 80-00735/79-2320
2. 17-109-22014
3. 103
4. Exxon Corporation
5. Lir 9500 Ra Su Laterre Co 32
6. Lirette
7. Terrebonne, LA
8. 1300.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Trans Corp United Gas Pipeline Co
1. 80-00736/79-2445
2. 17-073-00216
3. 108
4. Ashland Exploration Inc
5. Potts-Bernstein 1
6. Monroe
7. Ouachita, LA
8. 10.6 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00737/79-2446
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. L W Stubbs 3
6. Monroe
7. Ouachita, LA
8. 7.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00738/79-2447
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. L W Stubbs 4
6. Monroe
7. Ouachita, LA
8. 4.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00739/79-2448
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. L W Stubbs 5
6. Monroe
7. Ouachita, LA
8. 5.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00740/79-2449
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. L W Stubbs No 6
6. Monroe
7. Ouachita, LA
8. 17.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00741/79-2450
2. 17-073-00274
3. 108
4. Ashland Exploration Inc
5. L W Stubbs No 7
6. Monroe
7. Ouachita, LA
8. 5.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00742/79-2444
2. 17-073-00087
3. 108
4. Ashland Exploration Inc
5. Interstate 2
6. Monroe
7. Ouachita, LA
8. 1.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00743/79-2443
2. 17-073-00088
3. 108
4. Ashland Exploration Inc
5. Interstate 1
6. Monroe
7. Ouachita, LA
8. 2.3 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00744/79-2442
2. 17-067-00000
3. 108
4. Ashland Exploration Inc
5. Carbons Consolidated No 13
6. Monroe
7. Morehouse, LA
8. 2.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00745/79-2433
2. 17-073-00253
3. 108
4. Ashland Exploration Inc
5. Frost Lumber Ind #A6
6. Monroe
7. Ouachita, LA
8. 5.0 million cubic feet

9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00746/79-2432
2. 17-073-00254
3. 108
4. Ashland Exploration Inc
5. Frost Lumber Ind No 45
6. Monroe
7. Ouachita LA
8. 15.1 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00747/79-2441
2. 17-073-00807
3. 108
4. Ashland Exploration Inc
5. W C Feazel No 6
6. Monroe
7. Ouachita LA
8. 4.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00748/79-2440
2. 17-073-00281
3. 108
4. Ashland Exploration Inc
5. W C Feazel No 5
6. Monroe
7. Ouachita LA
8. 1.4 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00749/79-2480
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. REA-Green 1
6. Monroe
7. Ouachita LA
8. 4.4 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00750/79-2481
2. 17-073-00582
3. 108
4. Ashland Exploration Inc
5. REA-Green 3
6. Monroe
7. Ouachita LA
8. 1.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00751/79-2482
2. 17-073-00554
3. 108
4. Ashland Exploration Inc
5. REA Green 6
6. Monroe
7. Ouachita LA
8. 11.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00752/79-2483
2. 17-073-00538
3. 108
4. Ashland Exploration Inc
5. REA Green 7
6. Monroe
7. Ouachita LA
8. 19.4 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00753/79-2484
2. 17-073-00539
3. 108
4. Ashland Exploration Inc
5. REA Green 8
6. Monroe
7. Ouachita LA
8. 14.2 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00754/79-2485
2. 17-073-00541
3. 108
4. Ashland Exploration Inc
5. REA Green 9
6. Monroe
7. Ouachita LA
8. 7.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00755/79-2486
2. 17-073-00930
3. 108
4. Ashland Exploration Inc
5. REA Green 10
6. Monroe
7. Ouachita LA
8. 5.6 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00756/79-2487
2. 17-073-00542
3. 108
4. Ashland Exploration Inc
5. REA Green 11
6. Monroe
7. Ouachita LA
8. 9.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00757/79-2488
2. 17-073-00540
3. 108
4. Ashland Exploration Inc
5. REA Green 12
6. Monroe
7. Ouachita LA
8. 7.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00758/79-2489
2. 17-073-00092
3. 108
4. Ashland Exploration Inc
5. REA Green 13
6. Monroe
7. Ouachita LA
8. 6.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00759/79-2490
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. M S Van Horn No 1
6. Monroe
7. Ouachita LA
8. 8.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00760/79-2341
2. 17-031-20653
3. 103
4. Tenneco Oil Company
5. Pet RA Sud J P Groves #1-D
6. Grand Cane
7. DeSota LA
8. 140.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00761/79-2342
2. 17-073-00000
3. 108
4. Pennzoil Producing Co
5. West VA No 3
6. Monroe
7. Ouachita LA
8. 2.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Co
1. 80-00762/79-2343
2. 17-111-01324
3. 108
4. Pennzoil Producing Co
5. Haile No 3
6. Monroe
7. Union LA
8. 7.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Co
1. 80-00763/79-2344
2. 17-073-00000
3. 108
4. Pennzoil Producing Co
5. US Govt No 1
6. Monroe
7. Ouachita LA
8. 7.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Co
1. 80-00764/79-2345
2. 17-111-01767
3. 108
4. Pennzoil Producing Co
5. Jenny No A-1
6. Monroe
7. Union LA
8. 6.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Co
1. 80-00765/79-2346
2. 17-111-00000
3. 108
4. Pennzoil Producing Co
5. Simms et al No 1
6. Monroe
7. Union LA
8. 5.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Co
1. 80-00766/79-2464
2. 17-073-00123
3. 108
4. Ashland Exploration Inc
5. C W Frierson No 3
6. Monroe
7. Ouachita LA
8. 4.3 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00767/79-2465
2. 17-073-00125
3. 108
4. Ashland Exploration Inc
5. C W Frierson No 5
6. Monroe
7. Ouachita LA
8. 2.2 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00768/79-2461

2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Hatcher & Evans No 10
6. Monroe
7. Ouachita LA
8. 8.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00769/79-2387
2. 17-027-01167
3. 108
4. Ashland Exploration Inc
5. James N Walker No 2
6. Monroe
7. Ouachita LA
8. 4.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00770/79-2388
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. S B Shell #1
6. Monroe
7. Ouachita LA
8. 12.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00771/79-2389
2. 17-031-20773
3. 103
4. Sun Oil Company (Delaware)
5. GR PXY Ives SU O H Hinkie Jr No 14
6. Grogan
7. DeSoto LA
8. 13.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00772/79-2390
2. 17-031-20698
3. 103
4. Sun Oil Company (Delaware)
5. Butler Estate No 4
6. Grogan
7. DeSoto LA
8. 11.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00773/79-2384
2. 17-067-00564
3. 108
4. Ashland Exploration Inc
5. Flemming No 2
6. Monroe
7. Morehouse LA
8. 8.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00774/79-2385
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Edna A Vinson No 1
6. Monroe
7. Ouachita LA
8. 5.6 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00775/79-2386
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. James N Walker No 1
6. Monroe
7. Ouachita
8. 4.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00776/79-2462
2. 17-073-00067
3. 108
4. Ashland Exploration Inc
5. Hatcher & Evans No 11
6. Monroe
7. Ouachita
8. 12.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00777/79-2463
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. C W Frierson No 2
6. Monroe
7. Ouachita
8. 6.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00778/79-2391
2. 17-031-20664
3. 103
4. Sun Oil Company (Delaware)
5. Callon Agent F No 2
6. Grogan
7. Desoto La
8. 20.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00779/79-2392
2. 17-031-20655
3. 103
4. Sun Oil Company (Delaware)
5. Roxana Ran No 1
6. Grogan Field
7. Desoto La
8. 15.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00780/79-2393
2. 17-031-20654
3. 103
4. Sun Oil Company (Delaware)
5. Cook-Taylor C No 4
6. Grogan
7. Desoto La
8. 135.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00781/79-2394
2. 17-031-20809
3. 103
4. Sun Oil Company (Delaware)
5. Cook-Taylor C No 8
6. Grogan
7. Desoto La
8. 188.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00782/79-2395
2. 17-073-00000
3. 103
4. Ashland Exploration Inc
5. Stubbs Estate 1
6. Monroe
7. Ouachita La
8. .7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00783/79-2396
2. 17-073-00571
3. 108
4. Ashland Exploration Inc
5. D A Breard Jr FEE #1
6. Monroe
7. Ouachita La
8. 16.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00784/79-2397
2. 17-073-00631
3. 108
4. Ashland Exploration Inc
5. Alger Burks No 1
6. Monroe
7. Ouachita La
8. .0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00785/79-2398
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Doughtie Hotel Ltd No 1
6. Monroe
7. Ouachita La
8. .1 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00786/79-2399
2. 17-073-00557
3. 108
4. Ashland Exploration Inc
5. J D McGee Fee 2
6. Monroe
7. Ouachita La
8. 5.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00787/79-2406
2. 17-073-00587
3. 108
4. Ashland Exploration Inc
5. Slagle-Johnson Fee Century 012863
6. Monroe
7. Ouachita La
8. 14.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00788/79-2340
2. 17-031-20653
3. 103
4. Tenneco Oil Company
5. Hoss RA Sud J P Groves #1
6. Grand Cane
7. Desoto La
8. 140.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00789/79-2466
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. J A McEwen 1
6. Monroe
7. Ouachita La
8. 4.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00790/79-2467
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. J A McEwen 3
6. Monroe

7. Ouachita La
8. 5.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00791/79-2468
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. J A McEwen 7
6. Monroe
7. Ouachita La
8. 5.3 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00792/79-2469
2. 17-073-00273
3. 108
4. Ashland Exploration Inc
5. D Arbonne Lumber Co No 1
6. Monroe
7. Ouachita La
8. .5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00793/79-2470
2. 17-073-00272
3. 108
4. Ashland Exploration Inc
5. D Arbonne Lumber Co No 2
6. Monroe
7. Ouachita La
8. 2.6 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00794/79-2471
2. 17-073-00271
3. 108
4. Ashland Exploration Inc
5. D Arbonne Lumber Co No 3
6. Monroe
7. Ouachita La
8. 11.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00795/79-2472
2. 17-072-00217
3. 108
4. Ashland Exploration Inc
5. Potts-Bernstein 2
6. Monroe
7. Ouachita La
8. 6.1 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00796/79-2473
2. 17-073-00280
3. 108
4. Ashland Exploration Inc
5. C G Wall Carbons No 1
6. Monroe
7. Ouachita La
8. 17.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00797/79-2474
2. 17-073-00223
3. 108
4. Ashland Exploration Inc
5. C G Wall Carbon No 2
6. Monroe
7. Ouachita La
8. 6.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00798/79-2475
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. A C White No 1
6. Monroe
7. Ouachita La
8. 3.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00799/79-2476
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. A C White No 2
6. Monroe
7. Ouachita La
8. 3.2 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00800/79-2477
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Hatcher & Evans No 4
6. Monroe
7. Ouachita La
8. 7.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00801/79-2478
2. 17-073-00098
3. 108
4. Ashland Exploration Inc
5. D W McEnergy 9
6. Monroe
7. Ouachita La
8. 9.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00802/79-2479
2. 17-073-00940
3. 108
4. Ashland Exploration Inc
5. John J Potts 1
6. Monroe
7. Ouachita La
8. 7.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00803/79-2491
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. M S Van Horn No 2
6. Monroe
7. Ouachita La
8. 5.3 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00804/79-2492
2. 17-073-00802
3. 108
4. Ashland Exploration Inc
5. D Arbonne Lumber Co No 4
6. Monroe
7. Ouachita La
8. 12.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00805/79-2495
2. 17-073-00069
3. 108
4. Ashland Exploration Inc
5. D W McEnergy 2
6. Monroe
7. Ouachita, LA
8. 5.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00806/79-2494
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. D W McEnergy 1
6. Monroe
7. Ouachita, LA
8. 4.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00807/79-2493
2. 17-073-00551
3. 108
4. Ashland Exploration Inc
5. J L Nelson 2
6. Monroe
7. Ouachita, LA
8. 2.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00808/79-2439
2. 17-073-00090
3. 108
4. Ashland Exploration Inc
5. W C Feazel No 3
6. Monroe
7. Ouachita, LA
8. 3.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00809/79-2436
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. L W Stubbs 2
6. Monroe
7. Ouachita, LA
8. 4.2 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00810/79-2435
2. 17-073-00251
3. 108
4. Ashland Exploration Inc
5. Frost Lumber Ind No A8
6. Monroe
7. Ouachita, LA
8. 5.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00811/79-2434
2. 17-073-00252
3. 108
4. Ashland Exploration Inc
5. Frost Lumber Ind No A7
6. Monroe
7. Ouachita, LA
8. 4.4 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00812/79-2338
2. 17-081-20345
3. 108
4. Frank Matthews Operating Company
5. Matthews Fee No 4
6. Red River Bull Bayou
7. Red River Parish, LA
8. 38.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00813/79-2333

2. 17-031-00767
3. 108
4. Northeast Resources Inc
5. Paluxy Sand Irene Berry Gregory No
6. Chemard Lake
7. DeSoto Parish, LA
8. .2 million cubic feet
9. October 5, 1979
10. Lumar Gas Gathering, United Gas Pipeline Co
1. 80-00814/79-2332
2. 17-031-00764
3. 108
4. Northeast Resources
5. J L Robertson No 1
6. Chemard Lake
7. DeSoto Parish, LA
8. .0 million cubic feet
9. October 5, 1979
10. Lumar Gas Gathering
1. 80-00815/79-2331
2. 17-111-21592
3. 108
4. Jim V Haddox
5. Olinkraft A#3 160901
6. Monroe
7. Union, LA
8. 12.8 million cubic feet
9. October 5, 1979
10. Mid-La Gas Company
1. 80-00816/79-2321
2. 17-055-20145
3. 108
4. Tabco Producing Company
5. Rhena H Begnaud #1
6. North Ossun
7. Lafayette, LA
8. 2.9 million cubic feet
9. October 5, 1979
10. Florida Gas Transmission Co
1. 80-00817/79-2322
2. 17-027-20551
3. 108
4. Raymond H Hedge
5. Smk Ra Su A W J Sherman No 1
6. Oaks
7. Claiborne, LA
8. 54.0 million cubic feet
9. October 5, 1979
10. La Gas Intrás of Shreveport Inc
1. 80-00818/79-2323
2. 17-013-20349
3. 108
4. McCormick Oil & Gas Corporation
5. U Hoss Su E Hamner No 1
6. West Arcadia
7. Bienville Parish, LA
8. 1000.0 million cubic feet
9. October 5, 1979
10. Texas Gas Transmission Corp
1. 80-00819/79-2324
2. 17-031-20826
3. 103
4. Jeems Bayou Production Corp
5. Reding #1
6. Grogan 4319
7. DeSoto Parish, LA
8. 354.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline
1. 80-00820/79-2325
2. 17-031-20835
3. 103
4. Jeems Bayou Production Corp
5. Reding A #2 160239
6. Grogan 4319
7. DeSoto Parish, LA
8. 217.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00821/79-2326
2. 17-031-20827
3. 103
4. Jeems Bayou Production
5. Reding A #1 159914
6. Grogan 4319
7. DeSoto Parish, LA
8. 215.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00822/79-2327
2. 17-031-20777
3. 103
4. Jeems Bayou Production Corp
5. Baptist Convention #1
6. Grogan
7. DeSoto Parish, LA
8. 226.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00823/79-2328
2. 17-031-20837
3. 103
4. Jeems Bayou Production Corp
5. Baptist Convention #2 160343
6. Grogan 4319
7. DeSoto Parish, LA
8. 224.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00824/79-2329
2. 17-109-21886
3. 103
4. Shell Oil Company
5. HAI NVU A LL&E E-1
6. Halter Island
7. Terrebonne Parish LA
8. 1260.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipeline Co
1. 80-00825/79-2460
2. 17-073-00065
3. 108
4. Ashland Exploration Inc
5. Hatcher & Evans No 9
6. Monroe
7. Ouchata LA
8. 6.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00826/79-2459
2. 17-073-00292
3. 108
4. Ashland Exploration Inc
5. M H Burt No 1
6. Monroe
7. Ouachita LA
8. 3.1 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00827/79-2458
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. T N Gibbs No 1
6. Monroe
7. Ouachita LA
8. 3.3 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00828/79-2457
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. S R Wall-Noe No 2
6. Monroe
7. Ouachita LA
8. 11.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00829/79-2456
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. S R Wall-Noe No 1
6. Monroe
7. Ouachita LA
8. 12.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Co
1. 80-00830/79-2497
2. 17-023-21212
3. 102
4. Watson Oil Corporation
5. David Garrison SR No 1 1702321212
6. North Chalkley
7. Cameron Parish LA
8. 540.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-00831/79-2496
2. 17-109-22015
3. 103
4. Exxon Corporation
5. LIR 8400 RA SU Laterre Co Inc 33
6. Lirette
7. Terrebonne Parish LA
8. 700.0 million cubic feet
9. October 5, 1979
10. Columbia Gas Trans Corp
1. 80-00945/79-2351
2. 17-067-00490
3. 108
4. Pennzoil Producing Company
5. FEE 71 No 3
6. Monroe
7. Morehouse LA
8. 6.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Co
1. 80-00946/79-2350
2. 17-073-00357
3. 108
4. Pennzoil Producing Company
5. Magnolia Fee 401 No 4
6. Monroe
7. Ouachita LA
8. 1.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00947/79-2349
2. 17-111-00000
3. 108
4. Pennzoil Producing Company
5. Mayfield No 1
6. Monroe
7. Union LA
8. 4.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00948/79-2348
2. 17-111-00589
3. 108
4. Pennzoil Producing Company
5. Pace L J No 1

6. Monroe
7. Union, LA
8. 4.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00949/79-2347
2. 17-067-00550
3. 108
4. Pennzoil Producing Company
5. Patton No 2
6. Monroe
7. Morehouse, LA
8. 2.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00950/79-2260
2. 17-073-00184
3. 108
4. Pennzoil Producing Company
5. Fee 136 No 2
6. Monroe
7. Ouachita, LA
8. 7.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00951/79-2259
2. 17-073-00183
3. 108
4. Pennzoil Producing Company
5. Fee 136 No 1
6. Monroe
7. Ouachita, LA
8. 4.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00952/79-2258
2. 17-073-00178
3. 108
4. Pennzoil Producing Company
5. Fee 135 No 1
6. Monroe
7. Ouachita, LA
8. 1.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00954/79-2407
2. 17-073-00578
3. 108
4. Ashland Exploration Inc
5. Slagle-Johnson Fee Century 3
6. Monroe
7. Ouachita, LA
8. 11.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00955/79-2405
2. 17-073-00261
3. 108
4. Ashland Exploration Inc
5. Myron H Spades 5 013613
6. Monroe
7. Ouachita, LA
8. 14.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00956/79-2404
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Myron H Spades Fee 4
6. Monroe
7. Ouachita, LA
8. 5.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00957/79-2403
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. L. L. Lieber 1
6. Monroe
7. Ouachita, LA
8. 8.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00958/79-2402
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. A H Johnson 2
6. Monroe
7. Ouachita, LA
8. .3 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00960/79-2400
2. 17-073-00556
3. 108
4. Ashland Exploration Inc
5. J D McGee Fee 1
6. Monroe
7. Ouachita, LA
8. 6.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00961/79-2272
2. 17-073-00229
3. 108
4. Pennzoil Producing Company
5. Fee 768 No 2
6. Monroe
7. Ouachita, LA
8. 4.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00962/79-2271
2. 17-073-00227
3. 108
4. Pennzoil Producing Company
5. Fee 768 No 1
6. Monroe
7. Ouachita, LA
8. 1.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00963/79-2270
2. 17-073-00523
3. 108
4. Pennzoil Producing Company
5. Fee 152 No 1
6. Monroe
7. Ouachita, LA
8. 3.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00964/79-2269
2. 17-073-00000
3. 108
4. Pennzoil Producing Company
5. Fee 401 No 1
6. Monroe
7. Ouachita, LA
8. 4.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00965/79-2268
2. 17-073-00000
3. 108
4. Pennzoil Producing Company
5. Lieber No 5
6. Monroe
7. Ouachita, LA
8. 12.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00966/79-2267
2. 17-073-00000
3. 108
4. Pennzoil Producing Company
5. Lieber No 4
6. Monroe
7. Ouachita, LA
8. 4.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00967/79-2266
2. 17-073-00000
3. 108
4. Pennzoil Producing Company
5. Lieber No 2
6. Monroe
7. Ouachita, LA
8. 8.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00968/79-2265
2. 17-111-00590
3. 108
4. Pennzoil Producing Company
5. Pace N A No 1
6. Monroe
7. Union, LA
8. 1.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00969/79-2264
2. 17-109-02518
3. 108
4. Pennzoil Producing Company
5. Guinn No C-1
6. Monroe
7. Ouachita, LA
8. .6 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00970/79-2263
2. 17-111-00000
3. 108
4. Pennzoil Producing Company
5. Guinn No B-1
6. Monroe
7. Union, LA
8. 6.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00971/79-2262
2. 17-111-00000
3. 108
4. Pennzoil Producing Company
5. Guinn No A-1
6. Monroe
7. Union, LA
8. 2.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company
1. 80-00972/79-2261
2. 17-073-00185
3. 108
4. Pennzoil Producing Company
5. Fee 136 No 3
6. Monroe
7. Ouachita, LA
8. 6.0 million cubic feet
9. October 5, 1979
10. United Gas Pipe Line Company

1. 80-00973/79-2230
2. 17-109-21886
3. 108
4. Shell Oil Company
5. Hai Nvu LL&E E-1D
6. Halter Island
7. Terrebonne Parish, LA
8. 150.0 million cubic feet
9. October 5, 1979
10. Tennessee Gas Pipe Line Company
1. 80-00974/79-2339
2. 17-081-20344
3. 108
4. Frank Matthews Operating Co
5. Matthews Fee No 5
6. Red River Bull Bayou
7. Red River Parish, LA
8. 38.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00975/79-2431
2. 17-073-00255
3. 108
4. Ashland Exploration Inc
5. Frost Lumber Ind-A No A3
6. Monroe
7. Ouachita, LA
8. 4.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00976/79-2430
2. 17-073-00257
3. 108
4. Ashland Exploration Inc
5. Frost Lumber Ind No A2
6. Monroe
7. Ouachita, LA
8. 3.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00977/79-2429
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Phil Chauvin 1
6. Monroe
7. Ouachita, LA
8. 5.2 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00978/79-2428
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. J A Smith Fee 2
6. Monroe
7. Ouachita, LA
8. 3.8 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00979/79-2427
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Joseph R White No 1
6. Monroe
7. Ouachita, LA
8. 3.4 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00980/79-2426
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Richard Wallace No 1
6. Monroe
7. Ouachita LA
8. 4.1 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00981/79-2425
2. 17-027-00216
3. 108
4. Ashland Exploration Inc
5. J H Slaughter Fee 4
6. Monroe
7. Ouachita LA
8. 3.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00982/79-2424
2. 17-073-00104
3. 108
4. Ashland Exploration Inc
5. J H Slaughter Fee 1
6. Monroe
7. Ouachita LA
8. 4.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00983/79-2423
2. 17-073-00659
3. 108
4. Ashland Exploration Inc
5. G & M Miller #1
6. Monroe
7. Ouachita LA
8. 3.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00984/79-2422
2. 17-073-00256
3. 108
4. Ashland Exploration Inc
5. Frost Lumber Ind No A1
6. Monroe
7. Ouachita LA
8. 5.4 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00985/79-2421
2. 17-073-00263
3. 108
4. Ashland Exploration Inc
5. C T Munholland 1 024312
6. Monroe
7. Ouachita LA
8. .0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00986/79-2420
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Bank of Jerseyville 3
6. Monroe
7. Ouachita LA
8. 1.5 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00987/79-2419
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. J M Huber Fee 4
6. Monroe
7. Ouachita LA
8. 3.2 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00988/79-2414
2. 17-073-00262
3. 108
4. Ashland Exploration Inc
5. Myron H Spades Fee 3 012426
6. Monroe
7. Ouachita LA
8. 7.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00989/79-2413
2. 17-073-00101
3. 108
4. Ashland Exploration Inc
5. Myron H Spades Fee 2 012427
6. Monroe
7. Ouachita LA
8. 4.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00990/79-2412
2. 17-073-00594
3. 108
4. Ashland Exploration Inc
5. Cosmos Carbon Fee No 3 012288
6. Monroe
7. Ouachita LA
8. 19.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00991/79-2411
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Cosmos Carbon No 2 011330
6. Monroe
7. Ouachita LA
8. 7.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00992/79-2410
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. W A Archie No 1
6. Monroe
7. Ouachita LA
8. 6.1 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00993/79-2409
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. Collins McHenry 1
6. Monroe
7. Ouachita LA
8. 8.0 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00994/79-2408
2. 17-073-00577
3. 108
4. Ashland Exploration Inc
5. Slagle-Johnson Chavin 4 013415
6. Monroe
7. Ouachita LA
8. 2.7 million cubic feet
9. October 5, 1979
10. Southern Natural Gas Company
1. 80-00995/79-2418
2. 17-073-00000
3. 108
4. Ashland Exploration Inc
5. J M Huber Fee #1

6. Monroe
 7. Ouachita LA
 8. 4.9 million cubic feet
 9. October 5, 1979
 10. Southern Natural Gas Company
 1. 80-00996/79-2417
 2. 17-073-00000
 3. 108
 4. Ashland Exploration Inc
 5. C R Edwards No 3
 6. Monroe
 7. Ouachita LA
 8. 18.3 million cubic feet
 9. October 5, 1979
 10. Southern Natural Gas Company
 1. 80-00997/79-2418
 2. 17-073-00801
 3. 108
 4. Ashland Exploration Inc
 5. J H Douglas No 1
 6. Monroe
 7. Ouachita LA
 8. .3 million cubic feet
 9. October 5, 1979
 10. Southern Natural Gas Company
 1. 80-00998/79-2415
 2. 17-073-00000
 3. 108
 4. Ashland Exploration Inc
 5. A H Johnson 1
 6. Monroe
 7. Ouachita LA
 8. 2.2 million cubic feet
 9. October 5, 1979
 10. Southern Natural Gas Company
 1. 80-00999/79-2256
 2. 17-111-01696
 3. 108
 4. Pennzoil Producing Company
 5. Fee 115 No 1
 6. Monroe
 7. Union LA
 8. 9.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01000/79-2255
 2. 17-067-00466
 3. 108
 4. Pennzoil Producing Company
 5. Fee 71 No 4
 6. Monroe
 7. Morehouse LA
 8. 12.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01001/79-2107
 2. 17-051-20466
 3. 103
 4. D C Bintliff
 5. S/L 7016 #2
 6. Saturday Island
 7. Jefferson LA
 8. 300.0 million cubic feet
 9. October 5, 1979
 10. Southern Natural Gas Company
 1. 80-01002/79-2359
 2. 17-111-00000
 3. 108
 4. Pennzoil Producing Company
 5. Norsworthy No 5
 6. Monroe
 7. Union LA
 8. 2.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company

1. 80-01003/79-2358
 2. 17-111-00000
 3. 108
 4. Pennzoil Producing Company
 5. Norsworthy No 2
 6. Monroe
 7. Union LA
 8. 4.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01004/79-2357
 2. 17-111-01295
 3. 108
 4. Pennzoil Producing Company
 5. Norsworthy No 1
 6. Monroe
 7. Union LA
 8. 2.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01005/79-2356
 2. 17-073-00000
 3. 108
 4. Pennzoil Producing Company
 5. Smith Lula B No 1
 6. Monroe
 7. Ouachita LA
 8. 6.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01006/79-2355
 2. 17-111-01827
 3. 108
 4. Pennzoil Producing Company
 5. Smith A No 1
 6. Monroe
 7. Union LA
 8. 4.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01007/79-2354
 2. 17-111-00196
 3. 108
 4. Pennzoil Producing Company
 5. Grayling No 27
 6. Monroe
 7. Union LA
 8. 3.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01008/79-2353
 2. 17-111-00272
 3. 108
 4. Pennzoil Producing Company
 5. Grayling No 13
 6. Monroe
 7. Union LA
 8. 8.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company
 1. 80-01009/79-2352
 2. 17-111-01657
 3. 108
 4. Pennzoil Producing Company
 5. Grayling No 8
 6. Monroe
 7. Union LA
 8. 6.0 million cubic feet
 9. October 5, 1979
 10. United Gas Pipe Line Company

Montana Board of Oil and Gas Conservation

1. Control Number (F.E.R.C./State)
 2. API Well Number

3. Section of NGPA
 4. Operator
 5. Well Name
 6. Field or OCS area name
 7. County, State or Block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-00703/9-79-258
 2. 25-091-21244
 3. 103
 4. Mosbacher Production Co
 5. Leora Johansen et al #1
 6. Northeast Folsom
 7. Sheridan Mt
 8. 72.0 million cubic feet
 9. October 4, 1979
 10.
 1. 80-00704/9-79-256
 2. 25-083-21276
 3. 102
 4. UV Industries Inc
 5. UV Industries Inc No 1-3 Merrill
 6. Wildcat
 7. Richland Mt
 8. 109.6 million cubic feet
 9. October 4, 1979
 10. Crystal Oil Company
 1. 80-00944/9-79-257
 2. 25-091-21244
 3. 102
 4. Mosbacher Production Co
 5. Leora Johansen et al No 1
 6. Northeast Folsom
 7. Sheridan Mt
 8. 72.0 million cubic feet
 9. October 5, 1979
 10.

New Mexico Department of Energy and Minerals, Oil Conservation Division

1. Control Number (F.E.R.C./State)
 2. API Well Number
 3. Section of NGPA
 4. Operator
 5. Well Name
 6. Field or OCS area name
 7. County, State or Block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-00623
 2. 30-015-22863
 3. 103
 4. Arco Oil and Gas Company
 5. Empire Abo Unit F 342
 6. Empire Abo
 7. Eddy, NM
 8. 83.0 million cubic feet
 9. October 3, 1979
 10. Amoco Production Company Phillips Petroleum Co
 1. 80-00624
 2. 30-015-22906
 3. 103
 4. Arco Oil and Gas Company
 5. Empire Abo Unit I 292
 6. Empire Abo
 7. Eddy, NM
 8. 24.0 million cubic feet
 9. October 3, 1979
 10. Amoco Production Company Phillips Petroleum Co
 1. 80-00625
 2. 30-015-22818

3. 103
4. Arco Oil and Gas Company
5. Empire Abo Unit E 392
6. Empire Abo
7. Eddy, NM
8. 60.0 million cubic feet
9. October 3, 1979
10. Amoco Production Company Phillips Petroleum Co
1. 80-00626
2. 30-025-00000
3. 108
4. Consolidated Oil & Gas Inc
5. Midway State No 1
6. Midway Abo
7. Lea, NM
8. 4.5 million cubic feet
9. October 3, 1979
10. Phillips Petroleum Co
1. 80-00627
2. 30-015-22824
3. 103
4. Arco Oil and Gas Company
5. Empire Abo Unit L 133
6. Empire Abo
7. Eddy, NM
8. 38.0 million cubic feet
9. October 3, 1979
10. Amoco Production Company Phillips Petroleum Co

**Ohio Department of Natural Resources,
Division of Oil and Gas**

1. Control Number (F.E.R.C./State)
 2. API Well Number
 3. Section of NGPA
 4. Operator
 5. Well Name
 6. Field or OCS area name
 7. County, State or Block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-00605/06565
 2. 34-059-22520-0014
 3. 103
 4. William N Tipka
 5. Ida Vincento #1
 - 6.
 7. Guernsey, OH
 8. .0 million cubic feet
 9. October 2, 1979
 - 10.
 1. 80-00606/04025
 2. 34-105-21610-0014
 3. 108
 4. Carl E Smith Inc
 5. Freeman Williams #126
 - 6.
 7. Meigs, OH
 8. 5.0 million cubic feet
 9. October 2, 1979
 10. Columbia Gas Transmission Corp
- West Virginia Department of Mines, Oil and Gas Division**
1. Control Number (F.E.R.C./State)
 2. API Well Number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or Block No.
 8. Estimated annual volume
 9. Date received at FERC

10. Purchaser(s)
1. 79-22335
2. 47-097-00658
3. 108
4. Consolidated Gas Supply Corp
5. C J Martin 10347
6. West Virginia Other A-85772
7. Upshur WV
8. 8.0 million cubic feet
9. September 27, 1979
10. General System Purchasers
1. 80-00613
2. 47-001-00005
3. 108
4. Consolidated Gas Supply Corp
5. Ethel P Ward 8638
6. West Virginia Other A-85772
7. Barbour WV
8. 4.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00614
2. 47-097-01229
3. 108
4. Consolidated Gas Supply Corp
5. Jerome Hall 11201
6. West Virginia Other A-85772
7. Upshur WV
8. 4.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00615
2. 47-097-01166
3. 108
4. Consolidated Gas Supply Corp
5. Lucy V Hartman 11125
6. West Virginia Other A-85772
7. Upshur WV
8. 1.5 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00616
2. 47-097-00968
3. 108
4. Consolidated Gas Supply Corp
5. Lucy V Hartman 10785
6. West Virginia Other A-85772
7. Upshur WV
8. 4.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00617
2. 47-097-00750
3. 108
4. Consolidated Gas Supply Corp
5. Thomasa Karickhoff 10447
6. West Virginia Other A-85772
7. Upshur WV
8. 6.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00618
2. 47-001-00255
3. 108
4. Consolidated Gas Supply Corp
5. Florie Post 10769
6. West Virginia Other A-85772
7. Barbour WV
8. 4.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00619
2. 47-001-00266
3. 108

4. Consolidated Gas Supply Corp
5. F W Ritter 10770
6. West Virginia Other A-85772
7. Barbour WV
8. 4.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00620
2. 47-001-00405
3. 108
4. Consolidated Gas Supply Corp
5. Orma Casto 11006
6. West Virginia Other A-85772
7. Barbour WV
8. 3.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00621
2. 47-001-00435
3. 108
4. Consolidated Gas Supply Corp
5. Harrison-Ritchie Oil & Gas Co 11033
6. West Virginia Other A-85772
7. Barbour WV
8. 1.5 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00622
2. 47-005-00546
3. 108
4. Consolidated Gas Supply Corp
5. Dora E Hopkins 8629
6. West Virginia Other A-85772
7. Boone WV
8. 5.0 million cubic feet
9. October 3, 1979
10. General System Purchasers
1. 80-00675
2. 47-085-03641
3. 108
4. Merchant Properties
5. Isabel Wilson #1
- 6.
7. Ritchie WV
8. 5.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00676
2. 47-021-02681
3. 108
4. Industrial Gas Assoc 76 & Ventures S
5. Johnnie Butcher #1
- 6.
7. Gilmer WV
8. 2.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00677
2. 47-021-02682
3. 108
4. Industrial Gas Assoc 76 & Enbloc In
5. Ruby Butcher #1
- 6.
7. Gilmer WV
8. 7.5 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00678
2. 47-021-02684
3. 108
4. Industrial Gas Assoc 76 & Enbloc In
5. Thomas C Scott #1
- 6.
7. Gilmer WV
8. 7.0 million cubic feet

9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00679
2. 47-021-02663
3. 108
4. Industrial Gas Assoc 76
5. URIU Butcher #1
6.
7. Gilmer WV
8. .8 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00680
2. 47-021-02689
3. 108
4. Industrial Gas Assoc 76 & Venture S
5. Ammon Burkhammon #1
6.
7. Gilmer WV
8. 3.5 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00681
2. 47-021-02696
3. 108 Denied
4. Industrial Gas Assoc 76
5. Lillie Ware #2
6.
7. Gilmer WV
8. .5 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00682
2. 47-021-02706
3. 108
4. Industrial Gas Assoc 76
5. D Butcher #1
6.
7. Gilmer WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00683
2. 47-021-02705
3. 108
4. Industrial Gas Assoc 76
5. Doy Butcher #1
6.
7. Gilmer WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00684
2. 47-021-02697
3. 108
4. Industrial Gas Assoc 76
5. Ruby Butcher #2
6.
7. Gilmer WV
8. 11.5 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00685
2. 47-021-02692
3. 108
4. Industrial Gas Assoc 76 & Enbloc In
5. Thomas C Scott #3
6.
7. Gilmer WV
8. 8.5 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00686
2. 47-021-02691
3. 108
4. Industrial Gas Assoc 76 & Enbloc In
5. Thomas C Scott #2
6.
7. Gilmer WV
8. 7.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00687
2. 47-085-03826
3. 108
4. Oppenheimer Oil & Gas
5. Richards & Stanley H591
6.
7. Ritchie WV
8. 27.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00688
2. 47-021-02702
3. 108
4. Merchant Properties
5. Fiddler #1
6.
7. Gilmer WV
8. 6.5 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00689
2. 47-085-03839
3. 103
4. Oppenheimer Oil & Gas
5. James D Law H-599
6.
7. Ritchie WV
8. 45.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00690
2. 47-021-02703
3. 108
4. Merchant Properties
5. Fiddler #2
6.
7. Gilmer WV
8. 14.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00691
2. 47-021-02713
3. 108
4. Merchant Properties
5. Alice Cox #1
6.
7. Gilmer WV
8. 3.5 million cubic feet
9. October 5, 1979
10. Equitable Gas Company
1. 80-00692
2. 47-021-02710
3. 108
4. Merchant Properties
5. Fiddler #5
6.
7. Gilmer WV
8. 12.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00693
2. 47-021-02714
3. 108
4. Merchant Properties
5. Alice Cox #2
6.
7. Gilmer WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Equitable Gas Company
1. 80-00694
2. 47-021-02715
3. 108
4. Merchant Properties
5. Carl Young #1
6.
7. Gilmer WV
8. 10.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00695
2. 47-085-03638
3. 108
4. Merchant Properties
5. Dale Wolfe #1
6.
7. Ritchie WV
8. 9.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00696
2. 47-085-03637
3. 108
4. Merchant Properties
5. Barker #1
6.
7. Ritchie WV
8. 3.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00697
2. 47-085-03635
3. 108
4. Merchant Properties
5. Charley Robinson #1
6.
7. Ritchie WV
8. 7.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00698
2. 47-021-02883
3. 108
4. Merchant Properties
5. H J Flesher #1
6.
7. Gilmer WV
8. 6.0 million cubic feet
9. October 5, 1979
10. Carnegie Natural Gas Co
1. 80-00699
2. 47-021-02861
3. 108
4. Merchant Properties
5. Reese & Woofter #1
6.
7. Gilmer WV
8. 4.0 million cubic feet
9. October 5, 1979
10. Equitable Gas Company
1. 80-00700
2. 47-021-02848
3. 108
4. Merchant Properties
5. Simon P Bush #3
6.
7. Gilmer WV
8. 10.0 million cubic feet
9. October 5, 1979
10. Equitable Gas Co
1. 80-00701

2. 47-021-02847
3. 103
4. Merchant Properties
5. Amon Burkhammer #1
6.
7. Gilmer WV
8. 27.0 million cubic feet
9. October 5, 1979
10. Equitable Gas Company
1. 80-00702
2. 47-021-02841
3. 108
4. Merchant Properties
5. Simon P Bush #2
6.
7. Gilmer WV
8. 13.0 million cubic feet
9. October 5, 1979
10. Equitable Gas Co
1. 80-00832
2. 47-097-01367
3. 108
4. Allegheny Land & Mineral Co
5. A-425
6. Union District
7. Upshur WV
8. 2.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00833
2. 47-097-01311
3. 108
4. Allegheny Land & Mineral Co
5. A-407
6. Washington District
7. Upshur WV
8. 4.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00834
2. 47-097-01321
3. 108
4. Allegheny Land & Mineral Co
5. A-408
6. Union District
7. Upshur WV
8. 2.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00835
2. 47-097-01322
3. 108
4. Allegheny Land & Mineral Co
5. A-410
6. Union District
7. Upshur WV
8. 2.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00836
2. 47-097-01324
3. 108
4. Allegheny Land & Mineral Co
5. A-412
6. Union District
7. Upshur WV
8. 4.4 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00837
2. 47-097-01327
3. 108
4. Allegheny Land & Mineral Co
5. A-411
6. Union District
7. Upshur WV
8. 1.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00838
2. 47-097-01365
3. 108
4. Allegheny Land & Mineral Co
5. A-429
6. Washington District
7. Upshur WV
8. 8.7 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00839
2. 47-021-01375
3. 108
4. Allegheny Land & Mineral Co
5. A-169
6. Glenville District
7. Gilmer WV
8. 1.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00840
2. 47-021-01442
3. 108
4. Allegheny Land & Mineral Co
5. A-193
6. Glenville District
7. Gilmer WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00841
2. 47-021-02663
3. 108
4. Allegheny Land & Mineral Co
5. A-569
6. Center District
7. Gilmer WV
8. 7.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00842
2. 47-033-00253
3. 108
4. Allegheny Land & Mineral Co
5. A-170
6. Clay District
7. Harrison WV
8. 4.2 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00843
2. 47-033-00456
3. 108
4. Allegheny Land & Mineral Co
5. A-333
6. Simpson District
7. Harrison WV
8. 2.3 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00844
2. 47-033-00908
3. 108
4. Allegheny Land & Mineral Co
5. A-528
6. Union District
7. Harrison WV
8. 7.1 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00845
2. 47-033-00909
3. 108
4. Allegheny Land & Mineral Co
5. A-529
6. Union District
7. Harrison WV
8. 12.2 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00846
2. 47-085-03667
3. 108
4. Allegheny Land & Mineral Co
5. A-588
6. Murphy District
7. Ritchie WV
8. 3.4 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00847
2. 47-097-01102
3. 108
4. Allegheny Land & Mineral Co
5. A-349
6. Washington District
7. Upshur WV
8. 2.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00848
2. 47-097-01103
3. 108
4. Allegheny Land & Mineral Co
5. A-350
6. Washington District
7. Upshur WV
8. 11.9 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00849
2. 47-097-01107
3. 108
4. Allegheny Land & Mineral Co
5. A-351
6. Washington District
7. Upshur WV
8. 8.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00850
2. 47-097-01159
3. 108
4. Allegheny Land & Mineral Co
5. A-370
6. Union District
7. Upshur WV
8. 13.9 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00851
2. 47-097-01156
3. 108
4. Allegheny Land & Mineral Co
5. A-369
6. Washington District
7. Upshur WV
8. 10.4 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00852
2. 47-041-02050
3. 108
4. Allegheny Land & Mineral Co
5. A-577
6. Freemans Creek

7. Lewis, WV
8. 5.6 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00853
2. 47-086-02020
3. 108
4. Allegheny Land & Mineral Co
5. A-27
6. Murphy District
7. Ritchie, WV
8. 2.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00854
2. 47-085-02168
3. 108
4. Allegheny Land & Mineral Co
5. A-82
6. Murphy District
7. Ritchie, WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00855
2. 47-085-02194
3. 108
4. Allegheny Land & Mineral Co
5. A-83
6. Murphy District
7. Ritchie, WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00856
2. 47-085-02251
3. 108
4. Allegheny Land & Mineral Co
5. A-103
6. Murphy District
7. Ritchie, WV
8. 1.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00857
2. 47-085-03078
3. 108
4. Allegheny Land & Mineral Co
5. A-300
6. Murphy District
7. Ritchie, WV
8. 4.7 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00858
2. 47-085-03426
3. 108
4. Allegheny Land & Mineral Co
5. A-439
6. Murphy District
7. Ritchie, WV
8. 12.6 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00859
2. 47-085-03438
3. 108
4. Allegheny Land & Mineral Co
5. A-440
6. Murphy District
7. Ritchie, WV
8. 9.0 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00860
2. 47-085-03509
3. 108
4. Allegheny Land & Mineral Co
5. A-463
6. Murphy District
7. Ritchie, WV
8. 3.1 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00861
2. 47-097-01117
3. 108
4. Allegheny Land & Mineral Co
5. A-357
6. Union District
7. Upshur, WV
8. 17.2 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00862
2. 47-097-01138
3. 108
4. Allegheny Land & Mineral Co
5. A-365
6. Washington District
7. Upshur, WV
8. 3.5 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00863
2. 47-097-01141
3. 108
4. Allegheny Land & Mineral Co
5. A-366
6. Washington District
7. Upshur, WV
8. 10.8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00864
2. 47-097-01142
3. 108
4. Allegheny Land & Mineral Co
5. A-367
6. Washington District
7. Upshur, WV
8. 10.1 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00865
2. 47-097-01154
3. 108
4. Allegheny Land & Mineral Co
5. A-373
6. Washington District
7. Upshur, WV
8. .8 million cubic feet
9. October 5, 1979
10. Consolidated Gas Supply Corp
1. 80-00866
2. 47-007-00444
3. 108
4. Alfred J Lipps
5. McPherson #1
6. Oil Creek
7. Braxton, WV
8. 9.8 million cubic feet
9. October 5, 1979
10. Equitable Gas Co
1. 80-00867
2. 47-007-01048
3. 108
4. Alfred J Lipps
5. McPherson #3
6. Oil Creek
7. Braxton, WV
8. 10.0 million cubic feet
9. October 5, 1979
10. Equitable Gas Co
1. 80-00868
2. 47-007-01098
3. 108
4. Alfred J Lipps
5. McPherson #5
6. Oil Creek
7. Braxton, WV
8. 5.7 million cubic feet
9. October 5, 1979
10. Equitable Gas Co
1. 80-00869
2. 47-015-00548
3. 108
4. Bonnett Inc of WV
5. M E King Heirs Well #1 55-0464648
6. Blue Knob
7. Clay, WV
8. 2.5 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
1. 80-00870
2. 47-015-00577
3. 108
4. Bonnett Inc of WV
5. W H King Heirs #1 55-0464648
6. Blue Knob
7. Clay, WV
8. 7.6 million cubic feet
9. October 5, 1979
10. Columbia Gas Transmission Corp
- United States Geological Survey, Metairie, La.**
1. Control Number (FERC/State)
2. API well number
3. Section of NCPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00674/G9-838
2. 17-700-40228-0000-0
3. 102
4. The Superior Oil Co
5. OCS-G-3381 A No 1-D
6. West Cameron
7. 264
8. 1194.0 million cubic feet
9. October 5, 1979
10.
1. 80-00705/G9-840
2. 17-700-40378-0000-0
3. 102
4. The Superior Oil Co
5. OCS-G-3381 A No 3
6. West Cameron
7. 264
8. 171.0 million cubic feet
9. October 4, 1979
10.
1. 80-00706/G9-805
2. 17-700-40336-00/S1-0
3. 102
4. Union Oil Company of California
5. OCS-0911 #C-3
6. West Cameron
7. 280
8. 548.0 million cubic feet

9. October 4, 1979
10. Texas Eastern Transmission Corp
1. 80-00707/G9-819
2. 17-707-40240-0000-0
3. 103
4. The Superior Oil Company
5. OCS-G-2596 A No 5
6. South Marsh Island
7. 244
8. 1663.0 million cubic feet
9. October 5, 1979
- 10.

1. 80-00708/G9-851
2. 17-711-40463-00D2-0
3. 103
4. Ocean Production Company
5. OCS-G 042 No 20B
6. Ship Shoal 113
7. 94
8. 164.0 million cubic feet
9. October 4, 1979
10. Transcontinental Gas Pipeline Corp
1. 80-00709/G9-806
2. 17-700-40342-00D1-0
3. 103
4. Union Oil Company of California
5. OCS-0911 #C-4
6. West Cameron
7. 280
8. 2190.0 million cubic feet
9. October 4, 1979
10. Texas Eastern Transmission Corp

U.S. Geological Surveys Albuquerque, N. Mex.

1. Control number (F.E.R.C./State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-00576/COA-2607-79
2. 05-067-05564-0000-0
3. 103
4. Murchison Brothers
5. Southern UTE block 5#5-31
6. Ignacio-Blanco
7. La Plata County CO.
8. 6.6 million cubic feet
9. October 2, 1979
10. Western Slope Gas Company
1. 80-00541/NM-2476-79
2. 30-045-23217-0000-0
3. 103
4. Thelma Ford Simmons
5. Simmons S No. 1A
6. Blanco Mesaverde
7. San Juan NM
8. 144.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00542/NM2492-79
2. 30-045-22812-0000-0
3. 103
4. El Paso Natural Gas Company
5. Hardie #2A
6. Blanco
7. San Juan NM
8. 220.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company

1. 80-00543/NM-2488-79
2. 30-045-23133-0000-0
3. 103
4. El Paso Natural Gas Company
5. Allison Unit #51
6. Blanco
7. San Juan NM
8. 80.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00544/NM-2477-79
2. 30-045-22802-0000-0
3. 103
4. Thelma Ford Simmons
5. Simmons E No. 2A
6. Blanco Mesaverde
7. San Juan NM
8. 120.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00545/NM2495-79
2. 30-039-21701-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 30-6 Unit #8A
6. Blanco
7. Rio Arriba NM
8. 676.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00546/NM-2494-79
2. 30-045-22899-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 32-9 Unit #3A
6. Blanco
7. San Juan NM
8. 370.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00547/NM-2493-79
2. 30-045-22902-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 32-9 Unit #21A
6. Blanco
7. San Juan NM
8. 180.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00548/NM2499-79
2. 30-045-22893-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 32-9 Unit #17A
6. Blanco
7. San Juan NM
8. 150.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00549/NM2497-79
2. 30-045-22810-0000-0
3. 103
4. El Paso Natural Gas Company
5. Hardie #4A
6. Blanco
7. San Juan NM
8. 400.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00550/NM2508-79
2. 30-039-21624-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 29-7 Unit #88A

6. Blanco
7. Rio Arriba NM
8. 330.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp.
1. 80-00551/NM2507-79
2. 30-045-23082-0000-0
3. 103
4. El Paso Natural Gas Company
5. Van Hook #1A
6. Blanco
7. San Juan NM
8. 220.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00552/NM2506-79
2. 30-039-21627-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 29-7 Unit #35A
6. Blanco
7. Rio Arriba NM
8. 250.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp.
1. 80-00553/NM2505-79
2. 30-045-22460-0000-0
3. 103
4. El Paso Natural Gas Company
5. Barnes 8A
6. Blanco
7. San Juan NM
8. 321.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00554/NM2503-79
2. 30-045-22827-0000-0
3. 103
4. El Paso Natural Gas Company
5. Moore 2A
6. Blanco
7. San Juan NM
8. 315.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00555/NM2511-79
2. 30-045-22813-0000-0
3. 103
4. El Paso Natural Gas Company
5. Hardie #3A
6. Blanco
7. San Juan NM
8. 360.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00556/NM-2561-79
2. 30-039-21714-0000-0
3. 103
4. Odessa Natural Corporation
5. Jicarilla JV PC 110
6. Ballard Pictured Cliffs
7. Rio Arriba NM
8. 125.2 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00557/NM-2563-79
2. 30-039-21426-0000-0
3. 103
4. Odessa Natural Corporation
5. Jicarilla JV KD No. 1
6. Chacon Dakota
7. Rio Arriba NM
8. 183.6 million cubic feet

9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00558/NM2565-79
2. 30-039-21659-0000-0
3. 103
4. Odessa Natural Corporation
5. Little Federal No. 20-1
6. Chacon Dakota
7. Rio Arriba NM
8. 109.5 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00559/NM2566-79
2. 30-039-21442-0000-0
3. 103
4. Odessa Natural Corporation
5. Jicarilla JV KD No 6
6. Chacon Dakota
7. Rio Arriba NM
8. 11.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00560/NM2567-79
2. 30-043-20275-0000-0
3. 103
4. Odessa Natural Corporation
5. Chacon Jicarilla D-9
6. Chacon Dakota
7. Sandoval NM
8. 130.5 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00561/NM2568-79
2. 30-043-20301-0000-0
3. 103
4. Odessa Natural Corporation
5. Chacon Jicarilla D-11
6. Chacon Dakota
7. Sandoval NM
8. 233.6 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00562/NM2535-79
2. 30-039-20887-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 28-7 Unit #227
6. Basin
7. Rio Arriba NM
8. 165.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00563/NM2534-79
2. 30-039-20846-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 28-6 Unit #204
6. Basin
7. Rio Arriba NM
8. 105.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp.
1. 80-00564/NM2533-79
2. 30-039-21329-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 28-7 Unit #134
6. Basin
7. Rio Arriba NM
8. 195.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp.
1. 80-00565/NM2550-79
2. 30-039-08092-0000-0
3. 108
4. Kenai Oil and Gas Inc.
5. McKenzie #2
6. Blanco PC South NE1/4 Sec 25-25N-6W
7. Rio Arriba NM
8. 13.2 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00566/NM-2551-79
2. 30-039-20008-0000-0
3. 108
4. Kenai Oil and Gas Inc.
5. McKenzie #4
6. Blanco PC South NE1/4 Sec 25-25N-6W
7. Rio Arriba NM
8. 12.8 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00567/NM-2552-79
2. 30-039-08091-0000-0
3. 108
4. Kenai Oil and Gas Inc.
5. McKenzie #1
6. Blanco PC South NE1/4 Sec 25-25N-6W
7. Rio Arriba NM
8. 6.4 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00568/NM-2554-79
2. 30-045-10379-0000-0
3. 108
4. Consolidated Oil & Gas Inc.
5. Government-Cain #1
6. Basin Dakota
7. San Juan NM
8. 7.8 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00569/NM-2540-79-A
2. 30-045-22396-0000-1
3. 103
4. El Paso Natural Gas Company
5. Barnes 6A (Mesaverde)
6. Blanco
7. San Juan, NM
8. 208.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00570/NM-2540-79B
2. 30-045-22396-0000-2
3. 103
4. El Paso Natural Gas Company
5. Barnes 6A (Pictured Cliffs)
6. Blanco
7. San Juan, NM
8. 393.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00571/NM-2539-79B
2. 30-045-22401-0000-2
3. 103
4. El Paso Natural Gas Company
5. Storey A #1-A (Pictured Cliffs)
6. Blanco
7. San Juan, NM
8. 270.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00572/NM-2539-79A
2. 30-045-22401-0000-1
3. 103
4. El Paso Natural Gas Company
5. Storey A 1-A (Mesaverde)
6. Blanco
7. San Juan, NM
8. 318.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00573/NM-2538-79
2. 30-039-21700-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 30-6 Unit #7A
6. Blanco
7. Rio Arriba, NM
8. 310.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00574/NM-2537-79
2. 30-039-21408-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 29-7 Unit #112
6. Basin
7. Rio Arriba, NM
8. 226.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00575/NM-2536-79
2. 30-039-21735-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 28-7 Unit #258
6. Basin
7. Rio Arriba, NM
8. 325.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp.
1. 80-00577/NM-2542-79
2. 30-045-23110-0000-0
3. 103
4. El Paso Natural Gas Company
5. Huges A #6A
6. Blanco
7. Rio Arriba, NM
8. 360.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00579/NM-2541-79
2. 30-039-21834-0000-0
3. 103
4. El Paso Natural Gas Company
5. Rincon Unit #29A
6. Blanco
7. Rio Arriba, NM
8. 55.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00579/NM2558-79
2. 30-039-21712-0000-0
3. 103
4. Odessa Natural Corporation
5. Jicarilla JV PC 103
6. Ballard Pictured Cliffs
7. Rio Arriba, NM
8. 59.9 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00580/NM-2608-79
2. 30-045-00000-0000-0
3. 108
4. Koch Industries Inc.
5. Carle No. 1
6. Aztec/Pictured Cliffs
7. San Juan, NM
8. 8.1 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company

1. 80-00581/NM-2543-79
2. 30-039-20972-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 28-7 Unit #217
6. Basin
7. Rio Arriba, NM
8. 110.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp.
1. 80-00582/NM-2611-79
2. 30-045-00000-0000-0
3. 108
4. Koch Industries Inc.
5. Lambe No. 6
6. Pictured Cliffs
7. San Juan, NM
8. 14.1 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00583/NM-2610-79
2. 30-045-00000-0000-0
3. 108
4. Koch Industries Inc.
5. Lambe No. 5
6. Pictured Cliffs
7. San Juan, NM
8. 16.2 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00584/NM-2609-79
2. 30-045-00000-0000-0
3. 108
4. Koch Industries Inc.
5. Carl No. 2
6. Aztec Pictured Cliffs
7. San Juan, NM
8. 7.7 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00585/NM-2612-79
2. 30-045-00000-0000-0
3. 108
4. Koch Industries Inc.
5. Gardner No. 1
6. Blanco
7. San Juan, NM
8. 7.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00586/NM-2613-79
2. 30-039-05473-0000-0
3. 108
4. BCO Inc.
5. Escrito Gallup Unit #12
6. Escrito Gallup
7. Rio Arriba, NM
8. 3.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00587/NM-2622-79
2. 30-045-23094-0000-0
3. 103
4. Northwest Exploration Company
5. Middle Mesa #1
6. South Los Pinos
7. San Juan, NM
8. 51.0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corporation
1. 80-00588/NM-2614-79
2. 30-039-05476-0000-0
3. 108
4. BCO Inc.
5. Escrito Gallup Unit #9
6. Escrito Gallup
7. Rio Arriba, NM
8. 4.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00589/NM-2513-79
2. 30-039-21631-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 29-7 Unit #71A
6. Blanco
7. Rio Arriba, NM
8. 220.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company, Northwest Pipeline Corp.
1. 80-00590/NM-2512-79
2. 30-045-22910-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 32-9 Unit #22A
6. Blanco
7. San Juan, NM
8. 250.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00591/NM-2623-79
2. 30-045-23093-0000-0
3. 103
4. Northwest Exploration Co.
5. Middle Mesa #2
6. South Los Pinos
7. San Juan, NM
8. 393.0 million cubic feet
9. October 2, 1979
10. Northwest Pipeline Corp.
1. 80-00592/NM-2643-79
2. 30-045-22479-0000-0
3. 103
4. Dome Petroleum Corp.
5. Frew Federal #4
6. Nipp Pictured Cliffs
7. San Juan, NM
8. 140.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Natural Gas, Pipeline Corp. of Amer
1. 80-00593/NM-2644-79
2. 30-045-22475-0000-0
3. 103
4. Dome Petroleum Corp.
5. Fusselman Federal #2
6. Nipp Pictured Cliffs
7. San Juan, NM
8. 27.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas, Natural Gas Pipeline Corp of Amer.
1. 80-00594/NM-2515-79
2. 30-039-21730-0000-0
3. 103
4. El Paso Natural Gas Company
5. San Juan 28-6 Unit #14A
6. Blanco
7. Rio Arriba, NM
8. 280.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00595/NM-2202-79-79
2. 30-039-7047-0000-0
3. 108
4. El Paso Natural Gas Company
5. San Juan 27-5 Unit 47 PC & MV
6. Blanco So Pictured Cliffs Mesaverde
7. Rio Arriba, NM
8. 19.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company Northwest Pipeline Corp.
1. 80-00596/NM-20-79
2. 30-045-10589-0000-0
3. 108
4. Blackwood & Nichols Co. Ltd.
5. NE Blanco Unit No. 59-24
6. Blanco Mesaverde
7. San Juan, NM
8. 15.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00597/NM-21-79
2. 30-045-10476-0000-0
3. 108
4. Blackwood & Nichols Co. Ltd.
5. NE Blanco Unit No. 33-12
6. Blanco Mesaverde SW 12-31N-7W
7. San Juan, NM
8. .0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00598/NM-22-79
2. 30-039-10263-0000-0
3. 108
4. Blackwood & Nichols Co. Ltd.
5. Northeast Blanco Unit Well No. 62-30
6. Blanco Mesaverde SW 30-31N-6W
7. Rio Arriba, NM
8. 20.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00599/NM-23-79
2. 30-045-10414-0000-0
3. 108
4. Blackwood & Nichols Co. Ltd.
5. Northeast Blanco Unit Well No. 42-19
6. Blanco Mesaverde SW 19-31N-7W
7. San Juan, NM
8. .0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00600/NM-514-79
2. 30-039-21215-0000-0
3. 108
4. Amerada Hess Corporation
5. Jicarilla Apache D #2
6. Otero
7. Rio Arriba, NM
8. 11.0 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00601/NM-2556-79
2. 30-039-21715-0000-0
3. 103
4. Odessa Natural Corporation
5. Arco Little Federal No. 32-3
6. Chacon Dakota
7. Rio Arriba, NM
8. 325.2 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company
1. 80-00602/NM-2139-79
2. 30-039-20496-0000-0
3. 108
4. El Paso Natural Gas Company
5. Rincon Unit #191
6. Otero-Chacra Gas
7. Rio Arriba, NM
8. 18.3 million cubic feet
9. October 2, 1979
10. El Paso Natural Gas Company

1. 80-00603/NM-2770-79A
2. 30-039-21361-0000-1
3. 103
4. Caulkins Oil Company
5. Breech 314 (S Blanco PC)
6. South Blanco Pictured Cliffs
7. Rio Arriba, NM
8. 93.5 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico
1. 80-00604/NM-2770-79B
2. 30-039-21361-0000-2
3. 103
4. Caulkins Oil Company
5. Breech 314 (Otero Chacra)
6. Otero Chacra
7. Rio Arriba, NM
8. 93.5 million cubic feet
9. October 2, 1979
10. Gas Company of New Mexico

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the commission's office of public information, room 10000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the commission on or before November 13, 1979.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33202 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP79-500]

**Southern Natural Gas Co., et al.;
Application**

October 22, 1979.

Take notice that on September 24, 1979, Southern Natural Gas Company (Southern), P.O. Box 2563, Birmingham, Alabama 35202, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas 77001, and Michigan Wisconsin Pipe Line Company (Mich Wisc), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP79-500 a joint application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and exchange of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants seek authorization to

transport volumes of natural gas for Southern by Tennessee from a point of interconnection between the facilities of Southern and Tennessee in West Cameron Block 141, offshore Louisiana, to a point near Kinder, Louisiana. Southern and United Gas Pipe Line Company (United) have arranged to purchase all of the gas produced from East Cameron Blocks 45 and 46, offshore Louisiana and in order for Southern to deliver the gas to Tennessee for transportation and exchange as proposed herein, Southern would participate with United in the construction and ownership, pursuant to budget-type authority, of approximately 2.71 miles of pipeline to extend from the producers' platform in East Cameron Block 46, offshore Louisiana, to a point of connection at a subsea tap on Tennessee's existing pipeline in West Cameron Block 141.

Applicants also seek authorization for the subsequent exchange of equal volumes of gas through the delivery by Mich Wisc for Tennessee's account, to Southern, at the existing point of interconnection between Mich Wisc and Southern near Shadyside, St. Mary Parish, Louisiana, of up to 20,000 Mcf of gas per day to the extent Mich Wisc has such gas available for Tennessee's account and operating conditions on Mich Wisc's system permit, through the delivery by Tennessee to Southern at the existing Patterson Point located at the tailgate of the Patterson Gasoline Plant, St. Mary Parish, Louisiana, of all or such remaining volume of gas. The proposed exchange would occur provided that the total volumes of gas delivered to Southern by Tennessee under the arrangement proposed herein and all other agreements between Tennessee and Southern do not exceed 50,000 Mcf per day, and any remaining volumes of gas due to Southern after deliveries have been made at the Shadyside Point and the Patterson Point shall be delivered by Tennessee to Southern at the point of interconnection to be constructed in conjunction with the Bear Creek Storage Project between Tennessee's and Southern's jointly owned Yscloskey Pipeline and Tennessee's existing facilities at or near its Yscloskey Compressor Station in St. Bernard Parish, Louisiana and/or such other existing exchange points between Tennessee and Southern. Applicants propose that Tennessee would take receipt of up to approximately 23,000 Mcf of gas per day initially and commencing on or about July 1, 1980, up to approximately 46,000 Mcf of gas per

day and such additional volumes of gas for Southern's account as the operating and transmission conditions on Tennessee's pipeline facilities and its system capacity requirements allow.

Southern would pay Tennessee a volume charge equal to 11.96 cents per Mcf delivered by Tennessee to Southern. Additionally, Southern would provide to Tennessee volumes of gas equal to one and two-tenths percent of the volumes received for transportation each day, to compensate for Tennessee's fuel and use requirements.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33219 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket Nos. CP68-166, et al.]

Tennessee Gas Pipeline Co., a Division of Tenneco, Inc., Petition To Amend

October 22, 1979.

Take notice that on October 2, 1979, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas 77001, filed in Docket Nos. CP68-166, et al., a petition to amend the order of December 2, 1975, issued in said docket pursuant to Section 7(c) of the Natural Gas Act so as to authorize the sale of natural gas to Boston Gas Company (Boston) under the terms of a new gas sales contract which provides for changes in daily volume limits by delivery point, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

It is stated that Tennessee was granted authorization in Docket No. CP68-166 to serve Boston under Tennessee's CD-6 Rate Schedule in lieu of Tennessee's G-6 and GS-6 Rate Schedules and to render such service with revised daily volume limits by delivery points. By order issued April 4, 1978, Tennessee was authorized to increase the daily volume limit for the Beverly Salem Delivery Point from 12,035 Mcf per day to 15,000 Mcf per day. Accordingly, Tennessee is now serving Boston under Tennessee's CD-6 Rate Schedule and the terms of an associated gas sales contract between the parties dated April 4, 1978, which provides for the sale and delivery by Tennessee of a contracted demand of 93,912 Mcf of gas per day. Tennessee states that the total of the daily volumes limits at the delivery points exceeds Boston's contracted demand of 93,912 Mcf per day in order to provide Boston with operational flexibility among delivery points; however, Boston is not entitled to take on any day a total of more than 93,912 Mcf at all delivery points.

Boston has requested that Tennessee revise the daily volume limits for certain specified delivery points. Tennessee is agreeable to such changes in service to Boston and, accordingly, both parties have entered into a precedent agreement which provides for the execution of a new gas sales contract providing for revised daily volume limits by delivery points.

Tennessee requests that the order herein be amended so as to authorize the rendition of gas service to Boston under a new gas sales contract providing for revised daily volume limits by delivery points as set forth in the proposed gas sales contract attached to

the aforementioned precedent agreement dated September 24, 1979.

Any person desiring to be heard or to make any protest with reference to said petition should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33220 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP74-102]

Texas Eastern Transmission Corp.; Notice of Amendment

October 22, 1979.

Take notice that on October 9, 1979, Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 2521, Houston, Texas 77001, filed in Docket No. CP74-102¹ an amendment to its pending application in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to delete from the original application the requested authorization for construction of a 30-inch pipeline extending from Block 333, Eugene Island area, offshore Louisiana, to a point in East Cameron Block 286, all as more fully set forth in the amendment which is on file with the Commission and open for public inspection.

Texas Eastern filed its original application in this proceeding on October 17, 1973, a first amendment on January 15, 1974 and a second amendment on December 2, 1974. Texas Eastern requested authorization to construct a 30-inch pipeline extending from Block 333, Eugene Island area, south addition, offshore Louisiana, to a point on the terminus of Texas Eastern's existing Cameron pipeline facility in East Cameron Block 286, and a 27,500 horsepower centrifugal compressor

¹This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 3000.1), it was transferred to the FEREC.

station and appurtenant facilities located near Grand Chenier, Louisiana.²

Texas Eastern now proposes to delete the requested authorization to construct the proposed 30-inch pipeline extending from Block 333, Eugene Island area, south addition, offshore Louisiana, to a point on Texas Eastern's existing Cameron pipeline facility in Eastern Cameron Block 286. Thus, Texas Eastern seeks authorization for only the 27,500 horsepower compressor and appurtenant facilities already constructed under the temporary certificate.

Texas Eastern asserts that in the nearly five years since the filing of the second amendment other projects have been implemented and other arrangements have been made which have, or would, enable Texas Eastern to receive the gas supplies which were contemplated to be transported by the 30-inch pipeline.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33221 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP78-422]

Transcontinental Gas Pipe Line Corp., and Tennessee Gas Pipeline Co., a Division of Tenneco, Inc.; Petition To Amend

October 22, 1979.

Take notice that on October 9, 1979, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77001, and Tennessee

²The Commission issued a temporary certificate authorizing construction of the said compressor on May 26, 1978 and on August 10, 1977 the facilities were placed in service.

Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP78-422 a petition to amend the order of November 22, 1978, issuing a certificate of public convenience and necessity in the instant docket pursuant to Section 7(c) of the Natural Gas Act by authorizing additional points of receipt and an increase in the volumes of natural gas transported by Transco and Tennessee, all as more fully set forth in the petition to amend which is on file with the Commission and open for public inspection.

Pursuant to a transportation agreement between Transco and Tennessee dated June 2, 1978, Transco is transporting for Tennessee from the tailgate of the U-T Offshore System (U-TOS) in Cameron Parish, Louisiana up to 25,000 Mcf of natural gas per day which Tennessee is purchasing in High Island area Block A-330, offshore Texas, and Transco is delivering equivalent quantities to Tennessee at interconnections between the two companies located near Louise, Wharton County, Texas; near Kinder, Allen Parish, Louisiana; near Crowley, Acadia Parish, Louisiana; and/or near Starks, Calcasieu Parish, Louisiana. Tennessee is transporting for Transco from South Marsh Island Block 243, offshore Louisiana, up to 12,500 Mcf of natural gas per day which Transco is purchasing in that block, and is delivering equivalent quantities to Transco at the Crowley Delivery point.

These comparable services are rendered without a transportation charge; however, Transco presently retains as compressor fuel and line loss make-up, 0.6 percent of the gas received for delivery at the Louise and Starks delivery points, and 1.2 percent of the gas received for delivery at the Kinder and Crowley delivery points. Similarly, Tennessee presently retains as compressor fuel and line loss make-up 1.2 percent of the gas received for delivery to Transco.

By letter agreement dated October 3, 1979, Transco and Tennessee have amended their transportation agreement of June 2, 1978 to provide for additional points of receipt and for an increase in the volumes of gas transported. Transco would transport for Tennessee from a point of connection between Tennessee or its producer seller(s) and an existing 16-inch pipeline of Transco in the Live Oak field, Vermilion Parish, Louisiana up to 1,400 Mcf of natural gas per day which Tennessee would purchase in that field; and, Transco would transport for Tennessee from the U-TOS receipt

point, increased volumes up to a total of 50,000 Mcf per day. Such increased volumes reflect additional purchases of natural gas by Tennessee in the High Island area.

The petition indicates that Tennessee would transport for Transco by means of an existing 16-inch pipeline extending to East Cameron Block 97, offshore Louisiana up to 8,000 Mcf of natural gas per day which Transco would purchase in that block; and, Tennessee would transport for Transco from the South Marsh Island receipt point, increased volumes which Transco would purchase at that location up to a total of 17,000 Mcf per day.

Respective delivery points and percentages of retention for compressor fuel and line loss make-up remain the same.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding.

Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-33222 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP77-286]

**Transcontinental Gas Pipe Line Corp.;
Amendment to Petition To Amend**

October 22, 1979.

Take notice that on September 21, 1979, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP77-286 an amendment to its petition to amend filed in the instant docket and in Docket No. CP77-316 pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations so as to resolve an inconsistency that exists between the transportation agreements of Transco and United Gas Pipe Line Company

(United) filed with the petition to amend, all as more fully set forth in the amendment on file with the Commission and open to public inspection.

On August 8, 1978, Transco and United filed in Docket Nos. CP77-286 and CP77-316, respectively, a joint petition to amend the Commission order issued May 20, 1977, in the instant docket requesting authorization to extend for an additional two-year period a transportation service rendered for Dan River, Inc. (Dan River) pursuant to § 2.79 of the Commission's General Policy and Interpretations. Attached to such joint petition to amend, Transco indicates, were copies of Transco's and United's respective transportation agreements with Dan River, which agreements provide for the proposed additional two-year term of service.

Transco states that an inconsistency between the transportation agreements filed with the joint petition to amend has come to its attention. United's agreement with Dan River provides for a transportation of up to 1,300 Mcf of natural gas per day and Transco's agreement with Dan River provides for a transportation volume of up to 920 Mcf per day, it is stated. Transco indicated that its agreement with Dan River should provide for a transportation of up to 1,300 Mcf per day. Consequently, Transco has entered into a transportation agreement with Dan River, Piedmont Natural Gas Company, Inc. and the City of Danville, Virginia, which agreement supersedes its previous agreement filed herein with Dan River, and provides for the transportation of up to 1,300 Mcf of natural gas per day.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. All persons

who have heretofore filed need not file again.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33224 Filed 10-28-79; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. CP79-502]

**Transcontinental Gas Pipe Line Corp.;
Application**

October 22, 1979.

Take notice that on September 25, 1979, Transcontinental Gas Pipe Line Corporation (Transco), P. O. Box 1396, Houston, Texas 77001, filed in Docket No. CP79-502 an application pursuant to section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain pipeline and appurtenant facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Transco requests authorization to construct, install and operate 26.69 miles of 12-inch pipeline, 0.72 mile of 10-inch pipeline and appurtenant metering, regulating and connecting facilities to attach two new sources of gas supply which Transco has contracted to purchase from Shell Oil Company (Shell) in Matagorda Island Blocks A-7 and 620, offshore Texas. The proposed facilities, Applicant indicates, would constitute an extension to the offshore portion of Transco's Central Texas Gathering System, which presently extends from Transco's main line at Station 30 in Wharton County to producing fields in the Brazos Area, offshore Texas. The system is said to gather gas under purchase contracts for Transco's system supply and is also utilized to transport gas for the account of others.

The estimated proved reserves and maximum deliverability of the two new fields are about 50,000,000 Mcf and 50,000 Mcf per day, it is said. Transco asserts that based upon information from Shell, the Block 620 field is anticipated to be ready to produce as soon as the proposed facilities are completed in the summer of 1980; the Block A-7 field is expected to come onstream during the summer of 1981.

The estimated cost of the proposed facilities is \$13,150,000, which cost would be financed initially through short-term loans and available cash. Permanent financing, Transco states, would be undertaken as a part of an overall long-term financing program at a later date.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33224 Filed 10-28-79; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. CP80-10]

Transwestern Pipeline Co.; Application

October 22, 1979.

Take notice that on October 1, 1979, Transwestern Pipeline Company (Applicant), P.O. Box 2521, Houston, Texas 77001, filed in Docket No. CP80-10 an application pursuant to section 7 of the Natural Gas Act and § 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission for and approval of the abandonment, during the 12-month period commencing January 1, 1980, and operation of field gas compression and related metering

and appurtenant facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which would not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction and abandonment would not exceed \$3,000,000, with the cost of any single project not to exceed \$500,000. Applicant indicates that it would initially finance the cost of such facilities through the use of existing corporate funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 15, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33225 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP79-497]

United Gas Pipe Line Co.; Application

October 22, 1979.

Take notice that on September 21, 1979, United Gas Pipe Line Company (United), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP 79-497 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and exchange of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

United and Amoco Production Company (Amoco) have entered into a gas purchase agreement whereby United would purchase a portion of the gas attributable to Amoco's interest in Well No. 2 in the South Bastian Bay Field in Plaquemines Parish, Louisiana. United expects to purchase approximately 1,667 Mcf of gas per day pursuant to the terms of this agreement.

United and Amoco have also entered into a gas transportation/exchange agreement pursuant to which United would transport and exchange with Amoco, the remaining portion of Amoco's gas not covered by the purchase agreement at various points of interconnection with Florida Gas Transmission Company (Florida). Amoco intends to utilize the gas exchanged with United to partially satisfy Amoco's obligations under warranty agreements with Florida and Florida Power and Light Company.

It is stated that United and Amoco have agreed to the transportation and exchange of up to 13,000 Mcf of gas per day for a term extending until June 10, 1988. Pursuant to the terms of the transportation/exchange agreement, gas would be delivered by or for the account of Amoco to United at a mutually agreeable point near Amoco's Well No. 2 located in Plaquemines Parish, Louisiana. It is further stated that United would redeliver equivalent volumes to Amoco at existing points of interconnection between United's and Florida's systems as follows:

1. Near Arnaudville, St. Landry Parish, Louisiana, where Florida's 22-inch pipeline crosses United's 30-inch South-North Line.
2. Near Montpelier, St. Helena Parish, Louisiana, where Florida's 24-inch and 30-

inch pipelines cross United's 30-inch Burns-Kosciusko pipeline.

3. Near Wiggins, Perry County, Mississippi, where Florida's 24-inch and 30-inch pipelines cross United's 20-inch Baxterville Line.

It is asserted that United would transport and exchange such gas with Amoco at no charge and no new facilities would be required to effectuate the proposed transportation and exchange of gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33226 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP79-482]

United Gas Pipe Line Co.; Application

October 22, 1979.

Take notice that on September 10, 1979, United Gas Pipe Line Company (United), P.O. Box 1478, Houston, Texas

77001, filed in Docket No. CP79-482 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity seeking authorization to install, own and operate a 10,350 horsepower compressor station, consisting of three 3,450 horsepower compressor units and appurtenant facilities to be constructed on an existing site in Natchitoches Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that the proposed compressor station is required to move increased volumes of gas to and from Bistineau Storage Field during summer and winter. Bistineau Storage Field discharges gas into the West Monroe Junction through United's 24-inch Carthage-Sterlington line and in recent years a 30-inch pipeline was constructed extending from Bistineau Storage Field to a point of interconnection with United's West 30-inch Agua Dulce-Sterlington main line near the proposed Clarence compressor station site, states United. United indicates that the West 30-inch main line is currently flowing 450,000 Mcf per day of gas and without the proposed facilities, only 75,000 Mcf per day of gas can move southward from Bistineau Storage Field to West Monroe Junction via Clarence during the winter heating season. It is further indicated that with the proposed facilities, up to 300,000 Mcf per day of gas can be moved from Bistineau to West Monroe Junction via the Clarence compressor station during winter operations, and that during summer operations, the additional compression facilities at Clarence would enable United to inject up to an additional 168,000 Mcf per day of gas into Bistineau Storage Field.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 14, 1979, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33227 Filed 10-26-79; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. ER80-35]

Utah Power & Light Co.; Filing of Short-Term Emergency Sales Agreement

October 22, 1979.

The filing company submits the following:

Take notice that Utah Power & Light Company, on October 15, 1979, tendered for filing a Short-Term Emergency Sales Agreement between Utah Power & Light Company and Portland General Electric Company, dated August 29, 1979, together with a related Electric Service Agreement.

Portland's need for additional energy resulted from below-normal water conditions in the Northwest. The agreement covered only a period in August, 1979, and the billing by Utah amounted to \$259,075.

Because of the emergency nature of this transaction, waiver of the notice requirements of § 35.3 is respectfully requested, with an effective date of August 1, 1979.

Copies of this filing have been served upon Portland General Electric Company, Utah Public Service Commission, Idaho Public Service Commission, and the Public Service Commission of Wyoming.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E.,

Washington, D.C. 20425, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 13, 1979. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-33228 Filed 10-26-79; 8:45 am]
BILLING CODE 6450-01-M

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders by The Office of Hearings and Appeals, Week of April 16 Through April 20, 1979

Notice is hereby given that during the week of April 16 through April 20, 1979, the Decisions and Orders summarized below were issued with respect to Appeals and Applications for Exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions which were dismissed by the Office of Hearings and Appeals and the basis for the dismissal.

Appeal

Akin, Gump, Hauer & Feld, Washington, D.C., DFA-0343, freedom of information

The law firm of Akin, Gump, Hauer & Feld (AGH & F) filed an Appeal from an Order in which the Director of the DOE Division of Freedom of Information and Privacy Acts Activities (the Director) responded to a Request for Information filed by AGH & F. In that Request, the firm sought information related to proposals to amend the Mandatory Oil Import Program and certain respects of the Entitlements Program. In its Appeal, AGH & F first requested that the Office of Hearings and Appeals (OHA) reverse the Director's determination that its Request was not one for reasonably described documents. AGH & F also sought the release of 18 documents identified in the Order as responsive to its Request, but withheld from disclosure. Sixteen of these documents were withheld under Exemption 5 and two were withheld under Exemption 4 of the FOI Act. After considering AGH & F's first contention, the OHA concluded that portions of AGH & F's Request did reasonably describe the documents requested and accordingly ordered the Director to identify and respond fully to those portions. The OHA also determined that some of the identified material withheld from AGH & F should have been released to the firm. Finally, the OHA ordered the Director to reconsider whether

the release of certain specified documents would be contrary to the public interest and to issue a further determination with respect to this matter.

Ashland Oil, Inc. and Clark Oil & Refining Corporation, Washington, D.C., DEA-0255, DEA-0273, DEA-0293

Ashland Oil, Inc., Washington, D.C., DEA-0326, DEA-0361

Coastal States Gas Corporation, Washington, D.C., DEA-0292

Crown Central Petroleum Corporation, Washington, D.C., DEA-0269

Energy Cooperative, Inc., Washington, D.C., DEA-0272, DEA-0294, DEA-0327, DEA-0360

Farmers Union Central Exchange, et al., Washington, D.C., DEA-0257, DEA-0271, crude oil

Ashland Oil, Inc., Clark Oil & Refining Corporation, Coastal States Gas Corporation, Crown Central Petroleum Corporation, Energy Cooperative, Inc. (ECI), and Farmers Union Central Exchange, et al. (CENEX) filed Appeals from Notices which were issued pursuant to the DOE Entitlements Program. In their Appeals, the firms contended that Section 211.67(i)(4), which establishes the price of an entitlement, was promulgated in violation of FEA rulemaking requirements, and was also arbitrary and capricious. In considering the Appeals, the DOE first noted that if the appellant's position were sustained, Section 211.67(i)(4) would be rescinded and replaced by the prior version of the regulation. Since the prior version of Section 211.67(i)(4) left the price of an entitlement within the discretion of the Agency, the DOE found that the rescission of the amended version might have no effect upon the Entitlements Program. The DOE also found that the appellants' procedural challenges to Section 211.67(i)(4) had been addressed at length in a prior proceeding and found to be without merit. The DOE therefore concluded that Section 211.67(i)(4) was promulgated in conformance with FEA rulemaking procedures. Next, the DOE determined that Section 211.67(i)(4) was not invalid merely because the FEA did not issue an inflation impact statement in the context of the rulemaking proceeding. Finally, on the basis of the comments which were filed during the rulemaking proceeding and the precedent established in an earlier case, the DOE determined that the formula for the price of an entitlement in Section 211.67(i)(4) was a valid exercise of Agency discretion. Accordingly, the Appeals were denied.

Center for Law and Social Policy,

Washington, D.C., DFA-0345, freedom of information

The Center for Law and Social Policy filed an Appeal from a partial denial by the Director of the Division of Politico-Military Security Affairs of the DOE Office of International Security Affairs of a Request for Information which the firm had submitted under the Freedom of Information Act (the FOIA). In considering the Appeal, the DOE found that: (a) 14 of the documents which were withheld pursuant to exemption 5 must be remanded to the DOE Division of Classification, as they contained information of sufficient sensitivity to require a

classification review; (b) some of the documents that were withheld under exemption 5 contained opinions and recommendations of DOE officials and were therefore properly withheld pursuant to that exemption; (c) two of the documents which were withheld pursuant to exemption 5 contained solely factual information and were not exempt from disclosure under any other exemptions and, consequently, should be released to the requesting firm.

Dome Petroleum Corporation, et al., Washington, D.C., DEA-0280, DEA-0295, DEA-0296, DEA-0299, DEA-0300, DEA-0301, synthetic natural gas

Dome Petroleum Corporation, et al. filed Appeals from a Decision and Order which the Economic Regulatory Administration (ERA) issued to Consumers Power Company. The ERA Order assigned Consumers a base period volume of natural gas liquids for use as feedstock. In considering the Appeals, the DOE concluded that since the record indicated that no allocation was necessary for plant protection purposes or to serve the needs of Consumers' customers there was no longer any basis to support a feedstock allocation for Consumers' Marysville SNG plant. In addition, the DOE determined that restricting Consumers' waiver of the use limitation under Section 211.10(g)(8) to instances in which feedstock was needed to serve priority gas users was a lawful regulation of Consumers' access to NGL's. The DOE also determined that the ERA Order was not invalid on the grounds that there is no present shortage of NGL's in the United States. Finally the DOE found that the Order was not invalid merely because it may interfere with one of Consumers' supply contracts. The Appeals were accordingly granted in part.

Exxon Company, U.S.A., Washington, D.C., DFA-0342, freedom of information

On March 5, 1979, Exxon Company, U.S.A. filed an Appeal from a determination which the Director of the DOE Division of Freedom of Information and Privacy Act Activities (the Director) issued to the firm of February 1, 1979. In considering the firm's Appeal, the DOE found that two documents were improperly withheld pursuant to 5 U.S.C. 552(b)(5) (Exemption 5) of the Freedom of Information Act (FOIA) as being pre-decisional interagency memoranda. The DOE also found that certain portions of a document which was withheld in its entirety under Exemption 5 contained factual material which is not exempt from disclosure under Exemption 5. Finally, the DOE released two documents which had been withheld under Exemption 7(A). Accordingly, the Exxon Appeal was granted in part.

Swafford & Stucki, Idaho Falls, Idaho, DFA-0332, freedom of information

Swafford & Stucki filed an Appeal from a denial by the Director of Freedom of Information and Privacy Acts Activities of a Request for Information which the firm had submitted under the Freedom of Information Act (FOIA). In considering the Appeal, the DOE found that certain of the documents which were initially withheld under Exemption 7(A) should be released to the public. The essential issue that was

considered in the Decision and Order was whether a list of firms to which Notices of Probable Violations and Proposed Remedial Orders were issued should be released pursuant to the Act.

Request for Modification or Rescission

Coastal States Gas Corporation, Houston, Tex., DFA-0349, freedom of information

Coastal States Gas Corporation filed an Application for Modification or Rescission of a Decision and Order issued to the firm by the Office of Hearings and Appeals. That Decision related to an Appeal from a partial denial of a Request for Information which the firm had submitted under the Freedom of Information Act (FOIA). In response to Coastal's initial request, the DOE information Access Officer released three documents in their entirety to the firm but withheld all or part of three other documents as exempt from mandatory disclosure. In considering the Coastal Appeal, the OHA had determined that the Information Access Officer's decision to withhold portions of one document was inconsistent with the Department's policy of releasing information which, while exempt from mandatory disclosure may be released without threatening either public or private interests. The DOE also determined that the strictly factual portions of a second document should be disclosed to the firm. Finally, the DOE determined that the Information Access Officer's decision to withhold the third document pursuant to Exemption 5 was consistent with prior DOE determinations. In considering Coastal's Application for Modification or Rescission, the DOE determined that the non-factual portions of the second document sought by the firm in its Appeal was properly held exempt from mandatory disclosure because those portions of the document could not be released without compromising the agency's ability to solicit and receive frank opinions from its staff advisers.

Requests for Exception

Charter Oil Company, Jacksonville, Florida; DXE-0456, motor gasoline

Charter Oil Company filed an Application for Exception from the provisions of 10 CFR 212.83(c). The Charter exception request, if granted, would permit the firm to allocate to its sales of motor gasoline an amount of increased product costs which is in excess of the amount permitted by 10 CFR 212.83(c). On November 17, 1978, the DOE issued a Proposed Decision and Order to Charter. In that decision, the DOE recognized that the breakdown of the firm's cracking unit during December 1977 caused a substantial curtailment of the firm's production of motor gasoline during this month. However, the DOE found that the occurrence of an unusual event affecting the proportionate allocation of increased product costs does not in itself provide a sufficient basis for the approval of exception relief on the grounds of gross inequity. The DOE noted that in order to establish the existence of a gross inequity, Charter must first demonstrate that as a result of the breakdown of its cracking unit, the application of Section 212.83(c) caused an unrepresentative per gallon amount of its

increased product costs to be allocated to gasoline. The DOE concluded that the Charter submission did not make that showing. In its Statement of Objections to the Proposed Order, Charter asserted that (i) the Proposed Decision ignored the increased cost allocation procedures provided in DOE regulations; (ii) the Proposed Order violated the provisions of the EPAA, and (iii) the denial of exception relief contravened the provisions of the Energy Conservation and Preservation Act (ECPA). In considering Charter's objections, the DOE observed that the per barrel analysis which the DOE used as a basis for its determination did not ignore the procedures set forth in Section 212.83(c). In addition, the DOE found that the proposed determination did not violate those provisions of the EPAA which provide for a dollar-for-dollar recovery of increased costs associated with crude oil, residual fuel oil, and refined petroleum products. Finally, the DOE determined that Charter's per gallon allowable cost increase for gasoline during December 1977 through March 1978 was not so unrepresentative of the firm's normal operating position as to cause the firm to incur a gross inequity. The DOE therefore determined that the Charter request be denied.

Robert E. Hanson, Riverton, Wyoming; DEE-0320, crude oil

Robert E. Hanson filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. The request, if granted, would permit Hanson to sell the crude oil produced for his benefit from the North Tioga Madison Unit at a price in excess of the applicable lower tier ceiling price. In considering the exception application, the DOE found that Hanson's share of the total operating expenses incurred at the property did not exceed the amount of revenues he received from the sale of the property's crude oil production. Hanson maintained that exception relief was nevertheless warranted to enable him to qualify for a certain bank loan which would permit him to undertake an investment in another crude oil producing property, the U.S.A. lease. However, the DOE noted that the U.S.A. lease qualified as a stripper well property, and that consequently neither the Tioga Madison Unit nor the U.S.A. lease operations, taken individually, warranted exception relief. Moreover, the DOE stated that it is not appropriate to grant exception relief for the operation of a particular property for the purpose of subsidizing the uneconomic operation of a separate property. Accordingly, the DOE determined that Hanson's exception request should be denied.

Requests for Stay

Mobil Oil Corporation; New York, New York; DES-0353; DES-0354; DES-0355; Koch Industries, Inc.; Wichita, Kansas, DES-0358; DES-0351; Vickers Petroleum Corporation Wichita, Kansas, Motor Gasoline

Mobil Oil Corporation, Koch Industries, Inc., and Vickers Petroleum Corporation filed Applications for Stay with the Office of Hearings and Appeals, which, if granted, would result in the issuance of an Order staying six Orders for the Redirection of

Product which require Mobil, Koch, and Vickers to supply approximately 4.7 million gallons of motor gasoline to Midland Cooperatives, Inc., Farmland Industries, Inc., and Land-O-Lakes, Inc. during March 1979. The Redirection Orders found that the principal suppliers of motor gasoline to Midland, Farmland, and Land-O-Lakes would not be able to supply the firms with their full base period allocation of motor gasoline during the month of March. Although the ERA noted that surplus product was available on the Gulf Coast and in Oklahoma, the price which Midland, Farmland, and Land-O-Lakes would be required to pay for that product would jeopardize the firms' competitive viability. The ERA therefore concluded that a supply imbalance existed which warranted the approval of a Redirection Order. In considering the applicants' stay requests, the DOE determined that the provisions of 10 CFR 211.14 are intended solely to mitigate the adverse effects of temporary supply imbalances. Consequently, the DOE found that to the extent that the conclusions reached in the Redirection Orders were based on price considerations, those Orders appeared to be defective. The DOE also found that the ERA did not afford Koch, Vickers and Mobil adequate notice of the pendency of the Applications for the Redirection of Product. Based on these considerations, the DOE concluded that Mobil, Koch, and Vickers had made a strong showing that they would succeed on the merits of their appeals. Finally, the DOE concluded that a Stay of the Redirection Orders was desirable in order to preserve the *Status quo ante* pending a determination on the merits of the firms' Appeals. On the basis of these considerations, the DOE stayed each of the six Redirection Orders.

Petroleum Management, Inc. Laurel, Mississippi; DRS-0197, crude oil

Petroleum Management, Inc. (PMI) filed an Application for Stay of the provisions of a Remedial Order which DOE Region IV issued to the firm on December 2, 1977, pending judicial review of the Remedial Order. In considering the Application, the DOE found that the major objections raised in PMI's Petition for Review had been fully considered and rejected in a Decision and Order which the DOE issued to PMI on March 1, 1979. *Petroleum Management, Inc., 3 DOE Par. — (March 1, 1979)*. The DOE therefore concluded that there was little likelihood that PMI would prevail on the merits upon judicial review. The DOE also found that PMI had failed to show that it would suffer an irreparable economic injury as a result of immediate compliance with the refund provisions of the Order. Finally, the DOE concluded that the need to protect the interest of PMI at this stage of the enforcement proceeding was outweighed by other equitable considerations and that the approval of stay relief would frustrate the compelling public interest in securing timely compliance with DOE regulations. Accordingly, the PMI Application for Stay was denied.

Texaco, Inc., White Plains, New York, DES-0196, crude oil

Texaco, Inc. filed an Application for Stay of an Emergency Supplemental Allocation

Order issued to CRA, Inc. by the Office of Fuels Regulations of the Economic Regulatory Administration. In that Allocation Order the ERA directed Texaco to sell 707,220 barrels of suitable crude oil to CRA during the months of February and March 1979. In considering the Texaco Application, the DOE concluded that Texaco would not incur an irreparable injury in the absence of stay relief. The DOE further concluded that, in view of the proportionally larger reduction in crude oil supplies that would be experienced by CRA if the Allocation Order were stayed denial of the stay request would not result in more immediate serious hardship for Texaco than CRA would experience if the Allocation Order were suspended. Finally, the DOE found that Texaco had failed to demonstrate that there existed a substantial likelihood that it would prevail on the merits of its Appeal. The Texaco Application for Stay was therefore denied.

Supplemental Order

Fain Porter Production Company, Alfalfa County, Oklahoma, DRX-0154, crude oil

This proceeding involved a Decision and Order which the DOE had previously issued to the Fain Porter Production Company. See *Fain Porter Production Co., 3 DOE Par. — (February 13, 1979)*. In the February 13 Decision a Remedial Order which was issued to the firm on November 15, 1977 was remanded to the Director of Enforcement of Region VI with instructions to issue a revised Remedial Order within 45 days. As a result of an administrative oversight DOE Region VI did not receive a copy of the February 13 Decision. The February 13 Decision was therefore modified to provide the Director of Enforcement with additional time within which to issue a revised Remedial Order.

Motion for Evidentiary Hearing and Discovery

Boswell Oil Company, et al. Washington, D.C., DRH-0034; DRD-0034, crude oil

Boswell Oil Company, et al., filed a Motion to Intervene, Motions for Evidentiary Hearing and Discovery, and a Motion to Strike in connection with a Proposed Remedial Order issued to Ashland Oil Company. The Proposed Remedial Order alleged that Ashland sold motor gasoline at prices which exceeded the maximum levels specified in the DOE regulations. With respect to Boswell's Motion to Intervene, the DOE determined that Boswell would be regarded as a party in the Ashland enforcement proceeding and would be accorded an opportunity to pursue all procedural remedies contained in the DOE's interim procedural regulations. In its Motion for Discovery, Boswell requested documents which it maintained would enable it to determine the manner in which Ashland customarily passed through increased costs. The DOE determined that this request should be denied since it did not relate to a material issue in the proceeding. Along with a Motion for Evidentiary Hearing, Boswell submitted a motion to strike certain statements contained in exhibits to Ashland's Statement of Objections. The DOE determined that statements in letters from former Cost of Living Council officials as to the meaning of

the term "purchase" should not be permitted to remain in Ashland's Statement of Objections. The DOE reasoned that these opinions were not expert testimony as to matters of fact, but legal argument. However, the DOE determined that it would be appropriate to permit a letter by a professor of contract and commercial law to remain in the administrative record of the proceedings, because that letter contained an expert's views as to the customary meaning of the term "purchase" in the commercial setting. The DOE reasoned that although the meaning of the term purchase essentially presents a question of law to be determined by the Agency, the manner in which that term has actually been applied in a commercial setting is primarily an objective matter of fact that can be ascertained through the testimony of an expert familiar with that commercial usage. The DOE also determined that cross examination at an Evidentiary Hearing by Boswell and the DOE Office of Special Counsel would be necessary to explore such matters as the scope of the professor's expertise, and the basis for his views regarding the meaning of the term purchase. An evidentiary hearing was also granted in order to establish whether any contemporaneous agency interpretations were issued regarding the meaning of the term purchase in the DOE price regulations.

Interim Order

Class exception proceeding adjusting April 1979 base period volumes of motor gasoline for retail sales outlets and wholesale purchaser-consumers; DEN-3726

On April 19, 1979, the Office of Hearings and Appeals issued a Proposed Decision and Order in which it tentatively concluded that a class exception from the motor gasoline allocation regulations should be approved for the month of April 1979. The Office of Hearings and Appeals also concluded that an Interim Order should be issued in order to implement immediately the relief set forth in the Proposed Decision. In reaching this conclusion, the DOE found that (i) it was very likely that the class exception relief would ultimately be granted; (ii) the firms eligible for exception relief pursuant to the Proposed Decision would be adversely affected unless relief were implemented immediately; and (iii) other persons affected by the class exception would not be adversely affected to a substantial degree by the issuance of an Interim Order. Accordingly, the exception relief set forth in the April 19 Proposed Decision and Order was implemented immediately in the form of an Interim Order.

Petitions Involving the Standby Petroleum Product Allocation Regulations for Motor Gasoline

The following firms filed Applications for Stay and/or Temporary Stay of the provisions of Standby Regulation Activation Order No. 1. The stay requests, if granted, would result in an increase in the base period allocation of motor gasoline pending determination of the Applications for Exception. The DOE issued Decisions and Orders which determined that the stay requests be granted:

Company Name, Location, and Case No.

Amoco Oil Company, Chicago, IL—DES-2257
 B-C Enterprises, Fullerton, CA—DES-3228
 Circle S Service, Eureka, MO—DES-2531
 Homestead Gulf, Homestead, FL—DES-3085
 Hunter's Lodge Exxon, Anderson, TX—DES-3713; DST-0040
 Award Pet., Inc., Garden City, NY—DST-2820
 Crest International Pet. Corp., Vienna, VA—DES-2450
 Dauphin & Sage Shell, Mobile, AL—DEE-2543; DST-2543
 Food, Inc., Crowley, LA—DST-3094
 H. L. Mills Pet. Prod., Washington, DC—DST-2997
 Hampden Park Exxon, Camden, SC—DES-2732
 Pensacola Pet. Co., Pensacola, FL—DES-3030
 Skip's Mobil Service, Jennings, Mo—DES-2510
 Tuscon Fuel Co., Inc., San Francisco, CA—DES-2557; DST-2557
 Coronadolet Corporation, Memphis, TN—DES-2943
 Degrood Bulk Oil, Faribault, MN—DES-2827
 Gibson's Exxon, St. Petersburg, FL—DES-2966
 Kenwood Citgo, Baltimore, MD—DES-2582
 Sea Shell Car Wash, Jupiter, FL—DES-2823
 Airport Exxon, Birmingham, AL—DES-2939
 Alamo Expressway Service Station, San Antonio, TX—DES-2750
 Bauserman Oil Company, Winchester, VA—DES-2915; DST-2915
 Caldwell's Service, Garden Grove, CA—DES-3291
 Gallian Tire Company, Holly Hill, FL—DES-2430; DST-2430
 West Broward Phillips "66" Service, Ft. Lauderdale, FL—DST-2991

The following firms filed Applications for Stay and/or Temporary Stay of the provisions of Standby Regulation Activation Order No. 1. The stay requests, if granted, would result in an increase in the base period allocation of motor gasoline pending determination of the Applications for Exception. The DOE issued Decisions and Orders which determined that the stay requests be denied:

Company Name, Location, and Case No.

Rex Oil Company, Denver, CO—DST-2418

Dismissals

The following submissions were dismissed without prejudice to refile at a later date:

Company Name and Case No.

Pacific Resources, Inc.—DEE-1874
 Tiger Petroleum Products—DEE-3066
 Ergon, Inc.—DEE-2146
 I-20 & Industrial Drive Gulf—DEE-3077
 Leon Mideri—DEE-3683
 Boss Oil Company—DEE-2928; DST-2928
 Keystops, Inc.—DEE-2528
 Blomstrom Oil Company—DEE-3114
 Empire Petroleum Inc.—DEE-2499
 Smith-Shafer Oil Co.—DEE-2910
 Grambrone Oil Co., Inc.—DEE-3310
 Pasadena Freeway Shell Service—DEE-3044

Copies of the full text of these Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120,

2000 M Street, NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., e.s.t., except Federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

October 23, 1979.

[FR Doc. 79-33307 Filed 10-26-79; 8:45 am]

BILLING CODE 6450-01-M

FEDERAL RESERVE SYSTEM**Allied Bancshares, Inc.; Acquisition of Bank**

Allied Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent, less directors' qualifying shares, of the voting shares of Allied Mission Bank, Harris County, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33183 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Allied Bancshares, Inc.; Acquisition of Bank

Allied Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of Texas Bank and Trust Company, Jacksonville, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33184 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Allied Bancshares, Inc.; Acquisition of Bank

Allied Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent, less directors' qualifying shares, of the voting shares of Mercantile Bank of Houston, Houston, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33185 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Allied Bancshares, Inc.; Acquisition of Bank

Allied Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent (less directors' qualifying shares) of the

voting shares of Allied Nederland Bank, Houston, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,
Assistant Secretary of the Board.

[FR Doc. 79-33186 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Allied Bancshares, Inc.; Acquisition of Bank

Allied Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent (less directors' qualifying shares) of the voting shares of Cyprus Bank, Houston, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,
Assistant Secretary of the Board.

[FR Doc. 79-33187 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Blackwell Security Bancshares, Inc.; Formation of Bank Holding Company

Blackwell Security Bancshares, Inc., Blackwell, Oklahoma has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of Security Bank and Trust Company, Blackwell, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Blackwell Security Bancshares, Inc., Blackwell, Oklahoma has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8) and 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire indirectly voting shares of Blackwell Insurance Agency, Inc., Blackwell, Oklahoma.

Applicant states that the proposed subsidiary would engage in the activities of selling as agent life, accident and health insurance in connection with extensions of credit by Security Bank and Trust Company. These activities would be performed from offices of Applicant's subsidiary in Blackwell, Oklahoma, and the geographic areas to be served are Grant and Kay Counties, Oklahoma. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased and unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and receiving by the Secretary, Board of

Governors of the Federal Reserve System, Washington, D.C. 20551, not later than November 21, 1979.

Board of Governors of the Federal Reserve System, October 22, 1979.

Griffith L. Garwood,
Deputy Secretary of the Board.

[FR Doc. 79-33188 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed De Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than November 19, 1979.

A. Federal Reserve Bank of Dallas,
400 South Akard Street, Dallas, Texas
75222:

CB&T Bancshares, Inc., Houston, Texas (leasing activities; Tennessee); To continue to engage in the activity of leasing personal property in accordance with the Board's Regulation Y. This activity would continue to be engaged in from Applicant's office in Cleveland, Texas, serving Franklin, Tennessee.

B. Other Federal Reserve Banks:

None.

Board of Governors of the Federal Reserve System
October 19, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33190 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed De Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than November 21, 1979.

A. Federal Reserve Bank of San Francisco, 400 Sansome Street, San Francisco, California 94120:

1. Bankamerica Corporation, San Francisco, California, (financing and insurance activities; Ohio); to engage, through its subsidiaries, Finance America Corporation of Ohio and Finance America Discount Company of Ohio, in making or acquiring for their own account loans and other extensions of credit such as would be made or

acquired by a financing company; servicing loans and other extensions of credit; and acting as agent for the sale of life insurance directly related to their extensions of credit. In addition, to engage, through its subsidiary, Finance America Discount Company of Ohio, in making loans secured by real property or secured by a combination of real and personal property; and through its subsidiary, Finance America Corporation of Ohio, in acting as agent for the sale of accident and disability insurance and property insurance directly related to its extensions of credit. These activities would be conducted from an office in Painseville, Ohio, serving Ohio. Comments on this application should be mailed to the Federal Reserve Bank of Cleveland, 1455 East Sixth Street, Cleveland, Ohio 44101.

2. Security Pacific Corporation, Los Angeles, California (insurance activities; California); to relocate the existing office of its subsidiary, SP Insurance Agency, Inc. ("SPIA"), and through SPIA to continue to engage in acting as agent or broker with respect to the following types of insurance: Credit Life Insurance and Credit Disability Insurance, as defined in the Insurance Code of the State of California, which is directly related to extensions of credit by SPC and its subsidiaries; Mortgage Redemption Life Insurance, which is directly related to the provision of other financial services by SPC or its subsidiaries; Group Mortgage Disability Insurance, which is directly related to extensions of credit by SPC and its subsidiaries or which is directly related to the provision of other financial services by SPC or its subsidiaries; Vendors Single Interest Insurance, which insures only the interest of SPC and its subsidiaries in motor vehicles and other collateral securing credit extended by SPC and its subsidiaries; any insurance for SPC and its subsidiaries; and Dual Interest Auto and Truck Physical Damage Insurance (insurance which insures against risk of loss as a result of collision, fire, theft, and similar casualty, the interest in a motor vehicle of both the owner thereof and a secured party who holds a security interest in said motor vehicle) offered by motor vehicle dealers who are licensed agents to purchasers of automobiles and trucks who finance the unpaid purchase price by means of conditional sale contracts or other similar contractual agreements which are purchased or otherwise financed by SPC and its subsidiaries. These activities would be conducted from an office of SPIA located in San Diego, California, serving the State of

California, and would constitute a relocation of the existing office of SPIA which is currently located in Pasadena, California.

B. Other Federal Reserve Banks:

None.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33314 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

First City Bancorporation of Texas, Inc.; Acquisition of Bank

First City Bancorporation of Texas, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. section 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of each of two banks: First City Bank-Greenspoint, N.A., Houston, Texas; and First City Bank-Westheimer, N.A., Harris County, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33315 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Pacesetter Financial Corp.; Acquisition of Bank

Pacesetter Financial Corporation, Grand Rapids, Michigan, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. section 1842(a)(3)) to acquire 100 per cent of the voting shares of the successor by consolidation to Hillsdale State Savings Bank, Hillsdale,

Michigan. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33316 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

Reliable Bancshares, Inc.; Formation of Bank Holding Company

Reliable Bancshares, Inc., Albany, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. section 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of First State Bank of Pattonsburg, Pattonsburg, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than November 21, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, October 22, 1979.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 79-33313 Filed 10-26-79; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

[Intervention Notice 102]

Western Union Telegraph Co., Federal Communication Commission; Proposed Intervention in Rate Increase Proceeding

The General Services Administration seeks to intervene in a proceeding before the Federal Communications Commission concerning the application of the Western Union Telegraph Company for an increase in its annual terminal equipment rates. GSA represents the interest of the executive agencies of the U.S. Government as users of utility services.

Persons desiring to make inquiries to GSA concerning this case should submit them in writing to Spence W. Perry, Assistant General Counsel, Regulatory Law Division, General Services Administration, 18th and F Streets, N.W., Washington, DC (mailing address: General Services Administration (LT), Washington, DC 20405), telephone 202-566-0750, on or before November 28, 1979, and refer to this notice number.

Persons making inquiries are put on notice that the making of an inquiry shall not serve to make any persons parties of record in the proceeding.

[Sec. 201(a)(4), Federal Property and Administrative Services Act, 40 U.S.C. 481(a)(4)]

Dated: October 12, 1979.

R. G. Freeman III,

Administrator of General Services.

[FR Doc. 79-33173 Filed 10-26-79; 8:45 am]

BILLING CODE 6820-25-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services Administration

Project Grants for Hospital-Affiliated Primary Care Centers; Announcement of Request for Applications for Grants

The Health Services Administration announces that applications are being accepted for fiscal year 1980 for demonstration projects to plan and develop hospital-affiliated primary care centers (HAPCCs) under the authority of section 328 of the Public Health Service Act (42 U.S.C. 254a-1), as enacted by section 114 of Public Law 95-626.

Potential applicants are community hospitals which are willing to reorganize their outpatient resources with the goal of providing comprehensive and continuous primary health and medical care to medically underserved

populations through a HAPCC. The newly organized HAPCC will be maintained as a distinct administrative unit of the hospital, operating under separate fiscal accounting, and with its own consumer-majority governing board or advisory board. The HAPCC must be staffed to provide (1) primary health services (except that emergency medical services will be provided to the extent feasible through referral to the hospital's emergency room), (2) supplemental health services as appropriate to support primary health services, and (3) referral services for the population of a service area which is determined by the hospital and approved by the Secretary.

The regulations establishing uniform policy for grants administration will apply (45 CFR Part 74). Eligible applicants are public general hospitals (as defined in section 328(a)(1)(A)) or private nonprofit hospitals. Applicants must demonstrate that they primarily serve a medically underserved population as defined in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254c). A list of these areas was published in the *Federal Register* on October 15, 1976 (41 CFR 45718). Current information about these areas may be obtained from the Division of Monitoring and Analysis, Bureau of Community Health Services, Health Services Administration, 5600 Fishers Lane, Rockville, Maryland 20857.

Insofar as practical, the Secretary will approve applications in a manner which results in an equitable distribution of primary care centers among urban and rural areas. To the extent feasible, the Secretary will not make a grant for a HAPCC to serve a population whose need for primary health care services is being met by a community health center, migrant health center, or other health care provider. The statute states that not more than \$150,000 may be used for the planning and development of any single HAPCC. The program will initially support approximately 10 demonstrations. Grants to plan and develop a HAPCC may include the costs of acquiring and modernizing existing buildings or space, but not the costs of new construction.

The statute requires that in reviewing and approving applications, the Secretary shall give priority to the application of any community hospital which establishes a governing board for its affiliated primary care center which meets the requirements of section 330(e)(3)(G) of the Public Health Service Act for a private community health center, and to hospitals which are located in a State whose laws prohibit the hospital from establishing such a

governing board for the HAPCC but which establishes an advisory board for the affiliated primary care center. Therefore, applicants must state whether they intend to (1) establish a governing board for the HAPCC, or (2) establish an advisory board for the HAPCC because of legal impediment, or (3) establish an advisory board.

Regulations concerning the HAPCCs will be forthcoming. Until regulations are issued, all information and guidance provided is subject to the qualification that it reflects preliminary policies only; subsequent policies reflected in the regulations may require revisions in applications. Grant applications should be received at the appropriate Department of Health, Education, and Welfare Regional Office by February 15, 1980. Applications must also be submitted to the appropriate health systems agencies for review, and must be submitted for review and comment to State and areawide A-95 clearinghouses. Application kits, instructions, and related information may be obtained from the Regional Health Administrator at the appropriate Department of Health, Education, and Welfare Regional Office, as set forth below. The Regional Office may be contacted for consultation and technical assistance relative to the development of an application.

Dated: October 19, 1979.

George I. Lythcott, M.D.,
Administrator, Health Services
Administration.

**Department of Health, Education, and
Welfare Regional Health Administrators**

- Edward J. Montminy, Regional Health Administrator, DHEW—Region I, John F. Kennedy Federal Building, Boston, Massachusetts 02203, (617) 223-6827.
- Nicholas J. Galluzzi, M.D., Regional Health Administrator, DHEW—Region II, 26 Federal Plaza, New York, New York 10007, (212) 264-2560.
- H. McDonald Rimple, M.D., M.P.H., Regional Health Administrator, DHEW—Region III, P.O. Box 13716, Philadelphia, Pennsylvania 19101, (215) 596-6637.
- George A. Reich, M.D., Regional Health Administrator, DHEW—Region IV, 101 Marietta Towers, Atlanta, Georgia 30323, (404) 221-2316.
- E. Frank Ellis, M.D., Regional Health Administrator, DHEW—Region V, 300 South Wacker Drive, Chicago, Illinois 60606, (312) 353-1385.
- James A. Buford, Regional Health Administrator, DHEW—Region VI, 1200 Main Tower Building, Dallas, Texas 75202, (214) 855-3878.
- Youn Bock Rhee, Regional Health Administrator, DHEW—Region VII, 601 East 12th Street, Kansas City, Missouri 65106, (816) 374-3291.
- Hilary H. Connor, M.D., Regional Health Administrator, DHEW—Region VIII, 1961

Stout Street, Denver, Colorado 82094, (303) 837-4461.

Sheridan L. Weinstein, M.D., Regional Health Administrator, DHEW—Region IX, 50 United Nations Plaza, San Francisco, California 94102, (415) 556-5810.

Dorothy H. Mann, Regional Health Administrator, DHEW—Region X, 1321 Second Avenue, Seattle, Washington 98101, (206) 442-0430.

[FR Doc. 79-33265 Filed 10-26-79; 8:45 am]

BILLING CODE 4110-84

**Office of the Assistant Secretary for
Health**

**Select Panel for the Promotion of
Child Health; Meeting**

Notice is hereby given, pursuant to Pub. L. 92-463, that the Select Panel for the Promotion of Child Health, established pursuant to section 211 of the Health Services and Centers Amendments of 1978 (Pub. L. 95-626), will meet on Thursday and Friday, November 15 and 16, at 9:00 a.m. in Room 703A, on the seventh floor of the Hubert H. Humphrey Building, Third Street and Independence Avenue, SW., Washington, D.C. The Panel has responsibility for the formulation of national goals with respect to the promotion of the health status of children and expectant mothers, the development of a comprehensive national plan for the achievement of these goals and otherwise promoting the health of children in the United States, and, the transmittal of a report to the Secretary and the Congress detailing the comprehensive national plan and recommendations for administrative, legislative, and other actions necessary to implement this plan and to otherwise promote the health of children in the United States. This meeting of the Panel will be devoted to reviewing the total work plan of the Panel and a series of background papers under development. Meetings of the Panel are open for public observation.

Further information on the Panel may be obtained by contacting John A. Butler, Staff Director, Select Panel for the Promotion of Child Health, Room 711, Riviere Building, 1832 M Street, NW., Washington, D.C. 20036, telephone (202) 634-4805.

Dated: October 10, 1979.

John A. Butler,
Staff Director, Select Panel for the Promotion
of Child Health.

[FR Doc. 79-33161 Filed 10-26-79; 8:45 am]

BILLING CODE 4110-85-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 38661 and 38664]

New Mexico; Applications

October 22, 1979.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for one 4½-inch and one 6½-inch natural gas pipeline rights-of-way across the following lands:

New Mexico Principal Meridian, New Mexico

T. 30 N., R. 9 W.,

Section 12, SE¼NE¼, E½SE¼ and SW¼SE¼;

Section 13, W¼SE¼;

Section 23, SE¼SE¼;

Section 24, lots 2, 3, SE¼NW¼, N¼SW¼

and SW¼SW¼;

Section 26 N¼NE¼.

T. 32 N., R. 11 W.,

Section 28, W¼SW¼ and SE¼SW¼.

These pipelines will convey natural gas across 3.37 miles of public lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, New Mexico 87107.

Stella V. Gonzales,
Chief, Land Section.

[FR Doc. 79-33162 Filed 10-26-79; 8:45 am]

BILLING CODE 4310-84-M

[NM 38668]

New Mexico; Application

October 22, 1979.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Northwest Pipeline Corporation has applied for one 4½-inch natural gas pipeline right-of-way across the following land:

New Mexico Principal Meridian, New Mexico

T. 29 N., R. 5 W.,

Section 3, SW¼SW¼;

Section 4, E½SE¼.

This pipeline will convey natural gas across .227 of a mile of public land in Rio Arriba County, New Mexico.

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 promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, New Mexico 87107.

Stella V. Gonzales,
Chief, Lands Section.

[FR Doc. 79-33163 Filed 10-26-79; 8:45 am]
BILLING CODE 4310-84-M

[U-910]

Utah; Accelerated Intensive Wilderness Inventory of Deep Creek Mountains

AGENCY: Bureau of Land Management.
ACTION: Notice.

SUMMARY: This notice announces that an accelerated intensive inventory of the Deep Creek Mountains (units 020-060 and 050-020) is being conducted by BLM in Utah.

The BLM Utah State Director is expected to announce his proposed decision on this accelerated inventory in November 1979, followed by a 60-day public comment period.

FOR FURTHER INFORMATION CONTACT: Lewis Kirkman Jr., Salt Lake BLM District office, 801-524-5348.

Gary J. Wicks,
State Director.

October 22, 1979.

[FR Doc. 79-33164 Filed 10-26-79; 8:45 am]
BILLING CODE 4310-84-M

Grazing Advisory Board Meeting

Notice is hereby given in accordance with Public Law 92-463 that a meeting of the Grand Junction District Grazing Advisory Board will be held in the 3rd floor conference room of the Bureau of Land Management Office, 764 Horizon Drive, Grand Junction, Colorado 81501, at 9 a.m. on December 6, 1979.

The agenda for the meeting will include: 1) welcome and introduction to newly-elected board members; 2) election of board chairman; 3) introduction to BLM personnel; 4) review of proposed range projects for fiscal year 1980 and status of pending and completed projects for fiscal year 1979; 5) brief summary of resource management planning for the Glenwood Springs resource area and its relation to allotment management plans; and 6)

arrangements for the next board meeting.

The meeting is open to the public. Interested persons may make presentations to the board or file written statements for the board's consideration. If you wish to make a presentation to the board the District Manager must be notified at the address above by November 30. Depending upon the number of persons wishing to make statements, a per person time limit may be established by the District Manager.

Summary minutes of the board meetings are maintained in the District office. They are available for public inspection and reproduction (during regular business hours) within 30 days following the meeting.

Further information on the meeting may be obtained at the above address or by calling (303) 243-6552.

Lee Lauritzen,

Acting District Manager.

[FR Doc. 79-33267 Filed 10-26-79; 8:45 am]
BILLING CODE 4310-84-M

Office of Surface Mining Reclamation and Enforcement

Advisory Committee on Mining and Mineral Resources Research; Meeting

This notice is issued in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. I) and the Office of Management and Budget's Circular No. A-63, Revised.

The Advisory Committee on Mining and Mineral Resources Research will meet from 9:00 a.m. to 5:00 p.m. (or completion of business) on November 20, 1979, in room 1042, Columbia Plaza, 2401 E Street, NW., Washington, D.C.

The meeting will deal with the following principal subjects:

1. Approval Minutes—Meeting of May 15, 1979.
2. Discussion of Old Business.
3. New Business.
4. Evaluation of candidates' qualifications for designation as the State Mining and Mineral Resources and Research Institute from the State of Indiana.
5. Policies and future activities of the Advisory Committee.
6. Legal status of alternates for appointed members of the Advisory Committee.

The meeting of this committee is open to the public. Approximately 40 visitors can be accommodated on a first come, first serve basis. Written statements concerning the subjects are welcome.

Visitors who expect to attend should make this known no later than

November 13, 1979, to Ms. Marsha Helfand, Program Assistant, Mineral Institutes Branch, Division of Applied Research, Technical Services and Research, Office of Surface Mining, 1951 Constitution Avenue, NW., Washington, D.C. 20240, phone (202) 343-6912.

Walter N. Heine,
Director.

October 23, 1979.

[FR Doc. 79-33199 Filed 10-26-79; 8:45 am]
BILLING CODE 4310-05-M

DEPARTMENT OF JUSTICE

Bureau of Prisons

Advisory Corrections Council; Meeting

Notice is hereby given that the Advisory Corrections Council in accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770) will meet on November 11-13 in Williamsburg, Virginia.

This meeting is being held in conjunction with the National Institute of Corrections Advisory Board and outside participants from the academic community and the field of Criminal Justice. The purpose of the meeting is to discuss the future of corrections in the 1980's.

Signed at Washington, D.C., this 25th day of October, 1979.

Norman A. Carlson,
Director.

[FR Doc. 79-33489 Filed 10-26-79; 8:45 am]
BILLING CODE 4410-05-M

MINIMUM WAGE STUDY COMMISSION

Notice of Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following Commission meeting:

Name: Minimum Wage Study Commission
Date: November 13, 1979
Time: 1 p.m.
Place: 1430 K St. NW, Suite 1102,
Washington, DC 20005

Original notification of this meeting appeared in the *Federal Register* September 28, 1979.

Proposed Agenda

1. Status of staff research: employment and unemployment effects of the minimum wage
 2. Executive Session—FY 80 Budget, status of current research, remaining unmet research needs and tentative schedule for MWSC preliminary reports and staff papers
- Next meeting of the Commission will be held Tuesday, Dec. 11, 1979.

All communications regarding this Commission should be addressed to: Mr.

Louis McConnell, Executive Director, 1430 K St. NW, Suite 500, Washington, DC 20005, (202) 376-2450.

Louis E. McConnell,
Executive Director.

[FR Doc. 79-33264 Filed 10-26-79; 8:45 am]

BILLING CODE 4510-23-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Council on the Humanities Advisory Committee; Meeting

October 23, 1979.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the National Council on the Humanities will be conducted at Washington, D.C., on November 14-16, 1979.

The purpose of the meeting is to advise the Chairman of the National Endowment for the Humanities with respect to policies, programs, and procedures for carrying out his functions, and to review applications for financial support and gifts offered to the Endowment and to make recommendations thereon to the Chairman.

The session on November 14, 1979 will be open to the public. This session will be for discussion of issues relating to agency policies. The meeting will convene at 4:30 p.m. at the Woodrow Wilson International Center for Scholars, Smithsonian Institution, 1000 Jefferson Drive, Third Floor.

The rest of the meeting will be held in the Shoreham Building, 806 15th Street, N.W., 1st Floor Conference Room, Washington, D.C. The session of the proposed meeting on November 15, 1979, and the afternoon session on November 16, 1979 will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy. Pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that these sessions of the meeting fall within exemptions (4) and (6) of 5 U.S.C. 552b(c) and that it is essential to close them to protect the free exchange of internal views to avoid interference with operation of the committee.

The morning session on November 16, 1979, will convene at 8:30 a.m. and will

be open to the public. The agenda for the morning session will be as follows:

Recognition of Dean Wilbur Cohen for a Special Presentation Minutes

Reports

- A. Introductory Remarks
- B. Program Review and Introduction of New Staff
- C. Chairman's Grants, Grants Departing from Council Recommendation and Ratification of Mail Vote
- D. Application Report
- E. Gifts and Matching Report
- F. FY 1979 Program Funding
- G. FY 1980 Appropriation
- H. FY 1981 Budget Request
- I. Reauthorization
- J. Study of NEH Cost-Sharing Policy
- K. Indirect Costs
- L. Recognition of Retiring Council Members

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. Stephen J. McCleary, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202-724-0367.

Stephen J. McCleary,

Advisory Committee Management Officer.

[FR Doc. 79-33305 Filed 10-26-79; 8:45 am]

BILLING CODE 7536-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Ad Hoc Subcommittee on the Three Mile Island, Unit 2 Accident Implications re Nuclear Power Plant Design; Addition to Agenda

The agenda of the November 5, 1979 meeting of the ACRS Ad Hoc Subcommittee on the Three Mile Island, Unit 2 Accident—Implications Re Nuclear Power Plant Design has been revised to include consideration of the TMI-2 Accident Implications as they relate to the Diablo Canyon Nuclear Power Plant and similar plants.

All other items remain the same as stated in the notice of this meeting published October 19, 1979 (44 FR 60448).

Background information concerning the Diablo Canyon Plant can be found in the California Polytechnic State University Library, San Luis Obispo, CA 93407.

Dated: October 23, 1979.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 79-33290 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards Subcommittee on Reliability and Probabilistic Assessment; Correction

The agenda for the meeting of the ACRS Subcommittee on Reliability and Probabilistic Assessment on November 6-7, 1979 announced October 22, 1979 (44 FR 60831) has been changed as follows:

Tuesday, November 6, 1979: 1:00 p.m. to conclusion of business.

Wednesday, November 7, 1979: 8:30 a.m. to 12:00 noon.

All other items remain the same as announced in cited notice.

Dated: October 23, 1979.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 79-33289 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

Power Reactor Management and Technical Resources for Nuclear Power Plants; Request for Comments

The U.S. Nuclear Regulatory Commission (NRC) has presently underway a program to evaluate the resources, both management and technical, that utilities have available to cope with nuclear power plant operational events including those similar to the recent Three Mile Island Unit 2 accident, both in the short term (within the first hour) and the long term (after one hour) following the initiating event. To this end, the NRC has requested all power reactor licensees, by letter from the Office of Nuclear Reactor Regulation dated June 29, 1979 to provide information on their management and technical resources. To determine the acceptability of management ability to perform, the NRC program includes the development of key elements and characteristics to establish the minimum needs of licensees. These include, but are not necessarily limited to, numbers and qualifications of personnel of varied types, availability of needed information, communications, procedures that identify decision making process, interorganizational relationships, delineation of authority and advanced planning.

To assist NRC in this effort, public comments are being solicited that identify and describe factors that should be considered in assessing management and technical resource capability. Comments should be sent by December 1, 1979 to the Secretary of the Commission, U.S. Nuclear Regulatory

Commission, Washington, D.C. 20555,
Attention: Docketing and Service
Branch.

Dated at Bethesda, Maryland, this 23rd day
of October 1979.

For the U.S. Nuclear Regulation
Commission.

Harold R. Denton,

Director, Office of Nuclear Reactor
Regulation.

[FR Doc. 79-33287 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-129]

**West Virginia University; Proposed
Issuance of Orders Authorizing
Dismantling of Facility, Disposition of
Component Parts and Termination of
Facility License**

The U.S. Nuclear Regulatory
Commission (the Commission) is
considering issuance of orders
authorizing West Virginia University
(the licensee) to dismantle the AGN-
211P reactor (the facility), a research
reactor located on the licensee's campus
in Morgantown, West Virginia, to
dispose of the component parts in
accordance with the plan set out in the
licensee's application dated September
27, 1979, and to terminate the facility
license. The AGN-211P reactor is
covered by facility License No. R-58.

Prior to issuance of any orders, 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 November 28, 1979, the licensee
may file a request for a hearing with
respect to issuance of the subject orders
and any person whose interest may be
affected by this proceeding and who
wishes to participate as a party in the
proceeding must file a written petition
for leave to intervene. Requests for a
hearing and petitions for leave to
intervene shall be filed in accordance
with the Commission's "Rules of
Practice for Domestic Licensing
Proceedings" in 10 CFR Part 2. If a
request for a hearing or petition for
leave to intervene is filed by the above
date, the Commission or an Atomic
Safety and Licensing Board, designated
by the Commission or by the Chairman
of the Atomic Safety and Licensing
Board Panel, will rule on the request
and/or petition and the Secretary or the
designated Atomic Safety and Licensing
Board will issue a notice of hearing or
an appropriate order.

As required by 10 CFR 2.714, a
petition for leave to intervene shall set
forth with particularity the interest of
the petitioner in the proceeding, and
how that interest may be affected by the

results of the proceeding. The petition
should specifically explain the reasons
why intervention should be permitted
with particular reference to the
following factors: (1) The nature of the
petitioner's right under the Act to be
made a party to the proceeding; (2) the
nature and extent of the petitioner's
property, financial, or other interest in
the proceeding; and (3) the possible
effect of any order which may be
entered in the proceeding on the
petitioner's interest. The petition should
also identify the specific aspect(s) of the
subject matter of the proceeding as to
which petitioner wishes to intervene.
Any person who has filed a petition for
leave to intervene or who has been
admitted as a party may amend the
petition without requesting leave of the
Board up to fifteen (15) days prior to the
first prehearing conference scheduled in
the proceeding, but such an amended
petition must satisfy the specificity
requirements described above.

Not later than fifteen (15) days prior to
the first prehearing conference
scheduled in the proceeding, a petitioner
shall file a supplement to the petition
to intervene which must include a list of
the contentions which are sought to be
litigated in the matter, and the bases for
each contention set forth with
reasonable specificity. Contentions shall
be limited to matters within the scope of
the action under consideration. A
petitioner who fails to file such a
supplement which satisfies these
requirements with respect to at least one
contention will not be permitted to
participate as a party.

Those permitted to intervene become
parties to the proceeding, subject to any
limitations in the order granting leave to
intervene, and have the opportunity to
participate fully in the conduct of the
hearing, including the opportunity to
present evidence and cross-examine
witnesses.

A request for a hearing or a petition
for leave to intervene shall be filed with
the Secretary of the Commission, United
States Nuclear Regulatory Commission,
Washington, D.C. 20555, Attention:
Docketing and Service Section, or may
be delivered to the Commission's Public
Document Room, 1717 H Street, N.W.,
Washington, D.C. by the above date.
Where petitions are filed during the last
ten (10) days of the notice period, it is
requested that the petitioner or
representative for the petitioner
promptly so inform the Commission by a
toll-free telephone call to Western
Union at (800) 325-6000 (in Missouri
(800) 342-6700). The Western Union
operator should be given Datagram
Identification Number 3737 and the

following message addressed to Robert
Reid: (petitioner's name and telephone
number); (date petition was mailed);
(West Virginia University); and
(publication date and page number of
this Federal Register notice). A copy of
the petition should also be sent to the
Executive Legal Director, U.S. Nuclear
Regulatory Commission, Washington,
D.C. 20555.

Nontimely filings of petitions for leave
to intervene, amended petitions,
supplemental petitions and/or requests
for hearing will not be entertained
absent a determination by the
Commission, the presiding officer or the
Atomic Safety and Licensing Board
designated to rule on the petition and/or
request, that the petitioner has made a
substantial showing of good cause for
the granting of a late petition and/or
request. That determination will be
based upon a balancing of the factors
specified in 10 CFR 2.714(a) (i)-(v) and
2.714(d).

For further details with respect to this
action, see the licensee's application
dated September 27, 1979, as may be
supplemented by future submittals,
which is available for public inspection
at the Commission's Public Document
Room, 1717 H Street, NW., Washington,
D.C.

Dated at Bethesda, Maryland, this 18th day
of October 1979.

For the Nuclear Regulatory Commission.

Peter B. Erickson,

Acting Chief, Operating Reactors Branch No.
4, Division of Operating Reactors.

[FR Doc. 79-33288 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 40-8748]

**Availability of Environmental Report
and Intent To Prepare a Draft
Environmental Impact Statement
Concerning Issuance of a Byproduct
Material License for the Hansen
Project To Be Located in Fremont
County, Colo.; Cyprus Mines Corp.**

AGENCY: U.S. Nuclear Regulatory
Commission.

ACTION: Notice of Intent to Prepare a
Draft Environmental Impact Statement
(DEIS).

SUMMARY: 1. Description of the Proposed
Action--Cyprus Mines Corporation
proposes to construct and operate a
uranium mine and mill facility at the
Hansen Project site. This project is
located in southcentral Colorado
approximately 20 miles (35 road miles)
northwest of Canon City. The 4500 tons
of uranium ore per day capacity mill will
be located on the divide between the

Tallahassee Creek and Squaw Creek drainage basins, Sections 9 and 10, T17S, R73W, Fremont County, Colorado. The mine will be located in the Tallahassee Creek drainage basin, Sections 21, 22, 27, and 28, T17S, R73W, Fremont County, Colorado.

2. The principal alternatives currently planned to be considered include alternatives of siting, waste management methods, energy sources, and the alternative of no licensing action.

3. The scoping process will include a meeting to be held in the auditorium of the Washington Elementary School, 9th and College Avenue, Canon City, Colorado, on November 6, 1979, at 9:00 a.m. This meeting will provide for a briefing of interested parties concerning the proposed action and alternatives and opportunity for comment on the scope of the proposed statement. The participation of the public and all interested government agencies is invited. Copies of this notice will be mailed to all affected Federal, State and local agencies, and other interested persons. Written comments concerning the scope of the proposed statement will be accepted until November 14, 1979.

4. The DEIS is expected to be available to the public for review and comment in March 1980.

5. The applicant's Environmental Report and any subsequent project related documents will be available for inspection and copying at the Public Document Room (PDR), 1717 H Street, N.W., Washington, D.C. 20555. The Environmental Report is also being made available at the State Clearinghouse, Division of Planning, Department of Local Affairs, 520 State Centennial Building, 1313 Sherman Street, Denver, Colorado 80203, and the area clearinghouse, Upper Arkansas Area Council of Governments, 425 1/2 Main Street, P.O. Box 510, Canon City, Colorado 81212.

Questions about the proposed action, DEIS, or scoping meeting and any written comments should be directed to M. E. Krug, U.S. Nuclear Regulatory Commission, Division of Waste Management, Mail Stop 483-SS, Washington, D.C. 20555, Phone (301) 427-4103.

Dated at Silver Spring, Maryland, this 22nd day of October 1979.

For the U.S. Nuclear Regulatory Commission.

Ross A. Scarano,

Chief, Uranium Recovery Licensing Branch, Division of Waste Management.

[FR Doc. 79-33299 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-315 and 50-316]

Indiana & Michigan Electric Co. and Indiana & Michigan Power Co.; Issuance of Amendment to Facility Operating License and Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 32 to Facility Operating License No. DPR-58, and Amendment No. 13 to Facility Operating License No. DPR-74 issued to Indiana and Michigan Electric Company and Indiana and Michigan Power Company (the licensee), which revised Technical Specifications for operation of Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2 (the facilities) located in Berrien County, Michigan. The amendments are effective as of the date of issuance.

The amendments permit modifications of the spent fuel storage pool which will increase the capacity for on-site storage of fuel irradiated at the D. C. Cook plant from 550 to 2050 fuel assemblies.

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 the amendment was published in the *Federal Register* on January 11, 1979 (44 FR 2439).

The Commission has prepared an Environmental Impact Appraisal dated October 16, 1979 and has concluded that an environmental impact statement for this particular action is not warranted because the actions authorized by this license amendment will not significantly affect the quality of the human environment.

For further details with respect to this action, see (1) the application for amendments dated November 22, 1978, as supplemented by letters dated January 22, January 24, April 16, June 29, July 27, and September 11, September 26 and September 27, 1979; (2) Amendment Nos. 32 and 13 to License Nos. DPR-58 and DPR-74, and (3) the Commission's related Safety Evaluation and Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Maude Reston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085. 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, Maryland, this 16th day of October, 1979.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Operating Reactors Branch Number 1, Division of Operating Reactors.

[FR Doc. 79-33298 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

International Atomic Energy Agency Draft Safety Guide; Availability for Public Comment

The International Atomic Energy Agency (IAEA) is developing a limited number of internationally acceptable codes of practice and safety guides for nuclear power plants. These codes and guides will be developed in the following five areas: Government Organization, Siting, Design, Operation, and Quality Assurance. The purpose of these codes and guides is to provide IAEA guidance to countries beginning nuclear power programs.

The IAEA codes of practice and safety guides are developed in the following way. The IAEA receives and collates relevant existing information used by member countries. Using this collation as a starting point, an IAEA working group of a few experts then develops a preliminary draft. This preliminary draft is reviewed and modified by the IAEA Technical Review Committee to the extent necessary to develop a draft acceptable to them. This draft code of practice or safety guide is then sent to the IAEA Senior Advisory Group which reviews and modifies the draft as necessary to reach agreement on the draft and then forwards it to the IAEA Secretariat to obtain comments from the Member States. The Senior Advisory Group then considers the Member State comments, again modifies the draft as necessary to reach agreement and forwards it to the IAEA Director General with a recommendation that it be accepted.

As part of this program, Safety Guide SG-QA1, "Establishing and Developing a Quality Assurance Programme for a Nuclear Power Plant Project," has been developed. An IAEA working group, consisting of Mr. E. Nicoloso of Italy; Mr. R. Buyers of the United Kingdom; and Mr. J. W. Anderson (Clinch River Breeder Reactor Project) of the United States of America, developed SG-QA1 from an IAEA collation during a meeting in September 1979, and we are soliciting public comment on it. Comments on this draft received by January 1, 1980 will be useful to the U.S. representatives to the

Technical Review Committee and Senior Advisory Group in evaluating its adequacy prior to the next IAEA discussion.

Single copies of this draft may be obtained by a written request to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(5 U.S.C. 522(a))

Dated at Rockville, Md., this 18th day of October 1979.

For the Nuclear Regulatory Commission,
Guy A. Arlotto,
Acting Director, Office of Standards Development.

[FR Doc. 79-33295 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-277]

**Philadelphia Electric Co., et al.;
Issuance of Amendment to Facility
Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 62 to Facility Operating License No. DPAR-44 issued to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company, which revised Technical Specifications for operation of the Peach Bottom Atomic Power Station, Unit No. 2 (the facility) located in Peach Bottom, York County, Pennsylvania. The amendment is effective as of its date of issuance.

The change would permit continued operation of Peach Bottom 2 without performing a pump flow rate capacity test on the A/C subsystem of the Core Spray System, until January 3, 1980.

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 2, 1979, (2) Amendment No. 62 to License No. DPR-44, 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, Pennsylvania. 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, Maryland, this 19th day of October 1979.

For the Nuclear Regulatory Commission,
Thomas A. Ippolito,
*Chief, Operating Reactors Branch No. 3,
Division of Operating Reactors.*

[FR Doc. 79-33297 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

**Regulatory Guide; Issuance and
Availability**

The Nuclear Regulatory Commission has issued a revision to a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.140, Revision 1, "Design, Testing, and Maintenance Criteria for Normal Ventilation Exhaust System Air Filtration and Adsorption Units of Light-Water-Cooled Nuclear Power Plants," presents methods acceptable to the NRC staff for implementing the Commission's regulations with regard to the design, testing, and maintenance criteria for air filtration and adsorption units installed in the normal ventilation exhaust systems of light-water-cooled nuclear power plants. The guide applies only to atmosphere cleanup systems designed to collect airborne radioactive materials during normal plant operation. It was revised to reflect public comment and additional staff review.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments

should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of active guides may be purchased at the current Government Printing Office (GPO) price. A subscription service for future guides in specific divisions is available through the Government Printing Office. Information on subscription service and current GPO prices may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Publications Sales Manager.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 23rd day of October 1979.

For the Nuclear Regulatory Commission,
Robert B. Minogue,
Director, Office of Standards Development.

[FR Doc. 79-33294 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

**Regulatory Guide; Issuance and
Availability**

The Nuclear Regulatory Commission has issued a revision to a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 8.21, Revision 1, "Health Physics Surveys for Byproduct Material at NRC-Licensed Processing and Manufacturing Plants," identifies the types and frequencies of surveys that are acceptable to the NRC staff for use as part of the radiation protection program in plants licensed by the NRC for processing or manufacturing byproduct material. This guide was revised to reflect public comment and additional staff review.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of active guides may be purchased at the current Government Printing Office (GPO) price. A subscription service for future guides in specific divisions is available through the Government Printing Office. Information on subscription service and current GPO prices may be obtained by writing to the U.S. Nuclear Regulatory Commission., Washington, D.C. 20555, Attention: Publications Sales Managers. (5 U.S.C. 552(a))

Dated at Rockville, Maryland this 22d day of October 1979.

For the Nuclear Regulatory Commission.
Robert B. Minogue,

Director, Office of Standards Development.

[FR Doc. 79-33293 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

[Dockets Nos. STN 50-518, STN 50-519, STN 50-520, and STN 50-521

Tennessee Valley Authority; Issuance of Amendments to Construction Permits

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 3 to Construction Permit Nos. CPPR-150, CPPR-151, CPPR-152, and CPPR-153 issued to the Tennessee Valley Authority for construction of the Hartsville Nuclear Plants, Units A1, A2, B1, and B2, located at the permittee's site in Trousdale and Smith Counties, Tennessee. The amendments reflect deletion of requirements for additional studies to estimate and evaluate drift deposition impact associated with cooling tower operation. The amendments are effective as of the date of issuance.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations. Prior public notice of these amendments is 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 application for

amendments dated September 24, 1979, (2) Amendment No. 3 to Construction Permit CPPR-150, (3) Amendment No. 3 to Construction Permit CPPR-151, (4) Amendment No. 3 to Construction Permit CPPR-152, and (5) Amendment No. 3 to Construction Permit CPPR-153. All of these items and other related material are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, DC, and at the Local Public Document Room located at the Tennessee State Library and Archives, 403 Seventh Avenue, North, Nashville, Tennessee.

A copy of items (2), (3), (4) and (5) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated at Bethesda, Maryland, this 23d day of October 1979.

For the Nuclear Regulatory Commission.

Donald E. Sells,

Acting Branch Chief, Environmental Projects Branch 2, Division of Site Safety and Environmental Analysis.

[FR Doc. 79-33296 Filed 10-26-79; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

Background

October 24, 1979.

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 U.S.C., Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions, or reinstatements. Each entry contains the following information:

The name and telephone number of the agency clearance officer;

The office of the agency issuing this form;

The title of the form;

The agency form number, if applicable;

How often the form must be filled out; Who will be required or asked to report;

An estimate of the number of forms that will be filled out;

An estimate of the total number of hours needed to fill out the form; and

The name and telephone number of the person or office responsible for OMB review.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. In addition, most repetitive reporting requirements or forms that require one half hour or less to complete and a total of 20,000 hours or less annually will be approved ten business days after this notice is published unless specific issues are raised; such forms are identified in the list by an asterisk (*).

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. Comments and questions about the items on this list should be directed to the OMB reviews of office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Stanley E. Morris, Deputy Associate Director for Regulatory Policy and Reports Management, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—447-6201

Revisions

Food Safety and Quality Service

*Application for License

PY-157

On occasion

Applicants for Graders or Inspectors

License, 200 responses; 100 hours

Charles A. Ellett, 395-5080

Forest Service

* Northeastern Woodland Ownership Study

Annually

Forest Landowners 2,500 responses; 1,250 hours

Charles A. Ellett, 395-5080

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Agency Clearance Officer—Robert G. Masarsky—755-5184

New Forms

Housing Management

Public Housing Agency Survey—Section 8 Existing

Single time

400 of 1700 Public Housing Agencies, 400 responses; 800 hours

Arnold Strasser, 395-5080

DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—William L. Carpenter—343-6716

Extensions

Bureau of Land Management

*Free Use Application and Permit 5510-1

On occasion

Applicants to Remove Material From

Public Lands, 200 responses; 100 hours

Charles A. Ellett, 395-5080

Reinstatements

Bureau of Land Management

*Application for Survey of Mining Claim 3860-5

On occasion

Applications for Mining Claims, 75 responses; 37 hours

Charles A. Ellett, 395-5080

DEPARTMENT OF THE TREASURY

Agency Clearance Officer—Floyd I. Sandlin—376-0436

New Forms

Bureau of the Mint

Anthony Dollar Coin Survey Questions

Single time

U.S. Cross Section of Population, 1,500 responses; 75 hours

Steed, Diane K., 395-3176

PENSION BENEFIT GUARANTY CORPORATION

Agency Clearance Officer—Charles P. Paul—254-4765

New Forms

Office of Intent to Terminate

IRS 5310

On occasion

Plan Administrators of Defined Benefit Pension Plans, 4,700 responses; 4,700 hours

Arnold Strasser, 395-5050

EXECUTIVE OFFICE OF THE PRESIDENT (OTHER)

Agency Clearance Officer—Robert J. Roeder—395-5132

New Forms

President's Commission on Pension Policy

Plan Sponsor Survey Instrument 79-2

Single time

Plan Sponsors for Individuals Contacted in Hseholds Survey, 4,500 responses; 1,485 hours

Arnold Strasser, 395-5080

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Clearance Officer—Linda Shiley—254-9515

New Forms

National Defense Executive Reserve/ Personal

Qualifications Statement

FEMA 85-3 (formerly GSA 9009)

On occasion

People Wishing to be executive reservists, 400 responses, 200 hours

Edward H. Clarke, 395-5867

NATIONAL SCIENCE FOUNDATION

Agency Clearance Officer—Herman Fleming—635-4070

Revisions

Survey of Scientific and Engineering Expenditures at Universities and Colleges, FY 1979

NSF 411 & 411

Annually

Institutions of Higher Education with S/F programs, 560 responses; 14,700 hours

Off. of Federal Statistical Policy & Standard, 673-7974

OFFICE OF PERSONNEL MANAGEMENT

Agency Clearance Officer—John P. Weld—632-7737

Revisions

*Annuitant's Report of Income

BRI 49-160

Annually

Disability annuitants under age 60, 155,000 responses, 12,916 hours

Laverne V. Collins, 395-3214

*Certification of Marital Status

BRI 49-175

Other (see SF-83)

Widow(er) survivor annuities under 60, 40,000 responses; 3,333 hours

Laverne V. Collins, 395-3214

Stanley E. Morris,

Deputy Associate Director for Regulatory Policy and Reports Management.

[FR Doc. 79-33304 Filed 10-29-79; 8:45 am]

BILLING CODE 3110-01-M

Office of Federal Procurement Policy

Subcontracting With Women's Business Enterprises Under Federal Contracts

October 23, 1979.

AGENCY: Office of Federal Procurement Policy (OFPP), Office of Management and Budget.

ACTION: Request for comment on proposed changes to the Federal Procurement Regulations (FPR), the Defense Acquisition Regulation (DAR), and other procurement regulations.

SUMMARY: On May 18, 1978, the President signed Executive Order 12138 creating a National Women's Business Enterprise Policy. At the same time, he prescribed arrangements for developing, coordinating and implementing a national program for women's business enterprise. Each department and agency of the Executive Branch was directed, within the constraints of statutory authority and as otherwise permitted by law, to take appropriate action to facilitate, preserve and strengthen Women's Business Enterprises and to ensure full participation by women in the free enterprise system.

To achieve the maximum practicable Federal contracting opportunity for women-owned firms, the Office of Federal Procurement Policy has agreed to:

1. Set the following overall goals for Federal prime contracts:

An approximate doubling of the dollar amount of Federal prime contracts to women-owned firms in FY 1980 to at least \$150 million.

A redoubling of this amount in FY 1981 to \$300 million.

2. Direct the revision of government-wide procurement regulations to assure that Federal prime contractors increase their use of women-owned firms as subcontractors.

These revisions include:

(a) Developing clauses for inclusion in prime contract solicitations and in prime contracts which encourage the use of women-owned firms as subcontractors to the maximum degree feasible.

(b) Studying the feasibility of developing an incentive clause for inclusion in appropriate prime contracts to offer a dollar award to a prime contractor for subcontracting with

women-owned firms in excess of an agreed upon goal for such subcontracting.

To implement (a) above, comments are invited regarding the desirability and the potential impact of including in Federal contracts the clauses set forth below in a proposed OFPP policy letter. In addition, the Government is continuing to explore and gain experience in using the incentive clause as authorized in Pub. L. 95-507 in small and disadvantaged business subcontracting. This is being done on a pilot basis. OFPP will evaluate the results of these pilot programs in September of 1980 and relate the lessons learned to women-owned business. In the interim, general comments are invited regarding the desirability and potential impact of including incentive clauses in Federal contracts for the purpose of promoting subcontracting opportunities for women-owned business concerns.

DATE: Comments must be received by December 28, 1979.

ADDRESSES: Comments are to be submitted to the Office of Federal Procurement Policy, Office of Management and Budget, 726 Jackson Place, N.W., Room 9025, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Dorothy Dickerson, Deputy Associate Administrator for Acquisition Law, (202) 395-3455.

James D. Currie,
Acting Administrator.

Policy Letter 79-XX—To the Heads of Executive Departments and Establishments

Subject: Women's Business Enterprise Program

Purpose.—The purpose of this policy letter is to promulgate clauses for insertion in Federal contracts to establish a program of subcontracting with Women's Business Enterprise in accordance with Executive Order 12138. "Women's Business Enterprise" means a woman-owned business or businesses, or the efforts of a woman or women to establish, maintain or develop such a business or businesses.

Background.—Executive Order 12138 noted that findings of the Interagency Task Force on Women Business Owners and congressional findings recognize:

1. The significant role which shall business and women entrepreneurs can play in promoting full employment and balanced growth in our economy;
2. The many obstacles facing women entrepreneurs; and

3. The need to aid and stimulate women's business enterprise.

In response to these findings the Executive order established a National Women's Business Enterprise Policy and prescribed arrangements for developing, coordinating and implementing a national program for women's business enterprise. Each department and agency was directed to take affirmative action in support of women's business enterprise in appropriate programs and activities including, but not limited to, procurement.

The President's Memorandum for the Heads of Departments and Agencies dated May 18, 1979, noted that the Task Force on Women Business Owners had found that efforts to encourage full participation of women in Federal procurement activity have been less than adequate. The Office of Federal Procurement Policy finds no statute or regulation affecting procurement by Federal agencies which assures women business owners fair opportunity to participate in Government acquisition action. Consequently, OFPP has agreed to establish agency goals for the award of prime contracts to women-owned firms and has agreed to see that Government-wide procurement regulations are revised to encourage Federal prime contractors to increase their use of women owned firms as subcontractors.

Action.—DOD and GSA are requested to provide in the DAR and the FPR, and other agencies having procurement powers not subject to the DAR and FPR are requested to provide in their procurement regulations, for the use of contract clauses as follows:

A. The following clause shall be included in all contracts expected to exceed \$10,000 except (1) contracts which, including all subcontracts thereunder, are to be performed entirely outside the United States, its possessions, Puerto Rico and the Trust Territory of the Pacific Islands and (2) contracts for services which are personal in nature.

Utilization of Women-Owned Business Concerns (Over \$10,000)

(a) It is the policy of the United States Government that a fair proportion of the purchases and contracts for supplies and services for the Federal Government be placed with women-owned business concerns.

(b) The Contractor agrees to use his best efforts to carry out this policy in the award of subcontracts to the fullest extent consistent with the efficient performance of this contract. As used in this contract, a woman-owned business concern means a business that is at least 51% owned by a woman or women who also control and operate it.

Controlled in this context means exercising the power to make policy decisions. Operate in this context means being actively involved in the day-to-day management.

(End of Clause)

B. The following clause shall be included in all contracts expected to exceed \$500,000 which require the clause in (a) above and which, in the opinion of the Contracting Officer, offer substantial subcontracting possibilities. Furthermore, prime contractors who are to be awarded contracts which may not exceed \$500,000 but which, in the opinion of the Contracting Officer, offer substantial subcontracting possibilities, shall be urged to accept this clause.

Women Owned Business Concerns Subcontracting Program (Over \$500,000)

(a) The Contractor agrees to establish and conduct a program which will enable women-owned business concerns to be considered fairly as subcontractors and suppliers under this contract. In this connection, the contractor shall:

- (1) Designate a liaison officer who will administer the Contractor's "Women-Owned Business Concerns Program."
- (2) Provide adequate and timely consideration of potentialities of known women-owned business concerns in all "make-or-buy" decisions.
- (3) Assure that known women-owned business concerns will have an equitable opportunity to compete for subcontracts, particularly by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation of women-owned business concerns.
- (4) Maintain records showing (i) procedures which have been adopted to comply with the policies set forth in this clause, including the establishment of a source list of women-owned business concerns; (ii) awards to women-owned businesses on the source list; and (iii) specific efforts to identify and award contracts to women-owned business concerns.

(5) Include the "Utilization of Women-Owned Business Concerns" clause in subcontracts which offer substantial subcontracting opportunities.

(6) Cooperate with the Contracting Officer in any studies and surveys of the Contractor's women-owned business concerns procedures and practices that the Contracting Officer may, from time-to-time, conduct.

(7) Submit periodic reports of subcontracting to women-owned business concerns with respect to the records referred to in subparagraph (4) above, in such form and manner and at such time (not more often than quarterly) as the Contracting Officer may prescribe.

(b) The Contractor further agrees to insert, in any subcontract hereunder which may exceed \$500,000 and which offers substantial subcontracting possibilities, provisions which shall conform substantially to the language of this clause, including this paragraph (c), and

to notify the Contracting Officer of the names of such subcontractors.
(End of Clause)

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Subcontracting Under Federal Contracts

October 23, 1979.

AGENCY: Office of Federal Procurement Policy, Office of Management and Budget.

ACTION: Request for comment on proposed changes to regulations implementing Section 211 of Public Law 95-507 and proposed format for collection of Federal subcontracting data.

SUMMARY: Regulatory changes. The following set forth changes to be made in the Federal Procurement Regulations (FPR), the Defense Acquisition Regulation (DAR), and other procurement regulations in implementation of Section 211 of Public Law 95-507.

On October 24, 1978, the President signed into law Public Law 95-507 amending the Small Business Act and the Small Business Investment Act of 1958. Section 211 of Public Law 95-507 relates to subcontracting under Federal Contracts.

On January 16, 1979, the Office of Federal Procurement Policy published in the *Federal Register* (44 FR 3340) a proposed policy statement relating to changes in the FPR and DAR regarding Section 211 (Subcontracting). On April 20, 1979, final regulations were published in the *Federal Register* (44 FR 23610).

The proposed changes in I. below are intended to supplement the regulations published on April 20. For the ease of reading, the original regulations are also printed below, with changed or new material inserted in italics, and deletions in brackets.

Proposed Data Collection Formats. In order to enforce the provisions of Section 211 of Public Law 95-507, the procuring agencies must collect certain data relating to subcontracting under Federal prime contracts. In addition, certain additional data is required by the Federal Government to support and evaluate the Labor Surplus Area Program mandated by Pub. L. 95-89, and the National Women's Business Enterprise program established by E.O. 12138. The proposed forms in II. below are intended to provide a uniform format for collecting this data that will minimize the burden on Federal contractors. The forms will replace any existing Federal forms requiring similar data.

DATE: Comments must be received by December 15, 1979.

ADDRESSES: Comments are to be submitted to the Office of Federal Procurement Policy, Office of Management and Budget, 726 Jackson Place, N.W., Room 9025, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Thomas F. Williamson, Associate Administrator for Acquisition Law, (202) 395-3455.

Dated: October 23, 1979.

James D. Currie,
Acting Administrator.

I. Subcontracting Regulations

A. Utilization of Small Business and Small Disadvantaged Business Concerns (Over \$10,000)

DOD and GSA are requested to provide in Section 7 of the DAR and part 1-7 of the FPR for the use of a contract clause as follows:

The following clause shall be included in all contracts over \$10,000 except (1) contracts for services which are personal in nature and (2) contracts which will be performed entirely (including all subcontracts) outside any State, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico:

Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals

(a) It is the policy of the United States that small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals shall have the maximum practicable opportunity to participate in the performance of contracts let by any Federal agency.

(b) The contractor hereby agrees to carry out this policy in the awarding of subcontracts to the fullest extent consistent with the efficient performance of this contract. The contractor further agrees to cooperate in any studies or surveys that may be conducted by the Small Business Administration or the contracting agency which may be necessary to determine the extent of the contractor's compliance with this clause.

(c) (1) The term "small business concern" shall mean a small business as defined pursuant to Section 3 of the Small Business Act and in relevant regulations promulgated pursuant thereto.

(2) The term "small business concern owned and controlled by socially and economically disadvantaged individuals" shall mean a small business concern—

(i) which is at least 51 per centum owned by one or more socially and economically disadvantaged individuals; or in the case of any publicly owned business, at least 51 per centum of the stock of which is owned by one or more socially and economically disadvantaged individuals; and

(ii) whose management and daily business operations are controlled by one or more of such individuals.

The contractor shall presume that socially and economically disadvantaged individuals include Black Americans, Hispanic Americans, Native Americans, *Asian-Pacific Americans*, and other minorities, or any other individual found to be disadvantaged by the Small Business Administration pursuant to section 8(a) of the Small Business Act.

(d) Contractors acting in good faith may rely on written representations by their subcontractors as either a small business concern or a small business concern owned and controlled by socially and economically disadvantaged individuals.
(End of Clause)

B. Definitions, DOD and GSA are requested to provide in Section 1-332 of the DAR and subpart 1-1.13 of the FPR as follows:

1. Business owners who certify that they are members of named groups (Black Americans, Hispanic Americans, Native Americans, *Asian-Pacific Americans*) are to be considered socially and economically disadvantaged.

2. The term "Native Americans" means American Indians, Eskimos, Aleuts and native Hawaiians. "*Asian-Pacific Americans*" means U.S. citizens whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia and Taiwan.

3. Other individuals may qualify as socially and economically disadvantaged under procedures which have been separately established by the Small Business Administration, *13 CFR 124.1-1(f)(iii)*, using the following guidelines:

Socially disadvantaged individuals are those individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.

Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged.

4 The Office of Minority Small Business and Capital Ownership Development in the Small Business Administration shall answer inquiries from prime contractors and others relative to the class of eligibles.

C. Small Business and Small Disadvantaged Business Subcontracting (Negotiated). DOD and GSA are requested to provide in Section 1-332

and Section 1, Part 7 of the DAR, and subparts 1-1.13 and 1-1.7 of the FPR as follows:

All solicitations for negotiated contracts or negotiated amendments or modifications (including contracts, amendments, and modifications placed on a sole source basis) which [(a) offer subcontracting possibilities, (b)] are expected to exceed \$500,000, or in the case of contracts for the construction of any public facility, \$1,000,000, and [(c)] are required to include the clause entitled Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals, shall include a provision which requires the apparent successful offeror, provided the offeror is not a small business concern, to negotiate a detailed subcontracting plan. The provision is as follows:

Small Business and Small Disadvantaged Business Subcontracting Plan (Negotiated)

(a) The offeror acknowledges that it is aware of the subcontracting plan requirements in this provision, and, if it is the apparent successful offeror, and if the contract offers subcontracting possibilities agrees to negotiate a plan which includes:

(1) Percentage goals (expressed in terms of percentage of total planned subcontracting dollars) for the utilization as subcontractors of small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals; (For the purposes of the subcontracting plan, the contractor [shall] may include all purchases which contribute to the performance of the contract, including a proportionate share of products, services, etc., whose costs are normally allocated as indirect or overhead costs.)

(2) The name of an individual within the employ of the offeror who will administer the subcontracting program of the offeror and a description of the duties of such individual;

(3) A description of the efforts the offeror will take to assure that small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals will have an equitable opportunity to compete for subcontracts;

(4) Assurances that the offeror will include the clause entitled Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals in all subcontracts which offer further subcontracting opportunities and to require all subcontractors (except small business concerns) who receive subcontracts in excess of \$500,000, or in the case of a contract for the construction of any public facility, \$1,000,000, to adopt a plan similar to the plan agreed to by the offeror;

(5) Assurances that the offeror will submit such periodic reports and cooperate in any studies or surveys as may be required by the contracting agency or the Small Business

Administration in order to determine the extent of compliance by the offeror with the subcontracting plan; and

(6) A recitation of the types of records the offeror will maintain to demonstrate procedures which have been adopted to comply with the requirements and goals set forth in the plan, including the establishment of source lists of small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals; and efforts to identify and award subcontracts to such small business concerns.

(b) The offeror understands that:

(1) No contract will be awarded unless and until an acceptable plan is negotiated with the contracting officer and that an acceptable plan will be incorporated into the contract, as a material part thereof.

(2) An acceptable plan must, in the determination of the contracting officer, provide the maximum practicable opportunity for small business concerns owned and controlled by socially and economically disadvantaged persons to participate in the performance of the contract.

(3) If a subcontracting plan acceptable to the contracting officer is not negotiated within the time limits prescribed, the offeror shall be ineligible for an award. The contracting officer shall notify the contractor in writing of his reasons for determining a subcontracting plan to be unacceptable. Such notice shall be given early enough in the negotiation process to allow the contractor to modify the plan within the time limits prescribed.

(4) Prior compliance of the offeror with other such subcontracting plans under previous contracts will be considered by the contracting officer in determining the responsibility of the offeror for award of the contract.

(5) It is the offeror's responsibility to develop a satisfactory subcontracting plan with respect to both small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals and that each such aspect of the offeror's plan will be judged independently of the other.

(c) Subcontracting plans are not required of small business concerns.

(d) The failure of any contractor or subcontractor to comply in good faith with (1) the clause entitled Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals or (2) an approved plan required by this Small Business and Small Disadvantaged Business Subcontracting Plan (Negotiated) provision, will be a material breach of such contract of subcontract.

(e) Nothing contained in this provision supersedes the requirements of Defense Manpower Policy 4A or any successor policy. (End of Clause)

Instructions to Contracting Officers

The following policy and procedural guidance is provided to contracting officers in making determinations as to the acceptability of a Small Business

and Small Disadvantaged Business Subcontracting Plan submitted by an apparent successful offeror, in accordance with the requirements of Public Law 95-507, Amendments to the Small Business Act and the Small Business Investment Act of 1958. This guidance is not intended to be all inclusive. Other factors may warrant consideration dependent upon the particular circumstances of the proposed acquisition. Ultimately, there is no substitute for the reasoned and objective judgment of a contracting officer exercised on a case by case basis.

Goal Setting Procedures

(a) With the exception of (a)(3) below, the apparent successful offeror shall include in its proposed detailed subcontracting plan the following elements in addition to those required by the Solicitation.

(1) Total dollar planned subcontracting; (i) total dollar small business concerns, and (ii) total dollar small disadvantaged business subcontractors.

(2) A description of the principal product and service areas to be subcontracted and an identification of those areas where it is planned to use (i) small business, and (ii) small disadvantaged business subcontractors.

(3) To the extent available, the contracting officer shall be furnished the names and locations of principal proposed (i) small business, and (ii) small disadvantaged business subcontractors including the type of product or service and the dollar value thereof to be awarded to each principal-subcontractor. (This information will be used only to assist the contracting officer in making a determination as to the acceptability of the proposed percentage and dollar subcontract goals. The offeror will not be contractually bound to make subcontract awards to the designated contractors nor will the names of the subcontractors be included in any subsequent approved plan).

(4) Method used in developing proposed subcontracting goals for (i) small business, (ii) small disadvantaged business concerns (e.g., did the offeror use for subcontract solicitation purposes company source lists, the small business and disadvantaged small business source identification system provided by the Small Business Administration's Procurement Automated Source System, the National Minority Purchasing Council Vendor Information Service, the Office of Minority Business Data Center in the Department of Commerce, and the

facilities of local minority associations?)

(5) Method used in determining the proportionate share of indirect and overhead costs incurred with (i) small business and (ii) small disadvantaged business subcontractors to be allocated to the specific acquisition.

(b) In making determinations concerning the acceptability of proposed subcontracting plans, the contracting officer, in concert with the Small and Disadvantaged Business Utilization Specialist and the Small Business Administration representatives, should take the following actions:

(1) Obtain and review information from all appropriate sources, including the prospective contractor, contract administration activities, Small and Disadvantaged Business Utilization Specialist, and SBA representatives concerning the apparent successful offeror's historical performance and achievements in placing subcontracts for the same or similar products or services with (i) small business, and (ii) small disadvantaged business subcontractors—if this information is not available for a specific product or service, the offeror's past performance and achievements in the placement of total subcontract awards to (i) small business, and (ii) small disadvantaged business subcontractors shall be examined.

(2) Evaluate the anticipated potential for subcontracting to (i) small business, and (ii) small disadvantaged business considering the make-or-buy policies or programs of the apparent successful offeror, the nature of the products or services to be subcontracted, and the known availability of (i) small business, and (ii) small disadvantaged business concerns in the geographical area where the work will be performed.

(3) Advise the apparent successful offeror of (i) the availability of the sources of information on potential small business and small disadvantaged business subcontractors described in a(4) above, and (ii) the names of any known potential small business and small disadvantaged business subcontract sources. If the proposed goals are questionable, the contracting officer should insist that one or more of the sources of information be used and potential small business and small disadvantaged business subcontract sources be considered to ensure development of realistic and acceptable goals.

(4) Obtain advice and recommendations of the Small and Disadvantaged Business Utilization Specialist and the assigned Small

Business Administration procurement Center Representative (if available) concerning the acceptability of the proposed goals.

(5) Negotiate subcontracting goals at a level which represents a good faith, aggressive, and comprehensive effort of the apparent successful offeror to use to the maximum practicable extent small and small disadvantaged subcontractors after appropriate consideration of their price, technical capability, and other pertinent factors. No goals will be negotiated upwards if it is apparent that such higher goals must result in significant increased costs to the Government or will seriously impede acquisition objectives. However, incentive subcontracting clauses should be considered in those cases where it is believed that additional and unique prime contractor effort could significantly increase small business and small disadvantaged business subcontract awards.

(6) The contracting officer shall promptly negotiate appropriate revisions to agreed subcontracting percentage and dollar goals if any subsequent amendment to the contract will have a major impact on the original planned volume or type of subcontracting effort. If agreement cannot be reached, the matter will be resolved under the Disputes Clause of the contract.

Records To Be Maintained

The records required by item 6 of the plan shall include at least the following for compliance with the clause:

(a) Small and disadvantaged business source lists, guides and other data identifying SBSDC vendors.

(b) Organizations contacted for small and disadvantaged business sources.

(c) Maintain records on all subcontract solicitations over \$10,000, indicating on each solicitation (1) whether small business was solicited, and if not why not; (2) whether small disadvantaged business was solicited, and if not why not; and (3) reasons for the failure of solicited small business or small disadvantaged business to receive the subcontract award.

(d) Records to support other outreach efforts:

- Contacts with Minority and Small Business Trade Associations, etc.
- Contacts with business development organizations, etc.

- Attendance at small and minority business procurement conferences and trade affairs.

(e) Records to support internal activities to guide and encourage buyers:

- Workshops, seminars, training programs, etc.

- Monitoring activities to evaluate compliance.

(f) Records to support award data submitted on standard forms to include name and address of subcontractor.

Failure to Comply in Good Faith With the Subcontracting Requirements

The failure of any contractor or subcontractor to comply in good faith with (1) the clause entitled Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals or (2) an approved plan required by this Small Business and Small Disadvantaged Business Subcontracting Plan provision, will be a material breach of such contract or subcontract.

If such a breach has occurred in the prime contract, the contracting officer shall review the available facts to determine what remedy is in the best interests of the Government.

Such remedies may include Termination of the Contract pursuant to the Termination for Default Clause, reduction in contract price, negotiation of a revised subcontracting plan to correct deficiencies, or other measures the contracting officer may deem appropriate. In determining the proper remedy, the contracting officer shall consider (1) the reasons attributed to the failure to comply in good faith, (2) the Government's need for the contract deliverables, and (3) the impact a proposed remedy may have on existing small and disadvantaged subcontractors.

If the failure to comply in good faith cannot be settled by agreement, a contracting officer decision pursuant to the contract clause shall be issued.

D. Incentive Subcontracting Program. DOD and GSA are requested to provide in the DAR and the FPR for the use of a contract clause as follows:

The following clause shall be used in all negotiated contracts for which a subcontracting plan is required, unless the contracting officer determines in writing that such clause would be inappropriate.

Incentive Subcontracting Program for Small Business and Small Disadvantaged Business (Negotiated)

(1) The contractor has established, in his subcontracting plan, the following goals for awards to small business and small disadvantaged business concerns:

(i) ¹— percent of the total planned subcontract amount of \$ ¹— to small business concerns, and

¹ Identified elsewhere in the contract.

(ii) ²— percent of the total planned subcontract amount of \$ ³— to small business concerns owned and controlled by socially and economically disadvantaged individuals.

(2) To the extent that the contractor exceeds such subcontract goals in the performance of this contract, it will receive ³— percent (not to exceed 10 percent) of the dollar amount of such excesses, unless the contracting officer determines that such excess was not due to efforts by the contractor, i.e., subcontractor cost overruns or where the actual subcontract amount exceeds that estimated in the subcontract plan; or planned subcontracts which were not disclosed in the subcontract plan during contract negotiation.

(3) If the contract is a cost plus fixed fee type, the total of the fixed fee and the incentive payments made pursuant to this clause is subject to the limitations set forth in FPR 1-3.405-5(c)(2) and DAR 3-405.6(c)(2).

Instructions to Contracting Officers

Every Federal agency, in order to encourage subcontracting opportunities for small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals, is authorized to provide, in negotiated procurements, such incentives as such Federal agency may deem appropriate consistent with the efficient and economical performance of the contract.

Federal agencies whose procurements exceed \$5,000,000 annually, are requested to use an incentive clause in selected negotiated contracts on a test basis. Test plans, including incentive clauses intended for use in negotiated procurements, shall be submitted to OFPP not later than December 31, 1979. The results and lessons learned from these tests are to be submitted to OFPP by June 1981.

E. Small Business and Small Disadvantaged Business Subcontracting (Advertised). DOD and GSA are requested to provide in Section 1-332 and Section 1, Part 7 of the DAR and Subparts 1-1.13 and 1-1.17 of the FPR, as follows:

1. All solicitations for formally advertised contracts or amendments or modifications which (a) offer subcontracting opportunities, (b) are expected to exceed \$500,000, or in the case of contracts for the construction of any public facility, \$1,000,000 and (c) are required to include the clause entitled Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals, shall include a provision which requires the bidder selected to be

awarded the contract to submit a detailed subcontracting plan (provided the bidder is not a small business concern). The provision is as follows:

Small Business and Small Disadvantaged Business Subcontracting Program (Advertised)

(a) The offeror represents that it is aware: (1) Of the subcontracting plan requirement in this provision and, if selected for award, it will submit within the time specified by the contracting officer, a subcontracting plan that will afford the maximum practicable opportunity to participate in the performance of the contract to small and small disadvantaged business concerns and will include:

(i) Percentage goals (expressed in terms of percentage of total planned subcontracting dollars) for the utilization as subcontractors of small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals; (For the purposes of the subcontracting plan, the contractor [shall] may include all purchases which contribute to the performance of the contract, including a proportionate share of products, services, etc., whose costs are normally allocated as indirect or overhead costs.)

(ii) The name of an individual within the employ of the offeror who will administer the subcontracting program of the offeror and a description of the duties of such individuals;

(iii) A description of the efforts the offeror or bidder will take to assure that small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals will have an equitable opportunity to compete for subcontracts;

(iv) Assurances that the bidder will include the clause entitled Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals in all contracts which offer further subcontracting opportunities, and that the bidder will require all subcontractors (except small business concerns) who receive subcontracts in excess of \$1,000,000 in the case of a contract for the construction of any public facility, or in excess of \$500,000 in the case of all other contracts, to adopt a plan similar to the plan agreed to by the bidder;

(v) Assurances that the bidder will submit such periodic reports and cooperate in any studies or surveys as may be required by the contracting agency or the Small Business Administration in order to determine the extent of compliance by the bidder with the subcontracting plan; and

(vi) A recitation of the types of records the successful bidder will maintain to demonstrate procedures which have been adopted to comply with the requirements and goals set forth in the plan, including the establishment of source lists of small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals; and efforts to identify and award subcontracts to such small business concerns.

(2) Of the clause entitled Utilization of Small Business Concerns and Small Business

Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals in the contract.

(b) If the contracting officer believes that the subcontracting plan submitted pursuant to this Section does not reflect the best effort by the bidder to award subcontracts to small and small disadvantaged firms to the fullest extent consistent with the efficient performance of the contract, he shall notify the agency's director of the Office of Small and Disadvantaged Business Utilization who shall in turn notify the Small Business Administration and request a review of the plan pursuant to Section 8(d)(10) and (11) of the Small Business Act. Such request for an SBA review shall not delay award of the contract. Prior compliance of the offeror with other such subcontracting plans under previous contracts will be considered by the contracting officer in determining the responsibility of the bidder for award of the contract.

(c) The bidder understands that:

(1) It agrees to carry out the government's policy to provide the maximum practicable opportunity for small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals to participate in the performance of the contract, consistent with its efficient performance.

(2) If it does not submit a subcontracting plan within the time limits prescribed by the contracting agency, it will be ineligible to be awarded the contract.

(3) Prior compliance of the bidder with other such subcontracting plans under previous contracts will be considered by the contracting officer in determining the responsibility of the offeror for award of the contract.

(4) It is the contractor's responsibility to develop a subcontracting plan with respect to both small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals.

(d) Subcontracting plans are not required of small business concerns.

(e) The failure of any contractor or subcontractor to comply in good faith with (i) the clause entitled Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals, or (ii) the terms of any subcontracting plan required by this Small Business and Small Disadvantaged Business Subcontracting Plan (Advertised) provision, will be a material breach of the contract or subcontract.

(f) Nothing contained in this provision supersedes the requirements of Defense Manpower Policy 4A or any successor policy.

2. The contracting officer may, in a letter accompanying the solicitation or otherwise, inform the offeror of the goal the Government contemplates for subcontracting to both small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals. Any such letter shall state

² Identified elsewhere in the contract.

³ Exact percentage to be inserted into the contract document.

that the goals are informational only and not legally binding.

Instructions to Contracting Officers

Use of solicitation notice

The contracting officer shall include the solicitation notice in E above in all solicitations meeting the monetary threshold unless the contracting officer determines in writing that the proposed contract, amended or modified, offers no subcontracting possibilities. If the contracting officer is not sure of the presence of subcontracting opportunities, the notice must be included but may subsequently be deleted on a showing by the prospective officer that subcontracting possibilities do not exist.

F. Small Business and Small Disadvantaged Business Subcontracting (Commercial Products, and Make-or-Buy). DOD and GSA are requested to provide in the DAR and the FPR, as follows:

1. Commercial Products.

If the prime contract is for a commercial product (defined below), the required subcontracting plan may relate to the company's production of the item generally (both for the Government contract and for regular commercial sale) rather than solely to the item being procured under the government contract. In such cases, the contractor shall be required to submit one company-wide, annual plan to be reviewed for approval by the first agency with which he enters into a prime contract (which requires a subcontracting plan) during the fiscal year. The approved plan will remain in effect for the entire fiscal year.

Commercial products are defined as products in regular production sold in substantial quantities to the general public and/or industry at established market or catalog prices.

2. Make-or-Buy.

In negotiating subcontracting plans, the contracting officer shall take into account a prime contractor's stated inability to subcontract due to an existing "make-or-buy" policy. A "make-or-buy" policy concerns the major subsystems, assemblies, and components which the contractor manufactures, develops, or assembles in his own facilities, and those which it obtains elsewhere by contract.

Instructions to Contracting Officers

In reviewing and negotiating a contractor's proposed small and disadvantaged business subcontracting plan, the contracting officer shall give due consideration to the contractor's "make-or-buy" policy or program. This is necessary to ensure that the respective programs are not in conflict, and the best interests of the Government are obtained.

II. Data Collection Formats

FEDERAL QUARTERLY SUMMARY SUBCONTRACTING REPORT		Note: See reverse side for necessary instructions.		Form Approved OMB No.	
1. Federal Department or Agency Administering Contracts		Reporting Period From (Day, Month, Year) to (Day, Month, Year)			
2. Name of Corporation, Company or Subdivision Covered, and Complete Address (Include Zip Code)		4. Date of Most Recent Government Surveillance Review and Military or other Federal Department or Agency Conducting Review			
3. Type Contractor Prime <input type="checkbox"/> Subcontractor <input type="checkbox"/>					
5. Subcontract and Purchase Commitments Awarded to the Following Based on Federal Government Prime or Subcontract Awards					
Classification of Awards by Business Size and Type	CUMULATIVE QUARTER THIS FISCAL YEAR		CUMULATIVE QUARTER LAST FISCAL YEAR		
	DOLLARS	%	DOLLARS	%	
a. Small Business Awards	\$		\$		
b. Large Business Awards	\$		\$		
c. Total Awards	\$	100	\$	100	
d. Disadvantaged Business Awards	\$		\$		
e. Women-Owned Business Awards	\$		\$		
f. Number of Small Business Awards					
g. Number of Disadvantaged Business Awards					
h. Number of Women-Owned Business Awards					
6. Labor Surplus Area Awards	\$		\$		
7. Contract Status			CUMULATIVE THIS FISCAL YEAR	CUMULATIVE LAST FISCAL YEAR	
a. No. active contracts having small business goals					
b. No. contracts having small business goals with work completed					
c. No. contracts with work completed which met small business goal					
d. No. contracts with work completed which did not meet small business goal					
e. No. active contracts having disadvantaged business goals					
f. No. contracts having disadvantaged business goals with work completed					
g. No. contracts with work completed which met disadvantaged business goal					
h. No. contracts with work completed which did not meet disadvantaged business goal					
8. Remarks: (Include a short narrative explanation if no dollar awards were made to small-business or disadvantaged business; if the current ratio of dollar awards to small firms decreased by more than five percentage points below last year's ratio for the same cumulative quarter; or if the percentage of awards to disadvantaged firms decreased in comparison to last year for the same cumulative quarter.)					
9. Typed Name and Title of Corporation, Company or Subdivision Liaison Officer		9a. Signature		9b. Date Report Submitted for Approval	
10. Typed Name and Title of Reviewing Official		10a. Signature		10b. Date Approved and Submitted	

INSTRUCTION FOR PREPARING
FEDERAL QUARTERLY SUMMARY SUBCONTRACTING REPORT

1. This report is to be submitted each calendar quarter by all Federal contractors and subcontractors which are, pursuant to the Small Business Act of 1958, as amended by Public Law 95-507, required to establish subcontracting plans in support of small business and small disadvantaged business concerns. Report shall be submitted not later than 25 days after the close of the quarter being reported.

2. In the case of reports covering contracts awarded by the military departments or agencies of the Department of Defense (DOD) or subcontracts awarded by DOD prime contractors, the original copy of each report shall be submitted directly to the Office of the Under Secretary of Defense for Research and Engineering, Attention: Director of Small Business and Economic Utilization Policy, The Pentagon, Washington, D.C. 20301. A copy of the report will be submitted to the appropriate office listed below whose military activity is responsible for contract administration of the contractor:

Army - Director of Small and Disadvantaged Business Utilization,
Office of the Secretary of the Army, Washington, D.C. 20360

Navy - Director of Small and Disadvantaged Business Utilization,
Office of the Navy, Washington, D.C. 20360

Air Force - Director of Small and Disadvantaged Business
Utilization, Office of the Secretary of Air Force, Washington, D.C.
20330

DLA - Staff Director of Small and Disadvantaged Business
Utilization, HQ Defense Logistics Agency (Attention: U), Cameron
Station, Alexandria, Virginia 22314

3. Each reporting corporation, company, or subdivision (excluding contractors involved in maintenance, repair, and construction) shall report the required information for the reporting unit as a whole on the basis of the total "mix" of Department of Defense business (e.g., commitments for subcontracting work shall not be segregated as between subcontracts arising from work for the Army, Navy, Air Force, or Defense Agencies).

4. Defense contractors, except those involved in maintenance, repair, and construction, will also submit two (2) copies to the cognizant military department, or DOD agency which is responsible for administering the prime or subcontractor. Construction contractors shall submit, similarly on a quarterly basis, two (2) copies of this Standard Form to their appropriate military construction contract administration activity. If a construction contractor is involved with more than one contract administration activity, he will submit this Standard Form to each activity reflecting the contract awards under the supervision of the particular contract administration activity.

5. Only military subcontract and purchase commitments involving performance within the U.S., its possessions, Puerto Rico, and the Trust Territory of the Pacific Islands will be included in this report.

6. For reports covering contracts awarded by all other Federal Departments or Agencies other than the Department of Defense and subcontracts placed by prime contractors of such departments or agencies, the original copy shall be sent to the Department or Agency Director of Small and Disadvantaged Business Utilization in accordance with instructions issued by respective Department or Agency.

7. This report is not required to be submitted by small business or disadvantaged business firms.

SPECIFIC INSTRUCTIONS

ITEM 1. For the DOD, specify the military department or agency and its representative who has contract responsibility for the subcontracting program of the corporation or plant (e.g., Army, Navy, Air Force, or Defense Contract Administration Services). Do not enter Under Secretary of Defense for Research and Engineering (USDRE). For all other Federal departments and agencies, identify activity having contract administration responsibility. If a contractor is performing work for more than one Federal agency, this report shall be submitted to each such agency covering contracts awarded by that agency.

ITEM 2. Enter the name of the reporting corporation, company, or subdivision thereof (e.g., division or plant) which is covered by the data submitted. Report is to be submitted on a plant or division basis of operation as a separate profit center. A company not having separate plants or divisions will report on a company-wide basis.

ITEM 3. Show whether reporting business is performing as a prime or subcontractor or both.

ITEM 4. For reports submitted to the Department of Defense, enter date of last formal surveillance review of contractor's subcontracting program conducted by the Small and Disadvantaged Business Specialist of the cognizant military department, or Defense Contract Administration Services. For other Federal departments or agencies, enter date of surveillance review conducted by the department or agency Small and Disadvantaged Business Specialist or other review personnel. In those cases where the Small Business Administration conducts its own review, show "SBA" and date. Reports submitted to the Department of Defense should show reviews conducted DOD personnel.

ITEM 5. Enter the day, month, and the year of the first and last days of the quarterly period covered by this report. Dollar amounts of all awards and purchase orders (including those awards which are not related to performance of specific contracts with subcontracting plans required by Federal agencies) are to be reported on a quarterly cumulative basis until the end of the fiscal year on 30 September after which a new quarterly reporting cycle is to be initiated commencing with the first quarter from 1 October through 31 December. Dollar amounts reported should include direct awards and the appropriate prorata portion of the prime contractors indirect awards such as general and administrative support contracted with large, small, disadvantaged and women-owned business. This portion should be based on the percentage of the Federal department or agency work being performed by the prime contractor in relation to other commercial work performed for other activities. Particular care should be taken not to include in this report purchase commitments made in support of commercial business being performed by the contractor.

ITEM 6. Show dollar amount of awards valued over \$10,000 placed in labor surplus areas (LSA). Prime contractors are encouraged to include also awards valued less than \$10,000 if such additional reporting does not impose a burden upon the contractor. LSA's are identified in the Department of Labor (DOL) publication "Labor Surplus Area Listings" which can be obtained from the Federal Agency contracting officer or by writing to Employment and Training Administration, (ATTN: TPPL), Department of Labor, 601 "D" Street, N.W., Washington, D.C. 20213.

ITEMS 7, 8, 9 and 10 are self-explanatory.

DEFINITIONS

1. Small Business Concern is a concern that meets the pertinent criteria established by the Small Business Administration.

2. The term socially and economically disadvantaged small business concern means any small business concern--

(a) which is at least 51 per centum owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly-owned business, at least 51 per centum of the stock of which is owned by one or more socially and economically disadvantaged individuals; and

(b) whose management and daily business operations are controlled by one or more of such individuals,

(c) The contractor shall presume that socially and economically disadvantaged individuals include Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans and other minorities, or any other individual found to be disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act. "Native Americans" include American Indians, Eskimos, Aleuts and native Hawaiians. "Asian Pacific Americans" include U.S. citizens whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia and Taiwan.

(d) Contractors acting in good faith may rely on written representations by their subcontractors regarding their status as either a small business concern or a small business concern owned and controlled by socially and economically disadvantaged individuals.

(e) The Office of Minority Small Business and Capital Ownership Development in the Small Business Administration will answer inquiries from prime contractors and others relative to the class of eligibles.

3. Women-Owned Business means a business that is at least 51 percent owned by a woman or women who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" in this context means being actively involved in the day-to-day management.

4. Direct awards are those which are identified with the performance of a specific government contract, including allocable parts of awards for material which is to be incorporated into products under more than one Government contract.

5. Indirect awards are those which, because of incurrence for common or joint purposes, are not identified with specific Government contracts; these awards are related to Government contract performance but remain for allocation after direct awards have been determined and identified to specific Government contracts.

Form Approved OMB No. _____ FEDERAL QUARTERLY INDIVIDUAL SUBCONTRACTING REPORT Note: See reverse side for necessary instructions.	1. Report Period (from-to) _____	2. Report No. _____
3. Date of Submission _____	4. Contract Type Prime _____ Sub _____	

SECTION 1 - GENERAL INFORMATION

5. Federal Agency Awarding Contract	6. Reporting Contractor	7. Federal Agency Administering Contract		
a. Prime or Subcontract Number	a. Name	8. Dollar Value of Prime or Subcontract		
b. Agency or Prime Contractor Name	b. Street Address	9. Goals	10. Commitments this Period	11. Cumulative Commitments
c. Street Address	c. City, State, Zip	a. Small Business	a. Small Business	a. Small Business
d. City, State, Zip	d. Business Classification	\$ _____ %	\$ _____ %	\$ _____ %
		b. Disadvantaged Small Business	b. Disadvantaged Small Business	b. Disadvantaged Small Business
		\$ _____ %	\$ _____ %	\$ _____ %

SECTION 2 - TOTAL SUBCONTRACT AWARDS THIS QUARTER

12. Business Classification	Dollar Amount	% of Total Subcontract Dollars	Number of Awards
a. Small Business Subcontractor Awards			
(i) Total Small Business	\$ _____	%	
(ii) Disadvantaged	\$ _____	%	
(iii) Women-Owned	\$ _____	%	
b. Large Business Subcontractor Awards			
(i) Total Large Business	\$ _____	%	
(ii) Disadvantaged	\$ _____	%	
(iii) Women-Owned	\$ _____	%	
c. Non-Profit and Foreign Sub-Contractor Awards			
(i) Total Non-Profit & Foreign	\$ _____	%	
(ii) Non-Profit	\$ _____	%	
(iii) Foreign	\$ _____	%	
d. TOTAL (of items a(i) & b(i))	\$ _____	100%	

SECTION 3 - INDIRECT SUBCONTRACT AWARDS THIS QUARTER (AS REQUIRED)

13. Business Classification	Dollar Amount	% of Total Subcontract Dollars	
a. Small Business Subcontractor Awards			
(i) Total Small Business	\$ _____	%	
(ii) Disadvantaged	\$ _____	%	
(iii) Women-Owned	\$ _____	%	
b. Large Business Subcontractor Awards			
(i) Total Large Business	\$ _____	%	
(ii) Disadvantaged	\$ _____	%	
(iii) Women-Owned	\$ _____	%	
c. Non-Profit and Foreign Subcontractor Awards			
(i) Total Non-Profit & Foreign	\$ _____	%	
(ii) Non-Profit	\$ _____	%	
(iii) Foreign	\$ _____	%	
d. TOTAL (of items a(i) & b(i))	\$ _____	100%	

SECTION 4.

14. Remarks: On final report provide explanation why small business, small disadvantaged business, or women-owned business goal (if applicable) was not met.	
15. Name, Title, and Phone No. of Reporting Company's Small Business Liaison Officer	15a. Signature
16. Name, Title, and Phone No. of Reviewing Official	16a. Signature

INSTRUCTIONS

This report is to be submitted each calendar quarter by all Federal contractors and subcontractors which are, pursuant to the Small Business Act of 1958, as amended by Public Law 95-507, required to establish contractual plans for Small and Disadvantaged Small Business concerns in subcontracting. The original of each report shall be submitted by the 25th day of the month following the close of the calendar quarter in accordance with instructions contained in the contract or subcontract, or as directed by the contracting activity.

SPECIFIC INSTRUCTIONS

Item 1.
Specify the calendar quarter covered by this report (e.g., 1 July 79-30 September 79)

Item 2.
Specify the sequential report covering this contract. The initial report shall be identified as report number 1. Add "Final Report" for the last report being made.

Item 3.
Self-explanatory.

Item 4.
Specify that this report covers either a Prime Contract awarded by a Federal Department or Agency or a Subcontract awarded by a Federal prime contractor.

Item 5a.
Self-explanatory.

Item 5b.
Specify the name of the Federal Department or Agency or Prime Contractor awarding the Prime or Subcontract as applicable.

Item 5c & d.
Self-explanatory.

Item 6a.
Specify the name of the Prime or Subcontractor submitting the report.

Item 6b & c.
Self-explanatory.

Item 6d.
See definition 6.

Item 7.
Enter Federal agency administering contract. For Department of Defense identify appropriate military department, i.e. Army, Navy, Air Force or Defense Logistics Agency. Civilian agencies should be identified as noted in the contract award document, i.e., NASA, DOE, GSA, HEW, SBA, etc.

Item 8.
Specify the face value of the Prime or Subcontract covered by this report. If the value changes the face value shall be adjusted accordingly.

Item 9a & b.
Specify in the appropriate blocks the dollar amount and percent of the contractually agreed upon goals for subcontracting with Small Business and Disadvantaged Small Business concerns.

NOTE: Should the original goals agreed upon at contract award be either increased or decreased as a result of a contract modification the amount of the revised goals shall be indicated.

Item 10a & b.
Specify the dollar amount and percent of subcontract awards to any (a) small business and (b) disadvantaged small business during this reporting period. Particular care should be taken not to include in this report purchase commitments made in support of commercial business being performed by reporting contractor.

Item 11a & b.
Specify the cumulative dollar amount and percent of subcontract awards to any (a) small and (b) disadvantaged small business during this reporting period. Particular care should be taken not to include in this report purchase commitments made in support of commercial business being performed by reporting contractor.

Item 12a thru d.
Specify in the appropriate block the dollar amount, percentage, and number of all subcontract awards (direct and indirect) placed with the business classification indicated.

SECTION 3. Complete Section 3 if indirect contract awards (general and administrative) were included in establishing the small business and disadvantaged business goals for the contract being reported.

[FR Doc. 79-33333 Filed 10-26-79; 8:45 am]

BILLING CODE 3110-01-C

Item 13a thru d.

Specify in the appropriate block the dollar amount, percentage and number of indirect subcontract awards placed with the business classification indicated.

Item 14.
Self-explanatory.

Items 15 & 15a.
Self-explanatory.

Item 16.
The reviewing official should be the chief executive officer or his properly designated representative.

Item 16a.
Self-explanatory.

DEFINITIONS

1. Small Business Concern is a concern that meets the pertinent criteria established by the Small Business Administration.

2. The term socially and economically disadvantaged small business concern means any small business concern--

(a) which is at least 51 per centum owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly-owned business, at least 51 per centum of the stock of which is owned by one or more socially and economically disadvantaged individuals; and

(b) whose management and daily business operations are controlled by one or more of such individuals.

(c) The contractor shall presume that socially and economically disadvantaged individuals include Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans and other minorities, or any other individual found to be disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act. "Native Americans" include American Indians, Eskimos, Aleuts and native Hawaiians. "Asian Pacific Americans" include U.S. citizens whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia and Taiwan.

(d) Contractors acting in good faith may rely on written representations by their subcontractors regarding their status as either a small business concern or a small business concern owned and controlled by socially and economically disadvantaged individuals.

(e) The Office of Minority Small Business and Capital Ownership Development in the Small Business Administration will answer inquiries from prime contractors and others relative to the class of eligibles.

3. Women-Owned Business means a business that is at least 51 percent owned by a woman or women who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" in this context means being actively involved in the day-to-day management.

4. Direct awards are those which are identified with the performance of a specific government contract, including allocable parts of awards for material which is to be incorporated into products under more than one Government contract.

5. Indirect awards are those which, because of incurrence for common or joint purposes, are not identified with specific Government contracts; these awards are related to Government contract performance but remain for allocation after direct awards have been determined and identified to specific Government contracts.

6. Business Classification

Code	Definition
SB	Small Business
LB	Large Business
DSB	Disadvantaged Small Business
DLB	Disadvantaged Large Business
WOSB	Woman-Owned Small Business
WOLB	Woman-Owned Large Business
NP	Non-Profit Organization
FS	Foreign Supplier

The above referenced codes shall be used in Section 1, Item 6d.

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Advisory Committee for Trade Negotiations; Meeting

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. (the Act), notice is hereby given that a meeting of the Advisory Committee for Trade Negotiations will be held Monday, November 19, 1979, from 3:00 p.m. to 5:00 p.m. at the Office of the Special Representative for Trade Negotiations, 1800 G Street, N.W., Washington, D.C.

The purpose of this meeting will be to review and discuss the formal conclusion and implementation of the Multilateral Trade Negotiations.

In accordance with section 10(d) of the Act, the meeting will not be open to the public because information falling within the purview of 5 U.S.C. 552b(c)(1) (the exception to the Government in the Sunshine Act for matters specifically required by Executive order to be kept secret in the interest of foreign policy) will be reviewed and discussed.

More detailed information can be obtained by contacting Phyllis O. Bonanno, Executive Director, Advisory Committee for Trade Negotiations, Office of the Special Representative for Trade Negotiations, 1800 G Street, Room 725, Washington, D.C. 20506.

Phyllis O. Bonanno,
Executive Director Advisory Committee for Trade Negotiations.

October 23, 1979.
[FR Doc. 79-33274 Filed 10-26-79; 8:45 am]
BILLING CODE 3190-01-M

Advisory Committee for Trade Negotiations; Determination of Closing of Meeting

The meeting of the Advisory Committee for Trade Negotiations (the Advisory Committee) to be held Monday, November 19, 1979, from 3:00 p.m. to 5:00 p.m. at the Office of the Special Representative for Trade Negotiations, 1800 G Street, N.W., Washington, D.C., will involve a review and discussion of the status of the formal conclusion and implementation of the Multilateral Trade Negotiations. Such review and discussion will deal with information properly classified pursuant to Executive Order 11652 and specifically required by such order to be kept secret in the interests of national security (i.e., the conduct of foreign relations) of the United States. All members of the Advisory Committee have appropriate security clearances.

Accordingly, I hereby determine that this meeting of the Advisory Committee will be concerned with matters listed in section 552b(c) of Title 5 of the United States Codes.

Reubin O'D. Askew,
Special Representative for Trade Negotiations.

October 23, 1979.
[FR Doc. 79-33273 Filed 10-26-79; 8:45 am]
BILLING CODE 3190-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 6137; 18-64]

Arent, Fox, Kintner, Plotkin & Kahn Profit-Sharing Retirement Plan; Notice of Filing of Application Pursuant to Section 3(a)(2) of the Securities Act of 1933 for an Order Exempting from the Provisions of Section 5 of the Act Interests or Participations Issued

October 18, 1979.

Notice is hereby given Arent, Fox, Kintner, Plotkin & Kahn (hereinafter the "Firm" or "Applicant"), 1815 H Street, N.W., Washington, D.C. 20006, a law firm organized as a partnership under the laws of the District of Columbia, has, by letter dated September 25, 1979, filed an application for exemption from the registration requirements of the Securities Act of 1933 (the "Act") for participations or interests issued in connection with the Arent, Fox, Kintner, Plotkin & Kahn Profit-Sharing Retirement Plan (the "Plan"). All interested persons are referred to that document, which is on file with the Commission, for the facts and representations contained therein, which are summarized below.

I. Introduction

The Plan covers only the Applicant's partners, of whom 58 were eligible to participate, and of whom 50 were active participants, as of December 31, 1978. At December 31, 1978, the aggregate market value of the assets of the Plan was \$1,011,759.

Applicant states that the Plan is of the type commonly referred to as a "Keogh" plan, which covers persons (in this case, the Firm's partners) who are "employees" within the meaning of section 401(c)(1) of the Internal Revenue Code of 1954, as amended (the "Code"), and therefore is excepted from the exemption provided by section 3(a)(2) of the Act for interests or participations in employee benefit plans of corporate employers.

In relevant part, section 3(a)(2) of the Act provides that the Commission may

exempt from the provisions of section 5 of the Act any interest or participation issued in connection with a pension or profit-sharing plan which covers employees, some or all of whom are employees within the meaning of section 401(c)(1) of the Code, if and to the extent that the Commission determines this to be necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

II. Description and Administration of the Plan

The Firm states that the Plan, originally adopted effective as of January 1, 1972, was amended and restated in its entirety, effective as of January 1, 1976, in order to comply with the Employee Retirement Income Security Act of 1974 ("ERISA"). The Plan was subsequently amended as of January 1, 1977. The Firm states that the Internal Revenue Service ("IRS") has issued a ruling dated June 27, 1977, to the effect that the Plan is a qualified plan under section 401(a) of the Code.

The Applicant states that the Plan is subject to the fiduciary responsibilities and reporting and disclosure requirements of ERISA.

The Applicant submits that the Plan is not a uniform prototype or master plan designed to be marketed by a sponsoring financial institution or promoter to numerous unrelated self-employed persons. The Plan was prepared by attorneys in the Firm and covers only partners of the Firm.

The Firm states that it has employed an independent adviser to provide investment services with respect to the Plan. The Plan is administered through a single trust with three of the Firm's partners acting as trustees (the "Trustees"), who are responsible for the management, operation and administration of the Plan under an agreement of trust, originally entered into on October 27, 1972, and amended in its entirety on December 6, 1976 (the "Trust Agreement"). Under the Trust Agreement the Trustees have the power in their sole discretion to invest and reinvest Plan assets in any permitted investments as provided therein. The assets of the Plan have not been commingled in collective investment media with the assets of the plans of other employers and the Applicant represents that the Trustees have no intention of commingling Trust assets.

The Firm makes annual contributions to the Plan on behalf of participants usually based on a percentage of the participant's share of Firm net income, not to exceed \$7,500. The Plan provides

that participants may make voluntary contributions to the Plan of not more than 10 percent of such participant's share of Firm net income for all years during which the person has been a participant, subject to certain limitations.

The Firm represents that it has not distributed and does not intend to distribute any type of promotional material relating to the Plan and has not made and does not intend to make any solicitation of voluntary contributions under the Plan. The Firm makes available to Plan participants without charge copies of the Plan and Trust Agreement, and furnishes each participant with other descriptive materials relating to various features of the Plan, including annual financial statements of the Plan.

Applicant contends that the primary reason for denying a blanket exemption under the Act to pension and profit-sharing plans covering self-employed persons was a concern on the part of Congress that such plans constitute complex investment vehicles, interests in which could be sold by sponsoring financial institutions to self-employed person who might not be sophisticated in the securities field or who might be unable to protect adequately their interests and those of their participating employees. However, Applicant urges that the plan covers its partners who are themselves engaged in furnishing legal services of a type which necessarily involve financially sophisticated and complex matters and therefore are able to protect their interests adequately without the protection of the registration requirements of the Act. Applicant believes that the rigorous disclosure requirements of ERISA and the fiduciary standards and duties imposed thereunder are adequate to provide full protection to the participants.

Finally, Applicant maintains that the possible need for an exemptive order arises only because the Firm does business as a partnership, in that if the Firm were incorporated, its partners would not be self-employed persons and there would be no question as to the availability of the exemption.

The Firm concludes that, for the foregoing reasons, granting the requested exemptive order would be appropriate in the public interest and consistent with the protection of investors and purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 13, 1979 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his or

her interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request to be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon the Firm at the address stated above. Proof of such service (by affidavit, or in the case of an attorney at law, by certificate) shall be filed contemporaneously with the request. An order disposing of the matter will be issued as of course following November 13, 1979, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponement thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 79-33175 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 6138; (18-59)]

Notice of Filing of an Application Pursuant to Section 3(a)(2) of the Securities Act of 1933 for an Order Exempting From the Provisions of Section 5 of the Act Interests or Participations Issued in Connection With the Drinker Biddle & Reath Profit-Sharing Plan

October 18, 1979.

Notice is hereby given that the law firm of Drinker Biddle & Reath (the "Applicant"), 1100 Philadelphia National Bank Building, Philadelphia, PA 19107, a Pennsylvania partnership, has by letter dated August 13, 1979, applied for an exemption from the registration requirements of the Securities Act of 1933 (the "Act") for any participations or interests issued in connection with its Profit-Sharing Plan (the "Plan") for all partners and employees who have attained age 25 and have completed three years of service with the Applicant. All interested persons are referred to the application, which is on file with the Commission, for the facts and representations contained therein, which are summarized below.

I. Introduction

The Plan covers all of Applicant's partners and employees of whom there

were 250 as of August 13, 1979. All employees are eligible to participate in the Plan if they have attained age 25 and have completed three years of service with the Firm.

The Plan is of a type commonly referred to as a "Keogh" plan, which covers persons (in this case all of the Firm's non-owner employees) who are "employees" within the meaning of section 401(c)(1) of the Internal Revenue Code of 1954, as amended (the "Code"). Therefore, even though the Plan is qualified under section 401 of the Code, the exemption provided by Section 3(a)(2) of the Act is inapplicable to interests in the Plan.

In relevant part, section 3(a)(2) provides that the Commission may exempt from the provisions of section 5 of the Act any interest or participation issued in connection with a pension or profit-sharing plan which covers employees, some of all of whom are employees within the meaning of section 401(c)(1) of the Code, if and to the extent that the Commission determines this to be necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

II. Description and Administration of the Plan

Applicant states that the Plan which has been qualified under section 401 of the Code since its inception, was restated effective as of November 1, 1976 in order to comply with the requirements of the Employee Retirement Income Security Act of 1974 ("ERISA"). The Internal Revenue Service (the "IRS") has issued a ruling to the effect that the Plan as amended continues to be a qualified Plan under section 401 of the Code. The Plan is an employee profit-sharing plan subject to the fiduciary standards and to the full reporting and disclosure requirements of ERISA.

The Plan has a mandatory Firm contribution feature and a voluntary participant contribution feature, both of which are based on a percentage of compensation. In general, the Firm's annual contributions out of net profits on behalf of a participant plus any voluntary contributions, in amounts up to 10% of income (with certain limitations), such participant makes for the year cannot exceed the lesser of \$32,700 or 25% of earnings (the \$32,700 figure will be adjusted in future years to cover cost-of-living increases).

Applicant states that the Plan is administered by an Administrative Committee appointed by its Managing Partners through a single trust with five

partners of the Applicant, who are appointed by the Managing Partners, serving as trustees. The Plan presently has three principal investment vehicles: a General Investment Fund, Individual Investment Funds, and The American Bar Retirement Association Master Trust for Self-employed Retirement Plans (the "ABRA Trust"). The Plan will be further amended, effective for the Plan year ending October 31, 1979, to permit each participant to direct that all or a portion of Applicant's contribution on behalf of such participant be invested in bank time deposits or savings accounts, the ABRA Trust, or in shares of one or more registered investment companies having assets in excess of \$10,000,000, rather than in the General Investment Fund. As amended, the Plan will also permit participants to shift investments among the various alternatives subject to certain limitations on frequency and amount, and to direct that voluntary contributions be invested as a part of the General Investment Fund or in any of the other above-referenced alternatives.

Contributions made by Applicant on behalf of participants are held in trust, and invested in accordance with the provisions of the Plan. The Plan permits separate investment funds to be managed by separate investment managers, who may be appointed by the Firm. Under the Trust Agreement, the Trustees have the exclusive responsibility and authority to hold, invest, reinvest and administer the trust assets, not otherwise committed to management by the one or more Investment Managers, in accordance with the Plan and the Trust Agreement.

Applicant contends that were it a corporation rather than a partnership, interests or participations issued in connection with the Plan would be exempt from registration under section 3(a)(2) of the Act, because no person who would be an "employee" within the meaning of section 401(c)(1) of the Code would participate in the Plan. Applicant argues that the mere fact that it conducts its business as a partnership rather than as a corporation should not result in a requirement that interests in the Plan be registered under the Act.

Applicant also maintains that were the Firm's partners not permitted to participate in the Plan, the interests or participations issued in connection with the Plan would be exempt under section 3(a)(2) since no other persons covered by the Plan would be "employees" within the meaning of section 401(c)(1) of the Code. Applicant argues that there is no valid basis for a contrary result

merely because the Plan also covers partners in the Firm.

Applicant also states that it is engaged in furnishing legal services which involve financially sophisticated and complex matters, exercises extensive administrative control over the Plan, and believes that it is able to represent adequately its own interests and those of its partners and employees without the protection of the registration requirements of the Act. Applicant believes that the rigorous disclosure requirements of ERISA and the fiduciary standards and duties imposed thereunder are adequate to provide full protection to the participants.

Finally, Applicant argues that the characteristics of the Plan are essentially typical of those maintained by many single corporate employers and that the legislative history of the relevant language in section 3(a)(2) of the Act does not suggest any intent on the part of Congress that interests issued in connection with single-employer Keogh plans necessarily should be registered under the Act. Applicant argues that its Plan is distinguishable from multi-employer plans or uniform prototype plans designed to be marketed by a sponsoring financial institution or promoter to numerous unrelated self-employed persons and that these latter plans are the type of plans Congress intended to exclude from the section 3(a)(2) exemption.

For all of the foregoing reasons, Applicant believes that the Commission should issue an order finding that an exemption from the provisions of section 5 of the Act for interests or participations issued in connection with the Plan is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 9, 1979, at 5:30 p.m., submit to the Commission a request for a hearing on the matter, accompanied by a statement of the nature of his or her interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he or she may request to be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed

contemporaneously with the request. An order disposing of the matter will be issued as of course following November 9, 1979 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 79-33177 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 21254; (70-6350)]

Georgia Power Co.; Notice of Proposal To Sell an Interest in an Electric Generating Facility

October 17, 1979.

Notice is hereby given that Georgia Power Company ("Georgia"), 270 Peachtree Street NW., Atlanta, Georgia 30303, an electric utility subsidiary of The Southern Company, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 12(d) of the Act and Rule 44 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Georgia is currently the owner of an 83.5% undivided ownership interest in two 810 MW nominally rated coal-fired generating units currently under construction in Monroe County, Georgia to be known as the Robert W. Scherer Units Numbers One and Two (collectively, the "Units"). Georgia owns such interest in the Units as a tenant in common with the Municipal Electric Authority of Georgia ("MEAG") and the City of Dalton, Georgia ("Dalton"), which own 15.1% and 1.4% undivided ownership interests, respectively, in the Units.

Georgia proposes to sell to Oglethorpe Power Corporation ("OPC"), an electric membership corporation organized and existing under the laws of the State of Georgia, a 60% undivided ownership interest in the Units, pursuant to a proposed Purchase and Ownership Participation Agreement between Georgia and OPC ("Ownership Agreement"). As a result of such sale,

Georgia, OPC, MEAG and Dalton will own 23.5%, 60%, 15.1% and 1.4% undivided ownership interests, respectively, as tenants in common in the Units. Georgia will obtain a release of such undivided ownership interest in the Units to be sold to OPC from the lien of Georgia's First Mortgage Indenture. Included in the Units is a 50% undivided ownership interest in all the property and facilities to be used in common by, or in connection with, all four generating units currently planned to be constructed at the Plant Scherer site ("Common Facilities"). Accordingly, upon completion of the proposed sale to OPC, OPC will also own a 30% undivided ownership interest in the Common Facilities.

At the closing, in consideration for the sale of said property, OPC is to pay to Georgia an amount equal to 60% of the cost incurred in the construction of the Units prior to the closing plus Georgia's cost of long-term borrowings incurred to finance such construction. Assuming the closing of such sale were to take place on November 30, 1979, Georgia will receive approximately \$205,334,000 from OPC. Georgia expects to apply the proceeds of such sale towards the cost of its construction program.

After the closing, Georgia is to complete the construction of the Units on its own behalf and as agent for OPC and the other co-owners, and Georgia, OPC, MEAG and Dalton are to make monthly payments in advance into a separate construction account in respect of 23.5%, 60%, 15.1% and 1.4%, respectively, of all additional costs to be incurred in the construction and completion of the Units. The Ownership Agreement will provide for interest to be paid on any overdue payments, as well as certain other remedies in the event of a prolonged default by any of the co-owners in the payment of amounts due from it. Georgia has entered into agreements with MEAG and Dalton which are similar to the Ownership Agreement.

The Ownership Agreement will also provide for a right of Georgia to sell to OPC at any time prior to the seventh anniversary date of said closing either (i) an additional 10% undivided ownership interest in the Common Facilities and 40% undivided ownership interest in the land constituting the site for Plant Scherer Unit Number Four in the event the plans for the construction of such unit are cancelled or (ii) an additional 30% undivided ownership interest in the Common Facilities and a 60% undivided ownership interest in the land constituting the sites for Plant Scherer Unit Numbers Three and Four in the

event plans for the construction of both such units are cancelled. OPC would pay Georgia, in consideration therefor, in the case of (i) above 10% of the cost incurred in the construction of the Common Facilities prior to such sale plus Georgia's cost of long-term borrowings incurred to finance such construction and 40% of the cost incurred in the acquisition of the land constituting the site for Plant Scherer Unit Number Four plus Georgia's cost of long-term borrowings incurred to finance such acquisition; or, in the case of (ii) above, 30% of the cost incurred in the construction of the Common Facilities prior to such sale plus Georgia's cost of long-term borrowings incurred to finance such construction and 60% of the cost incurred in the acquisition of the land constituting the Plant Scherer Units Number Three and Four plus Georgia's cost of long-term borrowings incurred to finance such acquisition.

Georgia will enter into a separate Operating Agreement with OPC ("Operating Agreement") providing for the sole operation and maintenance of the Units by Georgia and for payment by Georgia, OPC, MEAG and Dalton of that portion of all costs of operation and maintenance of the Units equal to their respective entitlements to the energy from each of the Units. The Operating Agreement will terminate with respect to each of the Units on the fortieth anniversary of the commencement of commercial operation of such Unit. Georgia has entered into agreements with MEAG and Dalton which are similar to the Operating Agreement.

The Operating Agreement will require Georgia to purchase from OPC declining percentages (beginning with 100% and declining to 10%) of OPC's capacity and energy from each of the Units during the first ten years of its commercial operation, at a cost which is a function of OPC's and Georgia's carrying costs and the operating costs attributable to each Unit. Such purchases from OPC must be made regardless of the availability of capacity and energy from the Units and Georgia's requirements for such capacity and energy.

A statement of the fees, commissions and expenses to be incurred by Georgia in connection with the proposed transaction will be filed by amendment. It is stated that no state or federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than November 13, 1979, request in writing that a hearing be held on such matter, stating the nature of his interest, the

reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 79-33178 Filed 10-26-79; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 21257 (70-6368)]

Public Service Co. of Oklahoma; Notice of Proposed Issuance and Sale of First Mortgage Bonds at Competitive Bidding

October 18, 1979.

Notice is hereby given that Public Service Company of Oklahoma ("PSO"), 212 E. 6th Street, Tulsa, Oklahoma 74119, an electric utility subsidiary of Central and South West Corporation, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

PSO proposes to issue and sell at competitive bidding \$55,000,000 principal amount of its First Mortgage Bonds, Series P, due December 1, 2009. The interest rate (which will be a multiple of $\frac{1}{8}$ of 1%) and the price to be

paid to PSO for the bonds (which will not be less than 99% nor more than 102.75% of the principal amount thereof) will be determined by competitive bidding. The bonds will be issued under and secured by PSO's Indenture dated July 1, 1945, as heretofore amended and supplemented and as to be further amended by a supplemental indenture to be dated December 1, 1979. The bonds will have refunding protection until December 1, 1984, and will be subject to a 1% sinking fund beginning in 1981.

The net proceeds from the sale of the bonds will be used by PSO to refund \$53,300,000 of its Series A & C 8.25% Project Bonds due December 20, 1979, and the remainder of the proceeds will be used to reduce outstanding short-term borrowings which were incurred for company obligations, including projects under construction. PSO estimates its construction and fuel exploration and development expenditures at \$260,000,000 for 1979, \$225,000,000 for 1980, and \$311,000,000 for 1981.

No funds generated from the bonds nor any of the borrowings retired thereby have been or will be utilized to pay the cost of facilities which would not be needed to provide service to customers of PSO if it were not part of the Central and South West System. No expenditures will be made by PSO for the construction or acquisition of any facility not so needed prior to the time all funds covered by this application have been expended. For the purposes of the foregoing representation, PSO has assumed that none of the facilities construction or acquisition of which would be part of any proposal forming the subject of the proceedings in *Central and South West Corporation et al.* (Admin. Proc. File No. 3-4951) would be needed to provide service to customers of PSO if it were not part of the Central and South West System.

The fees and expenses to be incurred in connection with the proposed transaction are estimated at \$80,000, including legal fees of \$20,000, accountants' fees of \$6,500, and charges of the system service company, at cost, of \$4,000. The fee and expenses of counsel for the purchasers of the proposed bonds, which are to be paid by the successful bidders, are estimated at \$21,000. It is stated that the Corporation Commission of the State of Oklahoma has jurisdiction over the proposed transaction and that no other state commission and no federal commission, other than this Commission, has jurisdiction thereover.

Notice is further given that any interested person may, not later than

November 17, 1979, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 79-33176 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16288; File No. 79-10]

**Self-Regulatory Organization;
Proposed Rule Change by Chicago
Board Options Exchange, Inc.**

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 September 13, 1979, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

**Chicago Board Options Exchange's Statement
of the Terms of Substance of the Proposed
Rule Change**

(Brackets indicate words to be deleted; italics indicate words to be added)

Interest in Joint Accounts

Rule 8.9 (No change).
... Interpretations and Policies:
.01. through .04 (No change).
.05 Participants in the joint account *may execute transactions with one another but shall not execute transactions with the joint*

account [or among themselves] either as Floor Broker or Market-Maker.

**CBOE's Statement of Basis and Purpose
Under the Act for the Proposed Rules Change**

The purpose of the proposed rules change is to eliminate the absolute prohibition of transactions between participants in a joint account. At present, any such transaction would constitute a violation of Interpretation .05 of Rule 8.9 and would result in a report to the Business Conduct Committee for possible disciplinary action. Experience with the operation of this prohibition indicates that the Exchange may have been unduly restrictive at the time this portion of the rule was put into effect. Moreover, the increased sophistication of the Exchange's market surveillance system will give the staff the ability, based on overall patterns of trading activity, to determine whether the joint account participants appear to be engaging in improper trading activity through the joint account. Therefore, it is believed prudent at this time to remove this restriction on trading activity.

The basis under the Act for the proposed rules change is Sections 6(b)(5) and 6(b)(8) in that the rules change will remove impediments to a free and open market and eliminate a burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

No comments on this proposed rule change have been solicited or received from members.

The Exchange does not believe that the proposed rule change will impose any burden on competition.

On or before December 3, 1979, 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 submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., 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 November 19, 1979.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

October 22, 1979.

[FR Doc. 79-33180 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16289; File No. SR-78-25]

Self-Regulatory Organizations; Proposed Rule Change by Midwest Stock Exchange, Inc.

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 September 1, 1978, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Exchange's Statement of the Terms of Substance of the Proposed Rule Change

Article XLVII, Rule 1, is hereby amended as follows:

Additions Italicized—[Deletions Bracketed]

Article XLVII

Market-Makers "Market-Maker" Defined

Rule 1. No change in text.

. . . Interpretations and Policies:

.01. *Options transactions effected on the Exchange which result from orders transmitted from off the floor of the Exchange by a Market-Maker shall be deemed to be initiated on the floor of the Exchange and shall count as Market-Maker transactions for the purposes of this Article and Rule 1(c) of Article 1 provided that (i) at the time such orders are transmitted to the floor of the Exchange the Market-Maker is temporarily absent from the Exchange floor and (ii) such orders result in options transactions which provide a bona fide hedge of options positions previously opened by the Market-Maker in an Exchange transaction effected by the Market-Maker while on the floor of the Exchange.*

.02. *For the purposes of Interpretation .01, a bona fide hedge shall occur when an adverse change in the market price of the initial option position would be reasonably anticipated to be offset by a countervailing change in the market price of the subsequent options position, provided that such subsequent position respects the same underlying security as the initial options position.*

Exchange's Statement of Basis and Purpose.¹ The basis and purpose of the foregoing proposed rule change is as follows:

Item 3. *Purpose of Proposed Rule Change.*

Purpose of Proposed Rule change, is hereby further amended from the initial filing on this form as follows:

Additions Underscored—[Deletions Bracketed]

The purpose of [this] the *proposed* rule change is to [permit the entry of opening "off floor" market maker orders which have the effect of hedging positions previously effected on the floor.] *allow Market-Makers to effect a limited number of options transactions from off the Exchange floor, which transactions hedge previously established options positions; when such Market-Makers are temporarily absent from the Exchange floor. This proposed interpretation recognizes that since Rule 1 requires that Market-Makers be individuals who are either individual members or nominees of member organizations, such persons must necessarily be absent from the Exchange floor from time to time for brief periods. As such, it provides Market-Makers with the capability of reducing the market risk inherent in those options positions previously established pursuant to their obligations under Article 1 of the Exchange Rules at times when the Market-Maker must be absent for short periods from the trading floor.*

In addition, this proposed interpretation should result in greater on-floor adherence to Market-Maker obligations, for Market-Makers able to anticipate a temporary absence will not feel compelled to limit the size of their options positions during the time prior to the commencement of such absence. It is understood that previously many Market-Makers who knew they would be away from the Exchange for a short time often performed in a way that left them with no open positions during their absence. Consequently, Market-Makers, under this proposal, can more vigorously respond to their continuous obligation to provide liquid markets during the time preceding planned absences, since they will have the ability to protect such options positions during such absences, if necessary. This then should also lead to greater competition among Market-Makers.

Moreover, this proposal will also give Market-Makers the capability to compete more effectively with the specialist units on other exchanges which trade the same options as those traded on MSE. Specialist units with their interchangeable personnel, unlike MSE Option Market-Makers, are able to maintain a constant presence on the floors of the exchanges of which they are members. By enabling Market-Makers to offset, to a certain extent, previously established options positions with options orders directed from off the Exchange floor, Market-Makers may engage in greater on-floor competition with the specialists of such other exchanges by establishing larger positions in multiple traded options and quoting tighter and deeper markets.

Item 4. *Basis under the Act for Proposed Rule Change.*

The basis [of this rule change, is Section 6(b)(5) of the Act, which states that the rules of the exchange be designed to promote just and equitable principles of trade.] *under the Act for the proposed rule change are sections*

6(b)(5) and 11A(a)(i)(c)(ii). The proposed change will promote just and equitable principles of trade and protect investors and the public interest, for it will encourage greater competition among Market-Makers and facilitate the performance of Market-Maker obligations. Such circumstances will produce deeper, tighter, more liquid options markets on the Exchange. In addition, enabling Exchange Market-Makers to compete more effectively with specialists on other exchanges in multiple traded options is consistent with, and in furtherance of, the objectives stated by Congress in section 11A(a)(i)(c)(ii).

The Midwest Stock Exchange, Incorporated has neither solicited nor received any comments.

The Midwest Stock Exchange, Incorporated believes that no burdens have been placed on competition.

On or before December 3, 1979, 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, 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, N.W., 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 November 19, 1979.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

October 22, 1979.

[FR Doc. 79-33179 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

¹ The MSE submitted on January 2, 1979, amendment No. 2 which expanded the Exchange's Statement of Basis and Purpose. The text set forth is the amended version.

Sparks Industries, Inc.; Order of Suspension of Trading

In the matter of trading in the securities of Sparks Industries, Inc. (formerly known as Holographic Development Corporation of America); Securities Exchange Act of 1934 Section 12(k).

October 18, 1979.

It appearing to the Securities and Exchange Commission that there has been recent unusual and unexplained activity in the securities of Sparks Industries, Inc., (formerly known as Holographic Development Corporation of America), the Commission is of the opinion that the public interest and the protection of investors require a summary suspension of trading in the securities of Sparks Industries, Inc.

The Commission suspended trading in the securities of Sparks Industries, Inc., in view of the recent unusual and unexplained market activity in the security in the absence of current accurate and adequate information concerning the company's financial condition and operations. The price of Sparks Industries, Inc. common stock increased from \$1.00 a share on September 21 to approximately \$5.25 on October 12, 1979.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 3:00 p.m. (EST) on October 18, 1979 through October 27, 1979.

By the Commission.

George A. Fitzsimmons,
Secretary.

[FR Doc. 79-33174 Filed 10-26-79; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Proposed License No. 06/06-0225]

First Oklahoma Investment 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 pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1979)), under the name of First Oklahoma Investment Capital Corporation, 120 North Robinson, Oklahoma City, Oklahoma 73102, 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), (15 U.S.C. 661 *et seq.*), and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and shareholders of the Applicant are as follows:

Eldon L. Beller—President & Director, 1210 Brookhaven, Norman, OK 73069.

Larry M. Swanson—Vice President & Director, 10309 Rycroft Road, Oklahoma City, OK 73100.

John R. Preston—Vice President, Secretary & Director, 1420 Circle Glen, Edmond, OK 73034.

James R. Claaborn—Vice President, Treasurer and Director, 1908 Carey Place, Oklahoma City, OK 73106.

First Oklahoma Bancorporation, Inc.—100% shareholder, P.O. Box 25189, Oklahoma City, OK 73125.

The following list includes all of the beneficial holders of 10 percent or more of the voting securities of First Oklahoma Bancorporation, Inc. and the percentage of such securities owned by each such holder.

The First National Bank and Trust Company of Oklahoma City—Preferred—32.5%, Common—23.6%.

Kent B. Hayes—Common—11.4%.

Charles A. Vose, Sr.—Common—13.2%.

There is one class of stock authorized: common. Initially, one thousand shares will be issued with a resultant private capital of \$505,100. Applicant will conduct its operations principally in the State of Oklahoma.

Applicant intends to follow a diversified investment policy with emphasis on "venture capital" type investments as much as is feasible.

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 November 13, 1979, 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, N.W., Washington, D.C. 20416.

A copy of this Notice shall be published by the Applicant in a newspaper of general circulation in Oklahoma City, Oklahoma.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: October 23, 1979.

Peter F. McNeish,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 79-33247 Filed 10-26-79; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 1714]**Florida; Declaration of Disaster Loan Area**

As a result of the President's major disaster declaration, I find that Hillsborough County and adjacent counties within the State of Florida constitute a disaster area because of damage resulting from severe storms and flooding beginning on or about September 14, 1979. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on November 29, 1979, and for economic injury until close of business on June 30, 1980, at: Small Business Administration, District Office, 2222 Ponce de Leon Blvd.—5th Floor, Coral Gables, Florida 33134. Or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: October 15, 1979.

Paul D. Sullivan,

Acting Administrator.

[FR Doc. 79-33245 Filed 10-26-79; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 1698]**Idaho; Declaration of Disaster Loan Area**

The following 6 counties and adjacent counties within the State of Idaho constitute a disaster area as a result of natural disaster as indicated:

County, Natural disaster(s), and Date(s)

Blaine, Drought, 12/1/78-7/23/79

Blaine, Hail Storm, 8/14/79

Cassia, Hail Storm, 8/10/79-8/24/79

Jerome, Hail Storm, 8/14/79

Lincoln, Hail Storm, 8/14/79

Minidoka, Hail Storm, 8/14/79

Oneida, Drought, 10/1/78-7/31/79

Oneida, Hail Storms, 7/21, 7/22, 8/8, 8/13, 8/16-8/20/79

Twin Falls, Hail Storm, 8/14/79

Eligible persons, firms, and organizations may file applications for loans for physical damage until the close of business on March 26, 1980, and for economic injury until the close of business on June 26, 1980 at: Small Business Administration, District Office, 1005 Main Street, Boise, Idaho 83702. Or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: September 26, 1979.

A. Vernon Weaver,
Administrator.

[FR Doc. 79-33246 Filed 10-26-79; 8:45 am]
BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[FHWA Docket No. 76-9]

Bayonne Bridge, Goethals Bridge, George Washington Bridge and Outerbridge Crossing Tolls; Order of the Administrator

In the Order of August 9, 1977, the Administrator held that the toll increase instituted in May of 1975 by the Port Authority of New York and New Jersey (Port Authority) for the four New York area bridges under its jurisdiction was reasonable and just under section 4 of the General Bridge Act of 1906, 33 U.S.C. 494. The Subject bridges are the Bayonne Bridge, Goethals Bridge, the Outerbridge Crossing, and the George Washington Bridge.

In general, the toll schedule adopted by the Port Authority on May 5, 1975, and approved by the Administrator, increased cash tolls by 50 percent for all classes of vehicles, except buses, and abolished the 50 percent commuter discount ticket and the 20 percent two-year discount ticket. At the same time, a special week-day carpool ticket, affording a 66 $\frac{2}{3}$ percent discount, good for 6 months, was made available for automobiles occupied by three or more people. The toll schedule also provided for a cash toll for individual crossings of \$1.50, the 30-day commuter ticket at \$1 per crossing, and the carpool ticket would approximate 50 cents per crossing.

The Order further concluded, with regard to the rate structure of the tolls, that the evidence was inconclusive on the issue of whether carpool and commuter discount features of the Port Authority's rate structure were reasonable and just. The record contains some evidence suggesting that the Port Authority's toll increases combined with carpool discounts served to increase carpools and decrease congestion and that such discounts would be more effective if confined to peak traffic hours. Also, there is slight evidence that the commuter discount is too large to be justified in any savings in administrative costs. Therefore, the Administrator reserved decision on these aspects of the Port Authority's toll structure and directed the Port Authority to prepare

within one year from the date of the final order a study concerning the economic feasibility, traffic management and environmental impacts, and impact on mass transit of various alternate rate structures of commuter and carpool discounts and of peak-hour pricing.

The study was submitted to the Administrator and served on all parties by the Port Authority on January 11, 1979. By order of January 23, 1979, the parties were given 90 days in which to submit comments pertaining to this study.

Only two comments have been received, one from Ms. Tony L. Goldfarb and one from Public Counsel. Ms. Goldfarb asserts that her original predictions at the outset of these proceedings have been fulfilled. These predictions were that toll increases would not reduce private automobile commutation simply because there is no alternative means of transportation. Further, she predicted the limited usefulness for carpooling incentives. Finally, she notes that the four projects to which the additional revenues would be applied (8th Avenue Terminal Expansion, PATH Extension, Kennedy Airport rail link, and Hackensack Meadowlands rail link), would not address the needs of George Washington Bridge users. Her final plea is that travelers in the New York metropolitan area need assistance to limit their reliance on automobile use.

The Public Counsel concluded that the Port Authority study is responsive to the Administrator's Order concerning peak-hour pricing and commuter and carpool discounts. This conclusion was based upon an analysis of the study approving the methodology of the study and concludes that the results reached by the Port Authority study are logical and valid based on past experience. Public counsel accepted the recommendation of the study to continue the carpool and commuter discount ticket plans since they appear to be supported for operational efficiency reasons.

In conducting the study, the Port Authority retained consultants to develop "coefficients of elasticity" which would reflect a motorist's reaction to any toll change, peak period or otherwise. A computer program was developed to provide estimated traffic and revenue resulting from alternative toll schedules. The program also generated estimates of delay time, the various energy and environmental impacts of delay, vehicle miles travelled and other pertinent data for each candidate toll schedule. The study states that the prime goal of any new peak period pricing schedule is for the efficient utilization and conservation of

transportation resources without impairing the commerce of the region.

The study's conclusions and recommendations are set forth herewith.

II. Conclusions and Recommendations

Conclusions

The major conclusions drawn from this study are summarized below:

(1) The Wilbur Smith and Associates report on automobile toll elasticities states that, in order to avoid a higher toll imposed at the Port Authority crossings regularly used, the average motorist would react in the following order of preference:

- Switch to another crossing
- Switch time of travel
- Switch to transit
- Join carpool
- Travel less often or not make the trip at all

The choice of alternate route was far and away greater than any other choice—about twice as large as the second choice of shifting time of trip. The choices which would take people out of their automobiles—transit, carpool, travel less or not make trip—were selected by very few.

(2) There appears to be a level of congestion that is tolerated by motorists. Since automobile drivers appear highly sensitive to time saving, a decrease in minutes of delay below this level of tolerance has the same effect as a drop in price. This serves as an incentive to induce new traffic and therefore mitigates the impact of the toll increase.

(3) The Drake Sheahan/Stewart Dougall, Inc. report states that toll elasticities for truckers are extremely small because truckers, for the most part, are likely to pass on the extra cost to customers. Further, time of day elasticities are also low because they are related to union rules and desired customer delivery times.

(4) Toll schedules that are highly complex, such as time-variable schedules involving multiple rates for each toll classification, increase average transaction times and may not contribute to mitigation of congestion, improvement of air quality and lessening of fuel consumption at the crossings, assuming present technology in toll collection.

(5) Given present operating characteristics, patron use of tickets improves processing of traffic at the toll plazas. Extensive use of tickets in peak periods tends to minimize delay and congestion.

(6) In the comparative evaluation process conducted, none of the candidate toll schedules was rated higher than the current toll schedule. Each of the candidates scored lower for different reasons.

Recommendations

From these conclusions, the following recommendations were drawn:

(1) Considering the low degree of price sensitivity to Port Authority tolls, which represent a small fraction of total trip operating cost, and given public safety concerns, operational constraints, and the physical limitations to expansion, *peak period pricing alternatives do not result in significant improvement over the current toll schedule in meeting the overall goals*

suggested by the Administrator's order and, therefore, no peak pricing schedule is recommended at this time.

(2) Given the clear benefits to traffic operations of tickets as a method of toll payment, combined with the need to offer sufficient inducement for the use of tickets in peak periods by a large share of the traffic, the commuter discount ticket or some reduced rate ticket for regular users should be retained.

(3) Reduced rate toll incentives for carpooling at Port Authority crossings have not resulted in any significant improvement in ridesharing. Given that the promotion of ridesharing is a goal in the public interest, and since the use of carpool reduced rate tickets decreases the toll collection transaction time, the carpool ticket should be retained.

The Administrator finds that the study is comprehensive and conclusions and recommendations contained therein are worthy of acceptance. The study is responsive to the Administrator's Order and the results reached in the study are valid. The Administrator recognizes that alternative toll schedules could be devised which would possibly improve congestion and air pollution impacts, but that the effects of implementation (safety and operational problem) and possible economic impact outweigh expected benefits. The Administrator would like to specifically concur in the recommendation that the discount carpool ticket be retained despite the finding that such reduced rate has not significantly improved ridesharing. It is suggested that the Port Authority, in conjunction with appropriate State and local officials, undertake a program for promoting the concept of carpooling in the area, which will not only relieve congestion but also conserve gasoline.

Wherefore, the Administrator finds that the Port Authority has fully complied with the part of the Administrator's Order of August 9, 1977, directing a study be made concerning economic, traffic and environmental impacts of alternate toll rate structures. The Administrator further accepts the recommendation in the study and finds that there is no need to direct a change in the rate structure of the toll schedule presently in effect. The rate structure of the toll schedule is found to be reasonable and just, and, therefore, this proceeding is hereby terminated.

Issued in Washington, D.C., this 11th day of October 1979.

[FR Doc. 79-33091 Filed 10-29-79; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Change in Internal Procedures To Be Utilized in Antidumping or Countervailing Duty Proceedings

AGENCY: U.S. Customs Service, Treasury Department.

ACTION: General notice.

SUMMARY: This notice informs the public that effective October 1, 1979, the U.S. Customs Service and Treasury Department, Office of Tariff Affairs centralized and reorganized their filing systems in antidumping and countervailing duty proceedings. The Customs Service and Treasury Department are seeking uniformity and cooperation from persons submitting any written materials, documents, memoranda or correspondence. Except where regulations or specific orders otherwise require, the public is requested to furnish all submissions in four copies and to limit the size of the paper of any submission (other than exhibits or original documents of other sizes) to not larger than legal size (8½" x 14") or not smaller than letter size (8" x 10½").

EFFECTIVE DATE: The new filing system became operational on October 1, 1979.

FOR FURTHER INFORMATION CONTACT: Ben I. Irvin, Director, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Ave. N.W., Washington, D.C. 20229, (202-566-8121).

SUPPLEMENTARY INFORMATION:

Background

The Trade Agreements Act of 1979, Pub. L. 36-39, 93 Stat. 144, has shortened the time limits within which actions in antidumping and countervailing duty investigations must be taken. Moreover, the judicial review provisions of the Act require the creation of an official record. To achieve these objectives and to streamline the processing of petitions, the filing system is being revised.

Accordingly, the Customs Service has, as of October 1, 1979, applied the following procedures in creating and maintaining the official files once a petition is received and accepted for processing.

Four parallel files in each case are established: the Official file, a working file, a public reading file, and an internal reading file. Each file should contain copies of all materials submitted to the agency. To save time copying and transmitting copies of materials submitted, and to assure the completeness of these files, the agency should receive materials in the proper

number and size to satisfy its internal needs.

Similarly, documents submitted in odd sizes often exceed the capabilities of photocopying facilities. If the public utilizes standard size paper, for most submissions, time and expense incurred in reproducing submissions could be saved.

This new filing system does not affect the status of confidential submissions. The Treasury Department will continue to make available in the public reading file only the non-confidential summaries of data submitted by interested persons.

To minimize any inconvenience to the public, no submissions will be rejected solely because the submission does not meet these guidelines. However, maximum voluntary compliance is earnestly requested.

Action

Effective October 1, 1979, all persons participating in antidumping or countervailing duty proceedings are urged to transmit all submissions other than exhibits or original documents of other sizes, in four copies, on paper which is not larger than legal size (8½" x 14") or smaller than letter size (8½" x 10½"). Inasmuch as this general notice does not change any existing regulations or rules and will have minimal impact on the public, the notice and comment period is waived under 5 U.S.C. 553.

Drafting Information

The principal author of this document is Elon A. Pollack, Office of the Chief Counsel, United States Customs Service; however, personnel from other Customs offices and the Treasury Department participated in its development.

Dated: October 18, 1979.

David R. Brennan,
Acting General Counsel.

[FR Doc. 79-33202 Filed 10-29-79; 8:45 am]

BILLING CODE 4810-22-M

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

Intent To Prepare an Environmental Impact Statement

Pursuant to the National Environmental Policy Act (83 Stat. 852) and the Council on Environmental Quality's implementing regulations, (40 CFR Parts 1500-1508) the Urban Mass Transportation Administration gives notice that an environmental impact statement is being prepared for proposed changes to the adopted Regional System of the Washington

Metropolitan Area Transit Authority's (WMATA's) regional rail transit system. The proposed change concerns the Greenbelt (E) Route from the proposed Columbia Height station to the proposed Beltway station.

The alternatives being considered consist of alternative alignments and station locations between the proposed Columbia Heights station and the proposed Fort Totten station and alternative alignments and station locations from a point beyond the proposed Fort Totten station to the proposed College Park Station. Also under construction are alternative locations for the proposed Beltway station terminus and rail maintenance and storage facility.

The Urban Mass Transportation Administration invites participation of agencies and individuals to comment on the scope of this environmental impact statement. A scoping meeting will be held in Washington, D.C. on November 13, 1979.

Comments and questions regarding the proposed action and the environmental impact statement should be referred to Joel Widder, Environmental Protection Specialist, Planning and Analysis Division, Urban Mass Transportation Administration, Washington, D.C. 20590, telephone: 202-472-7100.

Peter Benjamin,
Associate Administrator for Transit Assistance.

October 24, 1979.

[FR Doc. 79-33321 Filed 10-26-79; 8:45 am]
BILLING CODE 4910-57-M

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1979, Rev., Supp. No. 7]

Surety Companies Acceptable on Federal Bonds; Employers Insurance of Wausau, a Mutual Company; Change of Name

Employers Mutual Liability Insurance Company of Wisconsin, a Wisconsin corporation, has formally changed its name to Employers Insurance of Wausau, A Mutual Company, effective September 1, 1979. The company was last listed as an acceptable surety on Federal bonds at 44 FR 38090 June 29, 1979.

A certificate of authority as an acceptable surety on Federal bonds, dated September 1, 1979, is hereby issued under Sections 6 to 13 of Title 6 of the United States Code to Employers Insurance of Wausau, A Mutual

Company, Wausau, Wisconsin. This new certificate replaces the certificate of authority issued to the company under its former name, Employers Mutual Liability Insurance Company of Wisconsin. The underwriting limitation of \$23,421,000 established for the company as of July 1, 1979 remains unchanged.

The change in name of Employers Mutual Liability Insurance Company of Wisconsin does not affect its status or liability with respect to any obligation in favor of the United States or in which the United States has an interest, which it may have undertaken pursuant to the certificate of authority issued by the Treasury.

Certificates of authority expire on June 30 each year, unless renewed prior to that date or sooner revoked. The certificates are subject to subsequent annual renewal so long as the companies remain qualified (31 CFR, Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information. Copies of the circular, when issued, may be obtained from the Audit Staff, Bureau of Government Financial Operations, Department of the Treasury, Washington, D.C. 20226.

Dated: October 19, 1979.

D. A. Pagliai,
Commissioner, Bureau of Government Financial Operations.

[FR Doc. 79-33286 Filed 10-26-79; 8:45 am]
BILLING CODE 4810-35

Office of the Secretary

[Public Debt Series—No. 24-79]

Series Y-1981; Interest Rate

October 24, 1979.

The Secretary announced on October 23, 1979, that the interest rate on the notes designated series Y-1981, described in Department Circular—Public Debt Series—No. 24-79, dated October 17, 1979, will be 12% percent. Interest on the notes will be payable at the rate of 12% percent per annum.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the

Departmental procedures applicable to such regulations.

Paul H. Taylor,

Fiscal Assistant Secretary.

[FR Doc. 79-33578 Filed 10-25-79; 4:02 pm]

BILLING CODE 4810-40-M

[Public Debt Series—No. 25-79]

Treasury Notes of May 15, 1983, Series G-1983 Auction

October 25, 1979.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, invites tenders for approximately \$2,750,000,000 of United States securities, designated Treasury Notes of May 15, 1983, Series G-1983 (CUSIP No. 912827 KB 7). The securities will be sold at auction with bidding on the basis of yield. Payment will be required at the price equivalent of the bid yield of each accepted tender. The interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the new securities may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities, to the extent that the aggregate amount of tenders for such accounts exceeds the aggregate amount of maturing securities held by them.

2. Description of Securities

2.1. The securities will be dated November 15, 1979, and will bear interest from that date, payable on a semiannual basis on May 15, 1980, and each subsequent 6 months on November 15 and May 15, until the principal becomes payable. They will mature May 15, 1983, and will not be subject to call for redemption prior to maturity.

2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, any possession of the United States, or any local taxing authority.

2.3. The securities will be acceptable to secure deposits of public monies. They will not be acceptable in payment of taxes.

2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of \$5,000, \$10,000, \$100,000, and \$1,000,000. Book-entry securities will be available to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of coupon, registered and book-entry securities, and the transfer of registered securities will be permitted.

2.5. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to 1:30 p.m., Eastern Standard time, Tuesday, October 30, 1979. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Monday, October 29, 1979.

3.2. Each tender must state the face amount of securities bid for. The minimum bid is \$5,000 and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.11%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield. No bidder may submit more than one noncompetitive tender and the amount may not exceed \$1,000,000.

3.3. All bidders must certify that they have not made and will not make any agreements for the sale or purchase of any securities of this issue prior to the deadline established in Section 3.1. for receipt of tenders. Those authorized to submit tenders for the account of customers will be required to certify that such tenders are submitted under the same conditions, agreements, and certifications as tenders submitted directly by bidders for their own account.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowings on such securities, may submit tenders for account of customers if the names of the customers and the amount for each customer are furnished. Others are only

permitted to submit tenders for their own account.

3.5. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompanied by a deposit of 5% of the face amount of securities applied for (in the form of cash, maturing Treasury securities or readily collectible checks), or by a guarantee of such deposit by a commercial bank or a primary dealer.

3.6. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, a coupon rate will be established, on the basis of a $\frac{1}{8}$ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 99.250. That rate of interest will be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance or rejection of their tenders. Those submitting noncompetitive tenders will only be notified if the tender is not accepted in full, or when the price is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. Payment and Delivery

5.1. Settlement for allotted securities must be made or completed on or before Thursday, November 15, 1979, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received at such institution no later than:

(a) Friday, November 9, 1979, if the check is drawn on a bank in the Federal Reserve District of the institution to which the check is submitted (the Fifth Federal Reserve District in case of the Bureau of the Public Debt), or

(b) Thursday, November 8, 1979, if the check is drawn on a bank in another Federal Reserve District.

Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at the applicable Federal Reserve Bank. Payment will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. When payment is made in securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities presented and the amount payable on the securities allotted.

5.2. In every case where full payment is not completed on time, the deposit submitted with the tender, up to 5 percent of the face amount of securities

allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered securities tendered as deposits and in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." If new securities in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon (securities offered by this circular) to be delivered to (name and address)." Specific instructions for the issuance and delivery of the new securities, signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The securities must be delivered at the expense and risk of the holder.

5.4. If bearer securities are not ready for delivery on the settlement date, purchasers may elect to receive interim certificates. These certificates shall be issued in bearer form and shall be exchangeable for definitive securities of this issue, when such securities are available, at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. The interim certificates must be returned at the risk and expense of the holder.

5.5. Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. General Provisions

6.1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of securities on full-paid allotments, and to issue interim certificates pending delivery of the definitive securities.

6.2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public

announcement of such changes will be promptly provided.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the Departmental procedures applicable to such regulations.

Paul H. Taylor,

Fiscal Assistant Secretary.

[FR Doc. 79-33575 Filed 10-25-79; 4:02 am]

BILLING CODE 4810-40-M

[Public Debt Series—No. 26-79]

Treasury Notes of November 15, 1989, Series B-1989 Auction

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, invites tenders for approximately \$2,000,000,000 of United States securities, designated Treasury Notes of November 15, 1989, Series B-1989 (CUSIP No. 912827 KC 5). The securities will be sold at auction with bidding on the basis of yield. Payment will be required at the price equivalent of the bid yield of each accepted tender. The interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the new securities may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities, to the extent that the aggregate amount of tenders for such accounts exceeds the aggregate amount of maturing securities held by them.

2. Description of Securities

2.1. The securities will be dated November 15, 1979, and will bear interest from that date, payable on a semiannual basis on May 15, 1980, and each subsequent 6 months on November 15 and May 15, until the principal becomes payable. They will mature November 15, 1989, and will not be subject to call for redemption prior to maturity.

2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift of other excise taxes, whether Federal and State, but are exempt from all taxation now or hereafter imposed on the principal or

interest thereof by any State, any possession of the United States, or any local taxing authority.

2.3. The securities will be acceptable to secure deposits of public monies. They will not be acceptable in payment of taxes.

2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, and \$1,000,000. Book-entry securities will be available to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of coupon, registered and book-entry securities, and the transfer of registered securities will be permitted.

2.5. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to 1:30 p.m., Eastern Standard time, Wednesday, October 31, 1979. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Tuesday, October 30, 1979.

3.2. Each tender must state the face amount of securities bid for. The minimum bid is \$1,000 and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.11%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield. No bidder may submit more than one noncompetitive tender and the amount may not exceed \$1,000,000.

3.3. All bidders must certify that they have not made and will not make any agreements for the sale or purchase of any securities of this issue prior to the deadline established in Section 3.1. for receipt of tenders. Those authorized to submit tenders for the account of customers will be required to certify that such tenders are submitted under the same conditions, agreements, and certifications as tenders submitted directly by bidders for their own account.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in

Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowings on such securities, may submit tenders for account of customers if the names of the customers and the amount for each customer are furnished. Others are only permitted to submit tenders for their own account.

3.5. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompanied by a deposit of 5% of the face amount of securities applied for (in the form of cash, maturing Treasury securities or readily collectible checks), or by a guarantee of such deposit by a commercial bank or a primary dealer.

3.6. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, a coupon rate will be established, on the basis of a $\frac{1}{8}$ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 97.500. That rate of interest will be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to

provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance or rejection of their tenders. Those submitting noncompetitive tenders will only be notified if the tender is not accepted in full, or when the price is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. Payment and Delivery

5.1. Settlement for allotted securities must be made or completed on or before Thursday, November 15, 1979, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received at such institution no later than:

(a) Friday, November 9, 1979, if the check is drawn on a bank in the Federal Reserve District of the institution to which the check is submitted (the Fifth Federal Reserve District in case of the Bureau of the Public Debt), or

(b) Thursday, November 8, 1979, if the check is drawn on a bank in another Federal Reserve District.

Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at the applicable Federal Reserve Bank. Payment will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. When payment is made in securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount

of securities presented and the amount payable on the securities allotted.

5.2. In every case where full payment is not completed on time, the deposit submitted with the tender, up to 5 percent of the face amount of securities allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered securities tendered as deposits and in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." If new securities in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon (securities offered by this circular) to be delivered to (name and address)." Specific instructions for the issuance and delivery of the new securities signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The securities must be delivered at the expense and risk of the holder.

5.4. If bearer securities are not ready for delivery on the settlement date, purchasers may elect to receive interim certificates. These certificates shall be issued in bearer form and shall be exchangeable for definitive securities of this issue, when such securities are available, at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C., 20226. The interim certificates must be returned at the risk and expense of the holder.

5.5. Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. General Provisions

6.1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of securities on full-paid allotments, and to issue interim

certificates pending delivery of the definitive securities.

6.2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public announcement of such changes will be promptly provided.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the Departmental procedures applicable to such regulations.

Paul H. Taylor,

Fiscal Assistant Secretary.

[FR Doc. 79-33576 Filed 10-25-79; 4:02 pm]

BILLING CODE 4810-40-M

[Public Debt Series—No. 27-79]

Treasury Bonds of 2004-2009; Auction

October 25, 1979.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, invites tenders for approximately \$2,000,000,000 of United States securities, designated Treasury Bonds of 2004-2009 (CUSIP No. 912810 CK 2). The securities will be sold at auction with bidding on the basis of yield. Payment will be required at the price equivalent of the bid yield of each accepted tender. The interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the new securities may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities, to the extent that the aggregate amount of tenders for such accounts exceeds the aggregate amount of maturing securities held by them.

2. Description of Securities

2.1. The securities will be dated November 15, 1979, and will bear interest from that date, payable on a semiannual basis on May 15, 1980, and each subsequent 6 months on November 15 and May 15, until the principal becomes payable. They will mature November 15, 2009, but may be redeemed at the option of the United States on and after November 15, 2004, in whole or in part, at par and accrued interest on any interest payment date or dates, on 4 months' notice of call given

in such manner as the Secretary of the Treasury shall prescribe. In case of partial call, the securities to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. Interest on the securities called for redemption shall cease on the date of redemption specified in the notice of call.

2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift of other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, any possession of the United States, or any local taxing authority.

2.3. The securities will be acceptable to secure deposits of public monies. They will not be acceptable in payment of taxes.

2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, and \$1,000,000. Book-entry securities will be available to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of coupon, registered and book-entry securities, and the transfer of registered securities will be permitted.

2.5. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to 1:30 p.m., Eastern Standard time, Thursday, November 1, 1979. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Wednesday, October 31, 1979.

3.2. Each tender must state the face amount of securities bid for. The minimum bid is \$1,000 and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.11%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield. No bidder may submit more than one noncompetitive tender and the amount may not exceed \$1,000,000.

3.3. All bidders must certify that they have not made and will not make any agreements for the sale or purchase of any securities of this issue prior to the deadline established in Section 3.1. for receipt of tenders. Those authorized to submit tenders for the account of customers will be required to certify that such tenders are submitted under the same conditions, agreements, and certifications as tenders submitted directly by bidders for their own account.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowings on such securities, may submit tenders for account of customers if the names of the customers and the amount for each customer are furnished. Others are only permitted to submit tenders for their own account.

3.5. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompanied by a deposit of 5% of the face amount of securities applied for (in the form of cash, maturing Treasury securities or readily collectible checks), or by a guarantee of such deposit by a commercial bank or a primary dealer.

3.6. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, a coupon rate will be established, on the basis of a $\frac{1}{8}$ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 92.500. That rate of interest will

be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance or rejection of their tenders. Those submitting noncompetitive tenders will only be notified if the tender is not accepted in full, or when the price is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. Payment and Delivery

5.1. Settlement for allotted securities must be made or completed on or before Thursday, November 15, 1979, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received at such institution no later than:

(a) Friday, November 9, 1979, if the check is drawn on a bank in the Federal Reserve District of the institution to which the check is submitted (the Fifth Federal Reserve District in case of the Bureau of the Public Debt), or

(b) Thursday, November 8, 1979, if the check is drawn on a bank in another Federal Reserve District.

Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at the applicable Federal Reserve Bank. Payment will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. When payment is made in securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities presented and the amount payable on the securities allotted.

5.2. In every case where full payment is not completed on time, the deposit submitted with the tender, up to 5 percent of the face amount of securities allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered securities tendered as deposits and in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." If new securities in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon (securities offered by this circular) to be delivered to (name and address)." Specific instructions for the issuance and delivery of the new securities, signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The securities must be delivered at the expense and risk of the holder.

5.4. If bearer securities are not ready for delivery on the settlement date, purchasers may elect to receive interim certificates. These certificates shall be issued in bearer form and shall be exchangeable for definitive securities of this issue, when such securities are available, at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. The

interim certificates must be returned at the risk and expense of the holder.

5.5. Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. General Provisions

6.1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of securities on full-paid allotments, and to issue interim certificates pending delivery of the definitive securities.

6.2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public announcement of such change will be promptly provided.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the Departmental procedures applicable to such regulation.

Paul H. Taylor,

Fiscal Assistant Secretary.

[FR Doc. 79-33577 Filed 10-25-79; 4:02 pm]

BILLING CODE 4810-40-M

WATER RESOURCES COUNCIL

Principles and Standards for Planning Water and Related Land Resources, Change in Discount Rate

Notice is hereby given that the interest rate to be used by Federal agencies in the formulation and evaluation of plans for water and related land resources in 7½ percent for the period October 1, 1979, through and including September 30, 1980.

The rate has been computed in accordance with Chapter IV, D., "The Discount Rate" in the "Standards for Planning Water and Related Land Resources" of the Water Resources Council, as amended (39 FR 29242), and is to be used by all Federal agencies in plan formulation and evaluation of water and related land resources projects for the purpose of discounting future benefits and computing costs, or otherwise converting benefits and costs to a common time basis.

The Department of the Treasury on October 18, 1979, informed the Water Resources Council pursuant to Chapter

IV, D., (b) that the interest rate would be 8 1/4 percent based upon the formula set forth in Chapter IV, D., (a): " * * * the average yield during the preceding Fiscal Year on interest-bearing marketable securities of the United States which, at the time the computation is made, have terms of 15 years or more remaining to maturity * * *." However, Chapter IV, D., (a) further provides " * * * that in no event shall the rate be raised or lowered more than one-quarter of one percent for any year." Since the rate in Fiscal Year 1979 was 6 1/2 percent (42 FR 58232), the rate for Fiscal Year 1980 is 7 1/2 percent.

Dated: October 24, 1979.

Gerald D. Seinwill,
Acting Director.

[FR Doc. 79-33200 Filed 10-26-79; 8:45 am]
BILLING CODE 8410-01-M

INTERSTATE COMMERCE COMMISSION

Directly Related Motor Carrier Applications

AGENCY: Interstate Commerce Commission.

ACTION: Notice for proper filing of motor carrier applications directly related to finance applications.

SUMMARY: Persons filing motor carrier applications [for instance, related gateway elimination or conversion applications under 49 U.S.C. 10922 or related securities applications under 49 U.S.C. 11301] which are directly related to motor finance applications filed under 49 U.S.C. 1343-11344 are instructed to write in *bold* print at the top of page one of the *directly related application* the words: "Directly Related." Also, persons are instructed that one copy of all such directly related motor applications must be mailed to the Supervisor of the Finance Support Unit, Room 5414, Interstate Commerce Commission, Washington, D.C. This will improve the ability of the Commission to consolidate and process together all motor applications which are directly related to finance transactions.

DATES: These instructions will apply to all directly related motor applications filed with the Commission on and after November 1, 1979.

FOR FURTHER INFORMATION CONTACT: Michael Erenberg, 202-275-7245; Frank Beane; 202-275-7643 or 7615.

SUPPLEMENTARY INFORMATION: On July 16, 1979, the Commission's final decision in Ex Parte No. 55 (Sub-No. 35), *Summary Grant Procedures (Finance)*, 44 FR 41203-41205 (1979), was issued.

That rulemaking established procedures for quicker grants of authority in finance applications, as well as motor carrier applications which are directly related to these finance applications. The instructions we issue here relating to these directly related motor applications (*whether they are filed along with the finance application or separately therefrom*) are intended to improve the coordination and consolidation process. Too often, a directly related motor application (for gateway elimination, conversion, securities) is misrouted by applicants or Commission staff resulting in delays in the processing of applications which should be processed and decided together.

The instructions require that applicants filing directly related motor applications (for instance, on form OP-OR-9 for conversion or gateway elimination or form OP-F-200 for securities issuances) indicated clearly in bold print at the top of page one of the application that the application is "Directly Related" to a finance application under 49 U.S.C. 11343 (to purchase, control, lease, or merge carrier operating rights or properties). These instructions also require that one copy of each such directly related motor application be mailed to the Supervisor of the Finance Support Unit, Room 5414, Interstate Commerce Commission, 12th Street and Constitution Avenue, Washington, D.C. 20423.

Dated: October 23, 1979.

By the Commission, Alan M. Fitzwater,
Director, Office of Proceedings.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-33248 Filed 10-26-79; 8:45 am]
BILLING CODE 7035-01-M

Fourth Section Application for Relief

October 24, 1979.

This application for long-and-short haul relief has been filed with the I.C.C.

Protests are due at the I.C.C. within 15 days from the date of publication of this notice.

FSA No. 43760, Hansa Line No. 1, intermodal rates on general commodities in containers from rail carriers' terminals of the United States Pacific Coast to ports in the Middle East, by way of Atlantic Coast interchange points, in its Tariff ICC HANU 700, FMC No. 29. Rates became effective October 7, 1979. Grounds for relief—water competition.

By the Commission.
Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-33249 Filed 10-26-79; 8:45 am]
BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Applications

October 11, 1979

The following are notices of filing of applications for temporary authority under Section 210(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 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.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. 187

MC 1515 (Sub-273TA), filed August 30, 1979. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Phoenix, AZ 85077. Representative: Lat J. Celmins (same address as applicant). Regular Route, *Passengers and their baggage and express and newspapers in the same vehicle with passengers*, between Marquette, MI and Junction of the County Hwy 460 and U.S. Hwy 41, at or near Skandia, MI, serving all intermediate points: From Marquette, MI

over County Hwy 553 to junction County Hwy 460, then over County Hwy 460 via K. I. Sawyer Air Force base to junction U.S. Hwy 41, and return over the same route, **CONDITION:** This authority shall be of no further force and effect upon termination of the carrier's contract with the State of MI, Department of State Hwys and Transportation, for 180 days. An underlying ETA seeks 90 days authority.

Note.—Applicant does intend to tack this authority with authority it presently holds in MC-1515 Sub-71. Supporting Shipper(s): Department of Transportation State of Michigan, P.O. Box 30050, 425 W. Ottawa St., Lansing, MI 48909. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 1515 (Sub-274TA), filed September 6, 1979. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Phoenix, AZ 85077. Representative: Lat J. Celmins (same address as applicant). Common, Regular Routes, *Passengers and their baggage and express and newspapers in the same vehicle with passengers*, between Phoenix, AZ and Flagstaff, AZ, serving no intermediate points: From Phoenix, AZ over Interstate Hwy 17 to Flagstaff, AZ and return over the same routes, for 180 days. Applicant request authority to interline at Phoenix, AZ and to tack this authority with authority it presently holds in No. MC-1515. Supporting Shipper(s): There are five (5) supporting shippers. Their statements may be reviewed at the below listed field office or Washington, D.C. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 1824 (Sub-103TA), filed August 24, 1979. Applicant: PRESTON TRUCKING CO., INC., 151 Easton Blvd., Preston, MD 21655. Representative: Charles S. Perry (same as applicant). *General commodities, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Perryopolis, PA and Point Marion, PA, restricted to the transportation of shipments originating at or destined to the facilities of Houze Glass Corporation, for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack authority sought herein with authority held under Docket MC-1824. Supporting Shipper(s): Houze Glass Corp., P.O. Box 307, Point Marion, PA 15474. Send protests to: I.C.C., Fed. Res., Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.*

MC 1824 (Sub-104TA), filed August 30, 1979. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Blvd., Preston, MD 21655. Representative:

Thomas M. Auchincloss, Jr., 700 World Center Bldg., 918 16th St. NW., Washington, DC 20006. *General commodities, except those of unusual value, classes A & B explosives, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, between Fort Wayne, IN and Decatur, IN, from Fort Wayne over U.S. Hwy 33 to Decatur, and return over the same route, serving no intermediate points. Carrier will tack this authority with its existing authority. Applicant will interline traffic with present connecting carriers at authorized interline points. Authority sought for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): All American Homes, Inc., 309 S. 13th St., Decatur IN. Delco Packaging Corp., 2110 Patterson St., Decatur, IN. Alma Plastic Co., 2005 Guy Brown Dr., Decatur, IN. Silberline Mfg. Co., P.O.B. A, Lansford, PA 18232. Send protests to: I.C.C., 620 Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.*

MC 2934 (Sub-39TA), filed September 7, 1979. Applicant: AERO MAYFLOWER TRANSIT CO., INC., P.O. Box 107B, Indianapolis, IN 46206. Representative: James L. Beattey, 130 E. Washington, Suite 1000, Indianapolis, IN 46204. *Mattresses and supporting foundations for mattresses, including box springs from Indianapolis, IN to points and places in the states of DC, VA, TN, and MD (except points in Hartford, Cecil, Kent, Queen Ames, Talbot, Caroline, Dorchester, Wicomico, Somerset, Worcester Counties, MD) for 180 days. Supporting shipper: May & Company, Inc., 1925 South Delaware Street, Indianapolis, IN 46225. Send protest to: Beverly J. Williams, Transportation Assistant, ICC, 429 Federal Bldg., 46 E. Ohio St., Indianapolis, IN 46204.*

MC 2934 (Sub-40TA), filed July 17, 1979. Applicant: AERO MAYFLOWER TRANSIT CO., INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: James L. Beattey, 130 E. Washington St., Suite 1000, Indianapolis, IN 46204. *New office furniture and related products, from Aurora, IL and points within twenty-five (25) miles, to points and places in AL, FL, GA, NC, OH, PA (except Lackawanna, Wayne, Pike, Carbon, Monroe, Northampton, Philadelphia, Lehigh, Berks, Bucks, Montgomery, Chester, Delaware, Lancaster counties, PA), and New York (except Orange, Westchester, Putnam, Dutchess, Columbia, Bronx, Queens, Kings, Richmond, Nassau, Suffolk counties and New York City, NY), RI, SC, OK and TX for 180 days. Supporting shipper: All Steel, Inc., Rt. 31, Aurora, IL*

60507. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 2934 (Sub-41TA), filed August 2, 1979. Applicant: AERO MAYFLOWER TRANSIT CO., INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: James L. Beattey, 130 E. Washington St., Suite 1000, Indianapolis, IN 46204. (1) *Artificial Christmas trees, wreaths, decorations and ornaments, materials, supplies and equipment used in the manufacture, packaging and distribution thereof*, (2) *Venetian blinds and their component parts and machinery and equipment used in the manufacture, packaging and distribution thereof*, and (3) *Lawn and garden accessories including aluminum, steel and plastic lawn edging and border fencing, hose hangers, hang-a-tool, hanging garden track and tomato stakes*, between the facilities and warehouses of Marathon Carey-McFall Company in PA, GA, TX, OH, IN, IL, MA, NJ and FL, on the one hand, and, on the other, points and places in the United States (except AK and HI), for 180 days. Supporting shipper: Marathon Carey-McFall Company, 205 Lyallssock Avenue, Montoursville, PA 17754. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 3114 (Sub-33TA), filed August 22, 1979. Applicant: T. H. COMPTON, INC., R.F.D. No. 1, Berkeley Springs, WV 25411. Representative: Herbert Alan Dubin, 1320 Fenwick Lane, Silver Spring, MD 20910. *Iron and steel articles, machinery and machinery parts between the facilities of (1) Commercial Shearing, Inc. at (a) Berkeley Springs, WV, (b) Youngstown, OH, and (c) Hagerstown, MD; (2) Gregory Galvanizing Co. at Canton, OH; (3) Dura Bond, Inc. at Export, PA; (4) Young Galvanizing Co. at Pulaski, PA; (5) Hanlon Gregory Co. at Pittsburgh, PA; and (6) Commercial Stamping and Forging at Bedford Park, IL, on the one hand, and, on the other, points in and east of MI, WI, IL, KY, TN and MS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Commercial Shearing, Inc., 1775 Logan Ave., Youngstown, OH 44501. Send protests to: I.C.C., 101 N. 7th St., Room 620, Philadelphia, PA 19106.*

MC 14215 (Sub-68TA), filed August 31, 1979. Applicant: SMITH TRUCK SERVICE, INC., P.O. Box 1329, Steubenville, OH 43952. Representative: John L. Alden, 1396 W. Fifth Ave., Columbus, OH 43212. *Zinc, zinc oxide, zinc dust, zinc dross, zinc residue, zinc*

skimmings, lead sheets, metallic cadmium, materials, equipment and supplies used in the production and distribution of the above commodities, except commodities in bulk, in tank vehicles between the facilities of St. Joe Zinc Co. at or near Josephstown (Potter Township, Beaver County) PA on the one hand, and, on the other, points in CT, DE, IL, IN, MD, MI, MO, NJ, and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): St. Joe Zinc Co., Two Oliver Plaza, Pittsburgh, PA 15222. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 14314 (Sub-32TA), filed August 27, 1979. Applicant: DUFF TRUCK LINE, INC., P.O. Box 359, Broadway and Vine Sts., Lima, OH 45802. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. *Common carrier: Regular routes: General commodities, except those of unusual value, Classes A and B explosives, commodities in bulk, and those requiring special equipment, serving Owensboro, KY, as an off-route point in connection with carrier's otherwise authorized regular route operations, for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack authority sought herein with authority held under docket MC 14314, Sub. 20. Applicant intends to interline with another carrier in points of Louisville, KY; Evansville, IN; St. Louis, MO; Detroit and Pontiac, MI; Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Lima, Mansfield and Toledo, OH. Supporting shipper(s): Harsh Manufacturing Company, P.O. Box 927, 900 Industrial Dr., Owensboro, KY 42301; and W. R. Grace & Co., Route 1, Highway 60, East, Owensboro, KY 42301. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.*

MC 10875 (Sub-55TA), filed September 12, 1979. Applicant: BRANCH MOTOR EXPRESS COMPANY, 114 Fifth Avenue, New York, NY 10011. Representative: G. G. Heller, (same address as applicant). *Common carrier, regular routes: General commodities, except those of unusual value, household goods as defined by the Commission, Classes A and B explosives, commodities in bulk, or requiring special equipment, serving points in Cheshire, Hillsboro, Merrimack, Belknap, Rockingham and Strafford Counties, NH, as off-route points to applicant's regular routes; for 180 days. Applicant will tack this authority with its existing authority. Applicant will interline with other carriers. Supporting shipper(s): There are eighteen (18) shippers. Their statements may be examined at the*

office listed below and Headquarters. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

MC 19105 (Sub-62TA), filed August 24, 1979. Applicant: FORBES TRANSFER COMPANY, INC., P.O. Box 3544, Wilson, NC 27893. Representative: Vance T. Forbes (same as above). *Iron and steel articles from Florence, SC to points in NC, VA, and MD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Vulcraft Division, Nucor Corp., P.O. Box F-2, Florence, SC 29502; and Socar, Inc., P.O. Box 671, Florence, SC 29503. Send protests to: Sheila Reece, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.*

MC 30605 (Sub-164TA), filed July 24, 1979. Applicant: THE SANTA FE TRAIL TRANSPORTATION COMPANY, P.O. Box 56, Wichita, KS 67202. Representative: J. M. Bourk (same as above). *General commodities, except those of unusual value, Class A & B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, to serve the points of Tyrone, NM, Holloman AFB, NM and White Sands Missile Range, NM, as off-route points in connection with The Santa Fe Trail Transportation Company's presently authorized regular route operation, for 180 days. An underlying ETA seeks 90 days authority. Applicant will tack this authority with its existing authority and will interline at Albuquerque, NM, and Amarillo, TX. Supporting shipper(s): Del Monte Sales Co., Box 3068, Lubbock TX 79423; General Services Administration, Region 8, Bldg. 41, Denver Federal Center, Denver, CO 80225; Ralston Purina Co., 4555 York St., Denver, CO 80216; Phelps Dodge Corporation, 300 Park Ave., New York, NY 10022. Send protests to: M. E. Taylor, DS, ICC, 101 Litwin Bldg., Wichita, KS 67202.*

MC 41404 (Sub-162TA), filed August 15, 1979. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, Box 440, Martin, TN 38237. Representative: Mark L. Horne (same as applicant). *Cheese analog and calcium cassinate (except in bulk), from the facilities of Anderson Clayton Foods at Humboldt, TN to points in AL, AR, FL, GA, IL, IN, KY, LA, MI, MO, MS, NC, OH and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Anderson Clayton Foods, P.O. Box 226165, Dallas, TX 75266. Send protests to: Floyd A. Johnson, 100 North Main Street, Suite 2006, Memphis, TN 38103.*

MC 52704 (Sub-241TA), filed August 29, 1979. Applicant: GLENN McCLENDON TRUCKING CO., INC., P.O. Drawer "H", LaFayette, AL 36862. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. (1) *Ground clay, floor sweeping compounds and absorbents (except in bulk), from the facilities of Maltan, Inc., at or near Middleton, TN, to points in AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, TX and VA, and (2) *Materials, equipment and supplies used in the manufacture or distribution of commodities named in (1) above (except in bulk) from points in the states named in (1) above to the facilities of Maltan, Inc., at or near Middleton, TN, for 180 days. Supporting shipper(s): Maltan, Inc., P.O. Box 626, Memphis, TN 38101. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35023.**

MC 59655 (Sub-29TA), filed September 12, 1979. Applicant: SHEEHAN CARRIERS, INC., 62 Lime Kiln Road, Suffern, NY 10901. Representative: George A. Olzen, P.O. Box 357, Gladstone, NJ 07934. *Containers, container ends and closures, between Rochester and Fairport, NY, on the one hand, and, on the other, Needham Heights, MA, and points in the Boston MA Commercial Zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Can Company, American Lane, Greenwich, CT 06830. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.*

MC 59655 (Sub-30TA), filed September 12, 1979. Applicant: SHEEHAN CARRIERS, INC., 62 Lime Kiln Road, Suffern, NY 10901. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Containers, container ends and closures, from Whitehouse and Perrysville, OH, to Rochester, South Volney and Fairport, NY; for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Can Company, American Lane, Greenwich, CT 06830. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.*

MC 60014 (Sub-140TA), filed August 23, 1979. Applicant: AERO TRUCKING, INC., Box 308, Monroeville, PA 15146. Representative: A. Charles Tell, Esquire, 100 E. Broad Street, Columbus, OH 42315. *Building materials, except in bulk, from the facilities of Johns-Manville Products Corp. at or near Woodstock, VA to points in IN, for 180 days. An underlying ETA for 90 days has been*

sought. Supporting shipper(s): Johns Manville Products Corporation, 200 North Main Street, Manville, NJ 08835. Send protests to: J. J. England, D/S, I.C.C., 2111 Federal Building, Pittsburgh, PA 15222..

MC 65475 (Sub-28TA), filed September 7, 1979. Applicant: JETCO, INC., 4701 Eisenhower Ave., Alexandria, VA 22304. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. *Tanks, tank components, and ducts*, from the facilities of Witherup Fabrication and Erection, Inc., at or near Kennerdell, PA, to points in the US, (except AK and HI), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Witherup Fabrication and Erection, Inc., R.D. 2, Box 55, Kennerdell, PA 16374. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 94265 (Sub-318TA), filed August 23, 1979. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305, Route 460 West, Windsor, VA 32487. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Confectionary products in vehicles equipped with mechanical refrigeration units (except in bulk, in tank vehicles)* from the plantsite and storage facilities utilized by L. S. Heath & Sons, Inc., at or near Robinson, IL, to points in the states of AL, GA, LA, MS, NC, SC, TN, VA, and WV for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): L. S. Heath & Sons, Inc., P.O. Box 679, Robinson, IL 62454. Send protests to: I.C.C., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 96324 (Sub-36TA), filed August 28, 1979. Applicant: GENERAL DELIVERY, INC., P.O. Box 1816, Fairmont, WV 26554. Representative: Mel P. Booker, Jr., Esq., 110 S. Columbia St., Alexandria, VA 22314. *Chinaware, earthenware, porcelainware, pottery and plastic articles to be shipped in mixed truckloads with glassware* from Lancaster, OH to MD, NJ, PA, VA and WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Anchor Hocking Corporation, 109 N. Broad St., Lancaster, OH 43130. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St. Rm. 620, Philadelphia, PA 19106.

MC 106674 (Sub-416TA), filed July 16, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Brick facing tile and adhesives (2) materials, equipment and supplies used in the manufacture, distribution and sale of brick facing and tile adhesives*, (1) from the facilities of

K-S-H, Inc., at Washington, IN to points in the United States (except AK and HI) and (2) from the United States (except AK and HI) to the facilities of K-S-H, Inc., at Washington, IN for 180 days. Supporting shipper: K-S-H, Inc., 10091 Manchester Road, St. Louis, MO 63122. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 106674 (Sub-417TA), filed July 19, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Petroleum coke*, from the facilities of International Minerals and Chemical Corp. at Joliet, IL to points in OH for 180 days. Supporting shipper: International Minerals and Chemical Corp., 421 E. Hawley St., Mundelein, IL 60060. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 106674 (Sub-418TA), filed July 24, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Iron and steel articles (except commodities in bulk)*, from the facilities of Southwestern Ohio Steel Company, Inc. located in Butler County, OH to points in IL, IN, KY, MO and TN for 180 days. Supporting shipper: Southwestern Ohio Steel, Inc., 903 Belle Avenue, Hamilton, OH 45012. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 106674 (Sub-419TA), filed July 30, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Iron and steel articles*, from the facilities of LaBarge Steel, Tubular Division at St. Louis, MO to points in and east of ND, SD, NE, KS, OK and TX for 180 days. Supporting shipper: LaBarge Steel, Tubular Division, 20 South 4th Street, St. Louis, MO 63102. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 106674 (Sub-422TA), filed September 17, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Liquid fertilizer, in bulk, in tank vehicles*, from Francesville, IN to points in IL and MI for 180 days. Supporting shipper: Vistron

Corporation, 313 Midland Building, Cleveland, OH 44115. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.

MC 106674 (Sub-423TA), filed July 18, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Concrete products and pipe fittings, and materials, equipment and supplies used in the manufacture and installation of concrete products and pipe fittings*, between the facilities of Price Brothers Company at Livonia, MI on the one hand and, on the other, points in IN and OH for 180 days. Supporting shipper: Price Brothers Company, 367 W. Second Street, Dayton, OH 45402. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.

MC 107295 (Sub-937TA), filed August 31, 1979. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, IL 61842. Representative: Duane Zehr (same address as applicant). *Construction materials and supplies (except in bulk)*, from Muskegon, MI to Hyattsville, MD and Wagoner, OK for 180 days. An underlying ETA was granted for 90 days authority. Supporting shipper(s): Upco Company, 4805 Lexington, Cleveland, OH 44103. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 107445 (Sub-23TA), filed August 1, 1979. Applicant: UNDERWOOD MACHINERY TRANSPORT, INC., 940 West Troy Avenue, Indianapolis, IN 46225. Representative: Alki E. Scopelitis, Scopelitis & Garvin, 1301 Merchants Plaza, Indianapolis, IN 46204. *Conveyors, machinery and material handling equipment and parts thereof*, from the facilities of Webster Manufacturing Company at Tiffin, OH, to points in the United States (including AK but excluding HI), for 180 days. Supporting shipper: Webster Manufacturing Company, 325 Hall St., Tiffin, OH 44883. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.

MC 107515 (Sub-1277TA), filed August 6, 1979. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA. 30050. Representative: Marc A. Pearl, 3390 Peachtree Rd., N.E., Suite 520, Atlanta, GA 30326. *Meats, meat products, meat by-products and articles distributed by meat packing houses*; 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 commodities in bulk, in tank vehicles and hides), from the plant site of Jimmy Dean Meat Company, at or near Plainview, TX, to points in AL, CT, DE, DC, FL, GA, KY, LA, MA, MD, ME, NC, NJ, NY, PA, SC, TN, and VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cudahy Foods Company, P.O. Box 43612, Atlanta, GA 30336. Send protests to: Sara K. Davis, TA, ICC, 1252 W. Peachtree St., N.W., Atlanta, GA 30309.

MC 107515 (Sub-1276TA), filed August 2, 1979. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 305, Forest Park, GA. 30050. Representative: Bruce E. Mitchell, 3390 Peachtree Rd., N.E., 5th floor, Atlanta, GA 30326. *Such commodities as are dealt in by drug store, grocery and food business houses (except commodities in bulk)*, from the facilities of Warner-Lambert Co. at or near Anaheim, CA to Grand Prairie, TX, Morrow, GA, S. Brunswick, NJ, Elk Grove Village, IL, Rockford, IL, and Long Island City, NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Warner-Lambert Company, 201 Tabor Rd., Morris Plains, NJ 07950. Send protests to: Sara K. Davis, TA, ICC, 1252 W. Peachtree St., N.W., Atlanta, GA 30309.

MC 109064 (Sub-41TA), filed August 15, 1979. Applicant: TEX-O-KAN TRANSPORTATION CO., INC., P.O. Box 8367, Fort Worth, TX 76112. Representative: George C. Jackson, 3301 E. Loop 820 South, Fort Worth, TX 76112. *Scrap iron and steel, metal articles, including crushed cars*, from points in NM, AR, CO, KS, OK, MO, LA, to the facilities of Chaparral Steel Company at or near Midlothian, Ellis County, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Chaparral Steel Company, P.O. Box 1100, Midlothian TX 76065. Send protests to: Martha A. Powell, TCS, I.C.C., 9A27 Federal Bldg., Ft. Worth, TX 76102.

MC 109154 (Sub-19TA), filed August 16, 1979. Applicant: BAYLOR TRUCKING, INC., RR 1, Milan, IN 47031. Representative: Robert W. Loser II, 1101 Chamber of Commerce Bldg., Indianapolis, IN 46204. *Commodities such as are dealt in by retail department stores*, from North Bergen, NJ to Cincinnati, OH, for 180 days. Supporting shipper: Shillito's Division of Federated Department Stores, 5121 Fishwick Drive, Cincinnati, OH 45216. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN. 46204

MC 112304 (Sub-210TA), filed July 30, 1979. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223. Representative: John D. Herbert (same as applicant). *Concrete products* from Devault, PA to points in DE, MD, NJ, VA, and DC for 180 days. Representative destination cities Dover, Wilmington, DE; Baltimore, Bethesda, Sykesville, MD; Camden, Manasquan, Union, NJ; Alexandria, Arlington, Newport News, Norfolk, Reston, VA. Our service needs include delivery along rights-of-way and State Highway routes, and the above points are representative of general areas. An underlying ETA seeks 90 days authority. For 180 days. Supporting shipper(s): A. C. Miller Co., Inc., P.O. Box 555, Devault, PA 19432. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 113024 (Sub-163TA), filed August 23, 1979. Applicant: ARLINGTON J. WILLIAMS, INC., 1398 S. DuPont Hwy., Smyrna, DE 19977. Representative: Samuel W. Earnshaw, 833 Washington Bldg., Washington, DC 20005. Contract carrier, irregular routes, *clothing, dry goods, drugs, medicines, toilet preparations and articles, diaper liners, and materials and supplies (except liquid commodities in tank vehicles) used in the manufacture and distribution thereof*, between (1) Dover, DE, on the one hand, and, on the other, points on and east of the Mississippi River, and those in AR, KS, LA, MN, MO, NE and TX; and (2) Camarillo, CA, on the one hand, and, on the other, points in CO, OR and UT, for 180 days. Supporting shipper(s): International Playtex, Inc., P.O. Box 631, Dover, DE 19901. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Philadelphia, PA 19106.

MC 113434 (Sub-145TA), filed August 29, 1979. Applicant: GRA-BELL TRUCK LINE, INC., A5253, 144th Avenue, Holland, MI 49423. Representative: Roger Van Wyk, A5253, 144th Avenue, Holland, MI 49423. *Scrap materials, materials and supplies used in the manufacture, distribution and sale of containers, container closures, container components, glassware and packing products*; between MI, IL, IN, WV, OH and NY. Restricted to traffic originating at or destined to the facilities of Owens-Illinois, Inc. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Owens-Illinois, Inc., P.O. Box 1035, Toledo, OH 43666. Send protests to: C. R. Flemming, D/S, I.C.C., 225 Federal Building, Lansing, MI 48933.

MC 114045 (Sub-549TA), filed September 5, 1979. Applicant: TRANS-

COLD EXPRESS, INC., P.O. Box 61228, Dallas, TX 75261. Representative: J. B. Stuart, P.O. Box 61228, Dallas, TX 75261. (1) *Such commodities as are dealt in by grocery, hardware, and drug stores*, in containers; (2) *materials used in the manufacture of the commodities of (1) above (except commodities in bulk)* between Chicago, IL and points within its commercial zone on the one hand, and, on the other, points in TX, restricted to the transportation of traffic originating at the facilities of American Home Products Corporation, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Home Products, Boyle-Midway Division, 685 Third Avenue, New York, NY 10017. Send protests to: Opal M. Jones, TA, Room 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 114604 (Sub-82TA), filed August 6, 1979. Applicant: CAUDELL TRANSPORT, INC., P.O. Drawer I, Forest Park, GA 30050. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Such commodities as are dealt in by grocery and food business houses (except commodities in bulk, in tank vehicles)*, from the facilities of Geo. A. Hormel & Co., at Tucker GA, to points in TX, MS, LA, FL, TN, and KY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Geo. A. Hormel & Co., 3367 Montreal Industrial Way, Tucker, GA 30084. Send protests to: Sara K. Davis, TA, ICC, 1252 W. Peachtree St., N.W., Atlanta, GA 30309.

MC 115654 (Sub-166TA), filed Sept. 14, 1979. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23913, Nashville, TN 37202. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 Thirteenth St., N.W., Washington, D.C. 20004. *Paper and paper products*, from Naheola, AL, to points in IN, IL, and OH, for 180 days. Supporting shipper(s): American Can Co., Harbison Road, Lexington, KY 40511. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 115654 (Sub-165TA), filed Sept. 14, 1979. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23913, Nashville, TN 37202. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 Thirteenth St., N.W., Washington, D.C. 20004. *Sugar (except in bulk)*, from points in LA south of Interstate 10 and east of the Atchafalaya River to points in AL, AR, GA, IL, IN, KY, MS, OH, TN, and MO (including the commercial zone of Kansas City), for 180 days. Supporting shipper(s): Southdown Sugars, Inc., Suite 1821, 1440 Canal Street, New Orleans,

LA 70112. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 115654 (Sub-164TA), filed Sept. 13, 1979. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23913, Nashville, TN 37202. Representative: Henry Seaton, 929 Pennsylvania Bldg., 425 Thirteenth St., N.W., Washington, D.C. 20004. *Such articles as are dealt in by wholesale and retail grocery houses, from the facilities used by Standard Brands, Inc. at or near Columbus, OH to points in KY, for 180 days. Supporting shipper(s): Standard Brands, Inc., 7001 S. Harlem, Bedford Pk., IL 60638. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Court House, 801 Broadway, Nashville, TN 37203.*

MC 115654 (Sub-163TA), filed September 5, 1979. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23193, Nashville, TN 37202. Representative: Henry Seaton, 929 Pennsylvania Bldg., 425 Thirteenth St., N.W., Washington, D.C. 20004. *Such commodities as are dealt in by wholesale and retail food chains, drug stores, hospitals, and cosmetic dealers discount and variety stores, and grocery houses (except in bulk), from the facilities of Bristol-Myers at Atlanta, GA, Nashville, TN, and Hamilton, OH, to points in KY, TN, and Hamilton, OH, for 180 days. Supporting Shipper(s): Bristol-Myers Co., 5655 Fulton Industrial Blvd., Atlanta, GA 30336. Send protests to: Glenda Kuss, TA, I.C.C., Suite A-422 U.S. Courthouse, 801 Broadway, Nashville, TN 37203.*

MC 116544 (Sub-177TA), filed August 31, 1979. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: R. G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. *Malt liquors, viz: Beer, from St. Louis, MO to FL, for 180 days. Supporting Shipper(s): Anheuser-Busch, Inc., St. Louis, MO 63118. Send protests to: D/S Neil C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.*

MC 116915 (Sub-97TA), filed August 28, 1979. Applicant: ECK MILLER TRANSPORTATION CORPORATION, Route 1, Box 248, Rockport, IN 47635. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602. *Iron and steel articles, between the facilities of Pascoe Steel Corp. at or near Columbus, GA, on the one hand, and, on the other, Birmingham and Gadsden, AL and St. Louis, MO., for 180 days. Supporting Shipper(s): Pascoe Steel Corp., P.O. Box 1098, Columbus, GA 31902. Send Protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.*

MC 116915 (Sub-96TA), filed July 27, 1979. Applicant: ECK MILLER TRANSPORTATION CORPORATION, Route 1, P.O. Box 248, Rockport, IN 47635. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602. *Iron and steel articles, between the facilities of Midwest Steel, Division of National Steel Corp., located at Portage, IN on the one hand and, on the other, points in KY, AL, GA and MS for 180 days. Supporting Shipper(s): Midwest Steel, Division of National Steel, Portage, IN 46368. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.*

MC 118535 (Sub-143TA), filed August 20, 1979. Applicant: TIONA TRUCK LINE, INC., 102 West Ohio, Butler, MO 64730. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. (1) *Lead and lead products and containers; (2) lead shot (1) from Anoka and Minneapolis, MN to Loanoke, AR; and (2) from Loanoke, AR to Anoka, MN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Federal Cartridge Corporation, 9th and Tyler Street, Anoka, MN 55305. Send protests to: Vernon V. Coble, DS, ICC, 600 Fed. Bldg., 911 Walnut Street, Kansas City, MO 64106.*

MC 121654 (Sub-31TA), filed August 29, 1979. Applicant: COASTAL TRANSPORT & TRADING CO., P.O. Box 7438, Savannah, GA 31408. Representative: Alan E. Serby & Richard M. Tettelbaum, Serby & Mitchell, P.C., Fifth Floor, Lenox Towers South, 3390 Peachtree Road, N.E., Atlanta, GA 30326. *Cement and concrete compounds (except in bulk), from facilities of W. R. Bonsal Co. at or near Conley, GA to points in AL, SC, and TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): W. R. Bonsal Co., 4083 Bonsal Road, Conley, GA 30027. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.*

MC 121805 (Sub-6TA), filed August 30, 1979. Applicant: ARKANSAS EXPRESS, INC., 1200 Arkansas Ave., North Little Rock, AR 72114. Representative: James M. Duckett, 927 Pyramid Life Bldg., Little Rock, AR 72201. 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), (1) Between Pine Bluff, Arkansas and West Memphis,

Arkansas. From Pine Bluff over U.S. Highway 79 to its junction with U.S. Highway 70, then over U.S. Highway 70 to West Memphis, and return over the same route serving all intermediate points. Restriction: Service performed shall be restricted against the handling of shipments moving (a) between Memphis, Tennessee and Little Rock, Arkansas and its commercial zone, (b) between Memphis, Tennessee and Pine Bluff, Arkansas, and (c) between Memphis, Tennessee and Forrest City, Arkansas. (2) Between Marianna, Arkansas and Wynne, Arkansas. From Marianna over Arkansas Highway 1 to Wynne, and return over the same route serving all intermediate points. (3) Between West Helena, Arkansas and Elaine, Arkansas. From West Helena over U.S. Highway 49 to its junction with Arkansas Highway 85, then over Arkansas Highway 85 to its junction with Arkansas Highway 44, then over Arkansas Highway 44 to Elaine, and return over the same route serving all intermediate points. (4) Between Little Rock, Arkansas and DeWitt, Arkansas. From Little Rock, Arkansas and DeWitt, and return over the same route serving all intermediate points. (5) Between DeWitt, Arkansas and Dumas, Arkansas. From DeWitt over Arkansas Highway 152 to its junction with Arkansas Highway 1, then over Arkansas Highway 1 to its junction with Arkansas Highway 54, then over Arkansas Highway 54 to Dumas, and returning over the same route serving all intermediate points. (6) Between Dumas, Arkansas and Star City, Arkansas. From Dumas over Arkansas Highway 54 to its junction with Arkansas Highway 81 to Star City, and return over the same route serving all intermediate points. (7) Between Gould, Arkansas and Star City, Arkansas. From Gould over Arkansas Highway 114 to Star City, and return over the same route serving all intermediate points. (8) Between Grady, Arkansas and Fresno, Arkansas. From Grady over Arkansas Highway 11 to Fresno, and return over the same route serving all intermediate points. All routes to be tacked at common points of joinder and with existing authority, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): There are twenty-five (25) supporting shippers. Their statements may be examined at the office listed below. Send protests to: William H. Land, Jr., DS, Interstate Commerce Commission, 3108 Federal Building, Little Rock, AR 72201.

MC 123255 (Sub-214TA), filed September 4, 1979. Applicant: B & L MOTOR FREIGHT, INC., 1984 Coffman Rd., Newark, OH 43055. Representative:

C. F. Schnee, Jr. (same address as applicant). *Grain products* (except commodities in bulk), from Kankakee, IL to points in CT, DE, MA, MD, ME, NH, NJ, NY, PA, OH, VT, VA, and WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): J. R. Short Milling Co., 233 S. Wacker Dr., Sears Tower, Chicago, IL 60606. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 123805 (Sub-17TA), filed August 24, 1979. Applicant: LOMAX TRUCKING SERVICE, INC., R. R. No. 1, Hannibal, MO 63401. Representative: Thomas P. Rose, P.O. Box 205, Jefferson City, MO 65102. *Cast Iron Borings, in bulk, in dump vehicles*, From Adams County, IL to points in MO and IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Chanens, Inc., 2400 Gardner Expressway, Quincy, IL 62301. Send protests to: Vernon V. Coble, DS, ICC, 600 Fed. Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 124154 (Sub-86TA), filed September 6, 1979. Applicant: WINGATE TRUCKING COMPANY, INC., P.O. Box 645, Albany, GA 31702. Representative: Thomas F. Panebianco, P.O. Box 1200, Tallahassee, FL 32302. *Baler presses and shears and materials and supplies used in the manufacture of baler presses and shears (except commodities in bulk)*, between Cordele, GA, on the one hand, and, on the other, points in the United States except AK and HI, restricted to the transportation of shipments originating at or destined to the facilities of Harris Press and Shear Corporation for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Harris Press & Shear Corporation, P.O. Box 998, Cordele, GA 31015. Send protests to: Jean King, T/A, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 124835 (Sub-18TA), filed September 7, 1979. Applicant: PRODUCERS TRANSPORT CO., P.O. Box 4022, Chattanooga, TN 37405. Representative: David K. Fox (same address as applicant). *Chemicals, in bulk, in tank vehicles*, from: Chattanooga, TN to: all points in the United States in and east of ND, SD, NE, KS, OK, and TX, for 180 days. Supporting shipper(s): "There are [8] shippers. Their statements may be examined at the office listed below and Headquarters." Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 125335 (Sub-77TA), filed July 2, 1979. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17405. Representative: Marilyn L.

Larsen, P.O. Box 82816, Lincoln, NE 68501. *Meats, meat products, meat by-products, articles distributed by meat packing houses, and such commodities as are used by meat packers in the conduct of their business (except hides and commodities in bulk)*, between the facilities of Lauridsen Foods, Inc. at or near Britt, IA and the facilities of Armour & Company, at or near Mason City, IA, on the one hand, and, on the other, points in KY, TN, MS, AL, GA, FL, NC, and SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Armour & Co., Greyhound Tower, Phoenix, AZ 85077. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm 620, Philadelphia, PA 19106.

MC 126154 (Sub-14TA), filed August 2, 1979. Applicant: NEIL BARGLIND, d.b.a. BARGLIND TRUCKING COMPANY, P.O. Box 111, Iron Mountain, MI 49801. Representative: Robert W. Hansley, 120 North 6th Street, Escanaba, MI 49829. *Malt Beverages* from Detroit, MI to Spread Eagle, WI, for 180 days. Supporting shipper(s): Loia, Inc., 1620 North Milwaukee Avenue, Iron Mountain, MI 49801. Send protests to: C. R. Flemming, D/S, ICC, 225 Federal Building, Lansing, MI 48933.

MC 126514 (Sub-60TA), filed August 28, 1979. Applicant: SCHAEFFER TRUCKING, INC., 5200 W. Bethany Home Rd., Glendale, AZ 85301. Representative: Leonard R. Kofkin, 39 S. LaSalle St., Chicago, IL 60603. *Foodstuffs (except frozen foodstuffs and commodities in bulk) and materials, supplies and equipment used in the manufacture and sale thereof (except commodities in bulk)*, from the facilities of Ragu Foods, Inc. at Merced, CA to all points in the State of AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Ragu Foods, Inc., 33 Benedict Pl., Greenwich, CT 06830. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 126904 (Sub-34TA), filed August 16, 1979. Applicant: H. C. PARRISH TRUCK SERVICE, INC., Rural Route 2, P.O. Box 264, Freeburg, IL 62243. Representative: James W. Patterson, Esquire, 1200 Western Savings Bank Bldg., Philadelphia, PA 19107. *Malt beverages*, from the facilities of Stroh Brewery Company, Detroit, MI to points in Randolph and St. Clair Counties, IL for 180 days. Supporting shipper(s): Robert "Chick" Fritz, Inc., Route 2, Box 207C, Belleville, IL 62221. Send protests to: Annie Booker, TA, ICC, 219 South Dearborn St., Room 1386, Chicago, IL 60604.

MC 127705 (Sub-94TA), filed June 18, 1979. Applicant: KREVDA BROS. EXPRESS, INC., P.O. Box 68, Gas City, IN 46933. Representative: Donald W. Smith, 9000 Keystone Crossing, Suite 945, Indianapolis, IN 46240. *Glass containers and accessories*, from the facilities of Anchor Hocking Corporation at Gurnee, IL to Tipton and Frankfort, IN, and Leipsic, OH, for 180 days. Supporting shipper: Anchor Hocking Corp., 109 North Broad Street, Lancaster, OH. Send protests to: Beverly J. Williams, Trans. Asst., ICC, 46 East Ohio Street, Indianapolis, IN 46204, Room 429.

MC 127705 (Sub-95TA), filed July 27, 1979. Applicant: KREVDA BROS. EXPRESS, INC., P.O. Box 68, Gas City, IN 46933. Representative: Donald W. Smith, Suite 945-9000, Keystone Crossing, Indianapolis, IN 46240. *Glass containers*, from the facilities of Pierce Glass Co. at Port Allegheny, PA and Lincoln, IL to points in NY, NJ, MD, WV, OH, MI, IL, IN, KY, and St. Louis, MO, for 180 days. Supporting shipper: Pierce Glass Co., Port Allegheny, PA 16743. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 128095 (Sub-35TA), filed September 5, 1979. Applicant: IBCO TRUCK LINE, INC., P.O. Box 1402, Tupelo, MS 38801. Representative: Fred W. Johnson, Jr., 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. *New furniture*, from the facilities of KOFABCO Inc. at or near Peru, IN to points in AL, AR, FL, GA, LA, MS, NC, SC, TN, and TX, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): KOFABCO, Inc., P.O. Box 165, 21 E. Riverside Dr., Peru, IN 46970. Send protests to: Floyd A. Johnson, Suite 2006, 100 N. Main St., Memphis, TN 38103.

MC 129305 (Sub-2TA), filed September 6, 1979. Applicant: D & L CORPORATION, P.O. Box 58, Provo, UT 84601. Representative: Miss Irene Warr, 430 Judge Building, Salt Lake City, UT 84111. *Contract carrier, irregular routes: Iron and steel articles* from CA to UT and CO under continuing contract(s) with Brown-Strauss, division of Azoon Corp., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Strauss-Brown division of Azoon Corp., P.O. Box 175, Pleasant Grove, UT 84062. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 133095 (Sub-271TA), filed August 10, 1979. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Eules, TX 76039.

Representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, TX 75201. (1) *Malt beverages and related advertising materials*, and (2) *Empty used beverage containers and materials and supplies* used in and dealt with by breweries; (1) from Jefferson County, CO, to CA, TX, and OK; and (2) from CA, TX, and OK to Jefferson County, CO, for 180 days. Supporting shipper(s): Adolph Coors Company, Golden, CO 80401. Send protests to: Martha A. Powell, TCS, ICC, 9A27 Federal Bldg., Fort Worth, TX 76102.

MC 133315 (Sub-6TA), filed August 17, 1979. Applicant: ASBURY SYSTEM, 2222 East 38th Street, Los Angeles, CA 90058. Representative: Howard D. Clark, Vice President, 2222 East 38th Street, Los Angeles, CA 90058. *Jet fuels, in bulk, in tank vehicles*, between Arnett, OK, Big Spring, TX, and Salina, KA, on the one hand, on the other, Los Angeles, CA, for 180 days. Supporting shipper(s): Mercury Refueling, Inc., Chairman of the Board, 6851 West Imperial Highway, Los Angeles, CA 90045. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 133655 (Sub-182TA), filed August 16, 1979. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 31300, Amarillo, TX 79120. Representative: Neil A. Dujardin, P.O. Box 2298, Green Bay, WI 54306. *Scrap metals for resmelting purposes*, between Houston, TX, on the other hand, and, on the other, points in IL, MO, OH, AR, and LA, for 180 days. Supporting shipper(s): Gulf Metals, Inc., 8700 Market St., Houston, TX. Send protests to: Martha A. Powell, TCS, ICC, Room 9A27, Federal Bldg., Fort Worth, TX 76102.

MC 133805 (Sub-33TA), filed September 7, 1979. Applicant: LONE STAR CARRIERS, INC., Rt. 1, Box 48, Tolar, TX 76476. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Road, Fort Worth, TX 76112. *Tissue paper and tissue paper products* from the facilities utilized by Flower City Tissue Mills Co. at or near Rochester, NY to points in NC, TX, PA, IL, SC, OH, OK, AR, LA, TN and CT, for 180 days. Supporting shipper(s): Flower City Tissue Mills Co., 700 Driving Park Avenue, Rochester, NY 14613. Send protests to: Martha Powell, TCS, Rm. 9A27, Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 13405 (Sub-64TA), filed August 29, 1979. Applicant: CELERYVALE TRANSPORT, INC., 208 East 28th Street, Chattanooga, TN 37410. Representative: Daniel O. Hands, Suite 200, 205 West Touhy Ave., Park Ridge, IL 60068. *Frozen bakery products* from the facilities of Tennessee Doughnut Corporation at

Nashville, TN to Little Rock, AR; Syracuse, NY, Landover, MD; Minneapolis, MN; Tulsa, OK; Garland, TX; and points in their respective commercial zones and points in IL, IN, KY, MI, OH, PA, VA and WV, for 180 days. Supporting shipper(s): Tennessee Doughnut Corporation, 2975 Armory Drive, Nashville, TN 37204. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 134755 (Sub-205TA), filed August 29, 1979. Applicant: CHARTER EXPRESS, INC., P.O. Box 3772, Springfield, MO 65804. Representative: Raymond P. Keigher, 1400 Gerard St., Rockville, MD 20850. *Tires, tubes, flaps, and rubber products* (except commodities in bulk), from Kansas City, MO to those points in the United States in, south, or west of OH, KY, TN, and NC (except AK, HI, and MO), restricted to the transportation of traffic originating at the facilities of Lee Tire & Rubber Company, at Kansas City, MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Lee Tire & Rubber Company, Conshohocken, PA 19428. Send protests to: Vernon V. Coble, DS, ICC, 600 Fed. Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 134755 (Sub-206TA), filed August 29, 1979. Applicant: CHARTER EXPRESS, INC., P.O. Box 3772, Springfield, MO 65804. Representative: Raymond P. Keigher, 1400 Gerard St., Rockville, MD 20850. *Such merchandise as is dealt in by discount, department, or variety stores* (except in bulk), from points in AL, FL, GA, IL, IN, NJ, NY, OH, PA, VA, and WV, to points in AL, AR, IL, KY, KS, LA, MO, MS, OK, TN, and TX, restricted to the transportation of traffic destined to the facilities of Wal-Mart Stores, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wal-Mart Stores, Inc., P.O. Box 116, Bentonville, AR 72712. Send protests to: Vernon V. Coble, DS, ICC, 600 Fed. Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 134775 (Sub-13TA), filed July 13, 1979. Applicant: GUNTER BROTHERS, INC., 19060 Frager Rd., Kent, WA 98031. Representative: Henry C. Winters, 525 Evergreen Bldg., Renton, WA 98055. *Contract carrier, irregular routes: Air cargo containers, landing gear, fuselage fairing components, and interior furnishings*, from Kent, WA to points in the United States (except AK and HI) for the account of Heath Tecna Corporation of Kent, WA. Supporting shipper(s): Heath Tecna Corporation, 19819 84th Ave. S., Kent, WA 98031. Send protests

to: Shirley M. Holmes, T/A. ICC, 858 Federal Building, Seattle, WA 98174.

MC 135185 (Sub-41TA), filed September 4, 1979. Applicant: COLUMBINE CARRIERS, INC., P.O. Box 15246, 1720 East Garry Avenue, Santa Ana, CA 92705. Representative: Charles J. Kimball—Kimball, Williams & Wolfe, P.C., 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. *Contract; Irregular: Razors and razor blades, toilet articles and toilet preparations, pen and markers, shaving cream, stationery and stationery products, cigarette lighters, cleaning compounds and pads, hair curlers, hair spray, shampoo, sponges, fire extinguishers, electric appliances, deodorants, dispensers, sound warning signals, and display racks, stands and cabinets, and materials, equipment, and supplies* (except in bulk), used in the manufacture and distribution of the commodities named above, from the facilities of the Gillette Company at or near Andover, MA to Atlanta, GA and points in its commercial zone, for 180 days. Supporting shipper(s): The Gillette Co., Manager Corporate Transportation, 43d Floor, Prudential Tower, Boston, MA 02109. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 135234 (Sub-16TA), filed August 16, 1979. Applicant: TRENCO, INC., P.O. Box 697, 2109 Marydale Avenue, Williamsport, PA 17701. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bk Bldg., 666 Eleventh Street NW., Washington, DC 20001. *Contract; irregular: Furniture and materials and supplies and equipment used in the manufacture of furniture* (except commodities in bulk), between the facilities of John Savoy & Son, Inc., at or near Montoursville, PA on the one hand, and, on the other, points in the U.S. (except AK and HI) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): John Savoy & Son, Inc., P.O. Box 248, Corner Charles and Howard Streets, Montoursville, PA 17754. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 136595 (Sub-10TA), filed September 7, 1979. Applicant: EASTSIDE ENTERPRISES, INC., 1440 South "A" Street, Springfield, OR 97477. Representative: Lawrence V. Smart, Jr., 419 N.W. 23d Avenue, Portland, OR 97210, 503-226-3755. *Prefabricated modulars, in sections, without fixed undercarriage*, from the plantside of Boise Cascade Corp. located at or near Laurel, MT, to points in WY and SD, for 180 days. Supporting shipper(s): Boise Cascade Corporation, P.O. Box 7747,

Boise, ID 83707. Send protests to: A. E. Odoms, DS, ICC, 114 Pioneer Courthouse, Portland, OR 97204.

MC 136635 (Sub-23TA), filed August 1, 1979. Applicant: UNIVERSAL CARTAGE, INC., 640 W. Ireland Road, South Bend, IN 46680. Representative: Donald W. Smith, 9000 Keystone Crossing, Suite 945, Indianapolis, IN 46240. (1) *Iron, steel, zinc, lead and articles or products thereof (except in bulk), springs and construction materials, supplies and equipment (except in bulk)*, from the facilities of or utilized by Penn-Dixie Steel Corp., at or near Blue Island and Joliet, IL, Fort Wayne and Kolomo, IN, to points in IL, IN, MI, OH and KY. (2) *materials, equipment and supplies (except in bulk) used in the manufacture and distribution of the commodities named in (1)*, from points in IL, IN, MI, OH and KY to the facilities of or utilized by Penn-Dixie Steel Corp., located at or near points in (1) above. Restricted to traffic originating at or destined to the named origins and named destinations in Parts (1) and (2), except traffic moving in foreign commerce, for 180 days. Supporting shipper: Penn-Dixie Steel Corporation, 11 South Main, Kokomo, IN 46901. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 136315 (Sub-84TA), filed September 13, 1979. Applicant: OLEN BURRAGE TRUCKING, INC., P.O. Box 28, Philadelphia, MS 39350. Representative: Fred W. Johnson, Jr., P.O. Box 22628, Jackson, MS 39205. (1) *Roofing and roofing materials (except commodities in bulk, in tank vehicles)* from the facilities of Masonite Corp.-Roofing Div. at or near Meridian, MS to points in NC, SC, VA and W. VA, and (2) *equipment, materials and supplies used in the manufacturing and distribution of roofing and roofing materials (except commodities in bulk, in tank vehicles) in the reverse direction*, for 180 days.

Note.—Restricted to the transportation of traffic originating at or destined to the main facilities of Masonite Corp.-Roofing Div. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Masonite Corp.-Roofing Div., P.O. Box 5777, Meridian, MS 39301. Send protests to: Alan Tarrant, D/S, ICC, Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 136814 (Sub-8TA), filed September 12, 1979. Applicant: MATLOCK TRANSPORTATION, INC., 1988 East Valley Blvd., Colton, CA 92324. Representative: Gary W. Matlock, (same as above). *Contract*: Irregular; *Newsprint, in rolls*, from points in Oregon and Washington to points in

California and Colorado, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting Shipper(s): Treasure Chest Advertising Company, Inc., Plant Manager, 19313 E. Foothill Blvd., Glendora, CA 91740. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 138714 (Sub-3TA), filed August 21, 1979. Applicant: VIRGINIA TRANSPORTATION, INC., Box 26449, Richmond, VA 23261. Representative: Eric Meierhoefer, Suite 423, 1511 K Street N.W., Washington, D.C. 20005. *Contract*: irregular; *General commodities (except those of unusual value, commodities in bulk, classes A & B explosives, household goods as defined by the Commission, and commodities requiring special equipment)* between Richmond and Ashland, VA on the one hand, and, on the other, points in OH, NJ, PA, NC, and MD under a continuing contract(s) with Best Products Company, Inc., restricted to traffic originating at and destined to the facilities of Best Products Company, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Best Products Co., Inc., Box 26303, Richmond, VA 23260. Send protests to: Interstate Commerce Commission, Federal Reserve Bank Building, 101 North 7th Street, Room 620, Philadelphia, PA 19106.

MC 139244 (Sub-4TA), filed September 12, 1979. Applicant: TRUCKING SERVICE, INC., P.O. Box 229, Carlinville, IL 62656. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract carrier*: irregular routes: *Insulation, insulation material, vermiculite (other than crude), insulation cement and infusorial earth* for the account of International Vermiculite Company from Girard, IL to points in OH and PA, Detroit, MI Lackawanna, NY, Ashland, KY, Weirton and Wheeling, WV for 180 days. An underlying ETA seeks 90 days authority was received. Supporting Shipper(s): International Vermiculite Co., P.O. Box 66, Girard, IL 62640. Send protests to: Annie Booker, TA, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 139504 (Sub-5TA), filed August 15, 1979. Applicant: SHEA/RUSTIN TRANSPORT CO., P.O. Box 93567, Martech Station, Smyrna, GA 30318. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Road, N.E., Atlanta, GA 30326. *Contract carrier*: irregular routes: (1) *Cellulose insulation*, from the facilities of Habersham Industries, Inc., at or near Smyrna, GA, to points in FL, SC, NC, AL, VA, KY, and TN; and (2) *Materials, equipment and supplies used in the manufacture, distribution and*

sale of cellulose insulation (except in bulk), from points in FL, SC, NC, AL, KY, VA, and TN, to Smyrna, GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Habersham Industries, Inc., 5212 Industrial Court, Smyrna, GA 30080. Send protests to: Sara K. Davis, TA, ICC, 1252 W. Peachtree Street, N.W., Atlanta, GA 30309.

MC 140645 (Sub-8TA), filed August 27, 1979. Applicant: UNITED TRUCKING, INC., 100 Stoffel Drive, Tallapoosa, GA 30176. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Contract carrier*: irregular routes: *Liquid commodities, in containers*, from the facilities of Southeast Packaging Corporation at Atlanta, GA to points in AL, FL, IL, KY, MS, NC, OH, SC, TN, and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Southeast Packaging Corp., 701 Wharton Circle, S.W., Atlanta, GA 30336. Send protests to: Sara K. Davis, TA, ICC, 1252 W. Peachtree Street, N.W., Atlanta, GA 30309.

MC 140665 (Sub-66TA), filed September 11, 1979. Applicant: PRIME, INC., Route 1, Box 115-B, Urbana, MO 65767. Representative: Claton Geer, P.O. Box 786, Ravenna, OH 44266. *Foodstuffs, and materials and supplies used in the marketing and distribution of foodstuffs (except in bulk)*, from points in CA to points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sun Garden Packing Co., 1582 South First, San Jose, CA 95110. Send protests to: Vernon V. Coble, DDS, ICC, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

MC 141205 (Sub-29TA), filed September 7, 1979. Applicant: HUSKY OIL TRANSPORTATION CO., 600 South Cherry Street, Denver, CO 80222. Representative: F. Robert Reeder and James M. Elegante, P.O. Box 11898, Salt Lake City, UT 84147. *Contract*—irregular—*Crude oil, scrubber oil and condensate*, from points in Fall River, Perkins and Harding Counties, SD, to Platte Pipeline station at Casper, WY, and the Husky Oil Company refinery at Cheyenne, WY, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Husky Oil Co., 600 South Cherry Street, Denver, CO 80222. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 141205 (Sub-28TA), filed September 7, 1979. Applicant: HUSKY OIL TRANSPORTATION CO., 600 South Cherry Street, Denver, CO 80222. Representative: F. Robert Reeder and James Elegante, P.O. Box 11898, Salt

Lake City, UT 84147. *Contract—regular—Crude oil, scrubber oil and condensate*, from points in Moffat, Routt, Rio Blanco, Garfield, and Mesa Counties, CO, to the Husky Oil Company refinery at North Salt Lake, UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Husky Oil Co., 600 South Cherry Street, Denver, CO 80222. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 141804 (Sub-270TA), filed September 4, 1979. Applicant: WESTERN EXPRESS, DIVISION OF INTERSTATE RENTAL, INC., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman, (same address as applicant). *Catalogues and advertising material*, from MN to points in CA, NC, TX, and VA, for 180 Days. An underlying ETA seeks up to 90 days operating authority. Supporting Shipper(s): Best Products, Inc., P.O. Box 26303, Richmond, VA 23260. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 141914 (Sub-62TA), filed September 10, 1979. Applicant: FRANKS AND SON, INC., Routel, Box 108A, Big Cabin, OK 74332. Representative: Kathrena J. Franks (same address as applicant). *Foodstuffs, paint and paint products, adhesives and caulking compound* (except commodities in bulk), from the facilities of SCM Corp., located at Shiremanstown and Parksburg, PA, Carrolton, TX, Louisville, KY, Cleveland and Sharonville, OH, to points in the United States, restricted to traffic originating at the facilities of SCM Corporation, for 180 days. Supporting Shipper(s): SCM Corp., 900 Union Commerce Building, Cleveland, OH 44115. Send protests to: Connie Stanley, ICC, Room 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 142364 (Sub-21TA), filed September 4, 1979. Applicant: KENNETH SAGELY, d.b.a. SAGELY PRODUCE, 2802 Kibler Road, Van Buren, AR 72956. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. (1) *Ground clay, floor sweeping compounds and absorbents* (except in bulk) from facilities of Maltan, Inc., at or near Middleton, TN to points in AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, TX and VA; and (2) *materials, equipment and supplies* used in the manufacturing or distribution of commodities in (1), from points in AL, AR, FL, GA, KY, LA, MS, NC, SC, TX and VA to facilities of Maltan, Inc., at or near Middleton, TN, for 180 days. Underlying ETA seeks 90 days authority. Supporting Shipper(s): Maltan, Inc., P.O. Box 9, Middleton, TN 38052. Send protests to: William H.

Land, DS, 3108 Federal Building, Little Rock, AR 72201.

MC 142485 (Sub-6TA), filed August 1, 1979. Applicant: KENDRICK MOTOR FREIGHT, INC., P.O. Box 209, Lebanon, OH 45036. Representative: James M. Burtch, 100 E. Broad Street, Suite 1800, Columbus, OH 43215. *Mattresses, upholstered or stuffed furniture, batting, padding, frames, springs, or molds, and equipment, materials and supplies used in the manufacture or distribution of the above*, between the facilities of Sterns & Foster Co., located at or near Lockland and Mason, OH, on the one hand, and, on the other, points in NY, PA, WV, KY, IN, IL, MI, TN, MO, AR, MS and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sterns & Foster Co., Mill and Wyoming, Lockland, OH 45215. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 143654 (Sub-9TA), filed September 4, 1979. Applicant: DOYLE BRANT, 4701 Valley Lane, St. Joseph, MO 64503. Representative: Tom B. Kretsinger, 20 E. Franklin, Liberty, MO 64068. (1) *Dry animal and poultry feed and dry animal and poultry feed ingredients*, and (2) *animal health aids and sanitation products*, between St. Joseph, MO and its commercial zone on the one hand, and, on the other, points and places in IA, KS, MO and NE, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Benton Du-It Feeds, Inc., Stock Yards Station, Box 35, St. Joseph, MO 64504. Send protests to: Vernon V. Coble, DDS, ICC, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

MC 142864 (Sub-23TA), filed July 30, 1979. Applicant: RAY E. BROWN TRUCKING, INC., P.O. BOX 501, Massillon, OH 43215. Representative: Jerry B. Sellman, 50 W. Broad Street, Columbus, OH 43215. (1) *Containers, container ends and closures*; (2) *commodities manufactured or distributed by manufacturers and distributors of containers when moving in mixed loads with containers*; and (3) *materials, equipment and supplies used in the manufacture and distribution of containers, container ends and closures (except in bulk)*, (a) between Leetsdale, PA, on the one hand, and, on the other, points in IN, MI, OH, MN and WI, and between Solon, OH, on the one hand, and, on the other, points in IN, MI, PA, MN and WI. Restricted to movements originating at or destined to the facilities of Davies Can Co., Division of Van Dorn Company, located at Leetsdale, PA and Solon, OH. (b) between Cranbury and Elizabeth, NJ, on the one hand, and, on

the other, points in PA, IN, MI, OH, MN and KY. Restricted to movements originating at or destined to the facilities of Milton Can Company, Division of Van Dorn Company, located at Cranbury and Elizabeth, NJ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Davises Can Co., Division of Van Dorn Co., P.O. Box 6936, Cleveland, OH 44101. Milton Can Co., Division of Van Dorn Co., P.O. Box 6936, Cleveland, OH 44101. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 143784 (Sub-14TA), filed September 4, 1979. Applicant: EAST-WEST MOTOR FREIGHT, INC., P.O. Box 525, Selmer, TN 38375. Representative: Richard M. Tettlebaum, Fifth Floor, Lenox Towers South, 3390 Peachtree Road, NE, Atlanta, GA 30326. *Materials, supplies and equipment utilized by hospitals, nursing homes, health care centers and laboratories*, from East Hampton, MA; Elkton, MD; Paramus and Ridgeville, NJ; Kent, Akron, Orrville and Winesburg, OH; Richmond and Evansville, IN; Elk Grove Village, South Elgin, Waukegan and Chicago, IL; Milwaukee and Sheboygan Falls, WI; Buffalo, NY; and Temple, AZ, to facilities of American Hospital Supply Corp., McGaw Laboratories Division, at or near Irvine, CA under continuing contracts with American Hospital Supply Corp., McGaw Laboratories Div., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Hospital Supply Corp., McGaw Laboratories Div., P.O. Box 11887, Santa Ana, CA 92711. Send protests to: Floyd A. Johnson, 100 N. Main Street, Suite 2006, Memphis, TN 38103.

MC 144844 (Sub-9TA), filed September 13, 1979. Applicant: OZARK TRANSPORTATION, INC., P.O. Box 203, Greenville, MO 63944. Representative: Joseph Winter, 29 S. LaSalle, Street, Chicago, IL 60603. *Treated posts* from Sevier and Boone Counties, AR, Dent, Douglas, Shannon and Wayne Counties, MO, and McCurtain County, OK, to Berrien, Kalamazoo and Van Buren Counties, MI; and *dressed lumber* from Garland, Hot Springs, Howard, Ouachita and Pike Counties, AR to Calhoun and Ottawa Counties, MI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kennedy Forest Products, Inc., P.O. Box 2775, Kalamazoo, MI 49003. Send protests to: P. E. Binder, TS, ICC, Room 1465, 210 N. 12th Street, St. Louis, MO 63101.

MC 145205 (Sub-2TA), filed September 4, 1979. Applicant: RECO

TRANSPORTATION, INC., P.O. Box 9926, Asheville, NC 28805. Representative: George W. Clapp, P.O. Box 836, Taylors, SC 29687. *Contract carrier-irregular routes; Glass containers and closures therefor* from Asheville, NC and points in its commercial zone, to points in CA, OR, UT and WA, for 180 days. Supporting shipper(s): Ball Corp., 345 South High Street., Muncie, IN 47302. Send protests to: Sheila Reece, 800 Briar Creek Road, Room CC516, Charlotte, NC 28205.

MC 145664 (Sub-12TA), filed August 27, 1979. Applicant: STALBERGER, INC., 223 South 50th Avenue West, Duluth, MN 55806. Representative: Robert L. Kalenda, Hall, Byers, Hanson, Stell & Weinberger, 921 1st Street North, St., Cloud, MN 56301. *Used railroad parts and used railroad rails* from Duluth, MN to points in MN and Pawnee, Chicago and East St. Louis, IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hyman Michaels, Arthur Avenue & Bay Street, Duluth, MN. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 145744 (Sub-3TA), filed September 13, 1979. Applicant: C. V. SOHN, INC., 142 Midland, Maryland Heights, MO 63043. Representative: Warren H. Sapp, P.O. Box 16047, Kansas City, MO 64112. *Meats, meat products and meat by-products* from the facilities of Dubuque Packing Co. located at Omaha, NE to points in DE, KS, MD, MO, NC, NJ, NY, OH, PA, SC, VA and DC, for 180 days. Supporting shipper(s): Dubuque Packing Co., 4003 Dahlman, Omaha, NE 68107. Send protests to: P. E. Binder, TS, ICC, Room 1465, 210 N. 12th Street, St. Louis, MO 63101.

MC 146695 (Sub-4TA), filed August 16, 1979. Applicant: YANKEE S&L INC. d.b.a. YANKEE MOTOR FREIGHT, 1136 West, 500 South, Marion, IN 46952. Representative: Thomas F. Quinn, 11 North Pennsylvania St., Room 1301, Indianapolis, IN 46204. *Glass containers and fiberboard boxes*, from Hartford City and Muncie, IN to points in KY and OH, for 180 days. Supporting shipper: Owens-Illinois, Inc., P.O. Box 1035, Toledo, OH 43666. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 146695 (Sub-5TA), filed September 12, 1979. Applicant: YANKEE S. & L. d.b.a. YANKEE MOTOR FREIGHT, 1136 West, 500 South, Marion, IN 46952. Representative: Thomas F. Quinn, 11 North Pennsylvania St., Rm. 1301, Indianapolis, IN 46204. (1) *Glass containers and accessories*, from Winchester and Richmond, IN to points

in KY and OH and (2) *refused or rejected shipments of glass containers and accessories* from points in OH and KY to Richmond and Winchester, IN, for 180 days. Supporting shipper: Anchor Hocking Corporation, 109 North Broad Street, Lancaster, OH 43130. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 146844 (Sub-2TA), filed August 27, 1979. Applicant: NATIONAL TRUCK BROKERAGE, INC., d.b.a. HICKS MOTOR LINES, 219 West Main, P.O. Box 176, Humboldt, TN 38343. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. *Cheese analog and calcium cassinate (except in bulk)*, from the facilities of Anderson Clayton Foods at or near Humboldt, TN to points in the United States (except AL, HI, and TN), for 180 days. An underlying ETA seeks 90 days. Supporting shipper(s): Anderson Clayton Foods, P.O. Box 226165, Dallas, TX 75266. Send protests to: Floyd A. Johnson, 100 North Main, Suite 2006, Memphis, TN 38103.

MC 147045 (Sub-3TA), filed September 12, 1979. Applicant: CALIFORNIA TRANSPORTATION LABOR, INC., 6901 South Eastern Avenue, Bell Gardens, California 90201. Representative: Wyman C. Knapp, Knapp, Grossman & Marsh, United California Bank Building, 1800/707 Wilshire Boulevard, Los Angeles, California 90017. *Refined petroleum products, in bulk, (except asphalts, road oils and other black oils) in tank truck equipment, over irregular routes and Trans-Mix petroleum products in return movement from Phoenix, Casa Grande and Tucson Arizona, to Union Oil Company bulk and/or terminal plants in Los Angeles County, California*, from points in Los Angeles County, California to points in Maricopa County, Casa Grande and Tucson, Arizona; with respect to the movement of Trans-Mix petroleum products from Phoenix, Casa Grande and Tucson to points in Los Angeles County, California, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Union Oil Company of California, Manager, Marketing/Traffic, Global Marine Building, 811 West Seventh Street, Los Angeles, CA. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 147424 (Sub-3TA), filed September 11, 1979. Applicant: FAZE II, LTD., 303 East Ohio Street, Chicago, IL 60611. Representative: Allen C. Zuckerman, 39 South LaSalle Street, Chicago, IL 60603. *Photographic and video recording*

equipment, materials and supplies (except commodities in bulk) from Cook County, IL to points in IA, IN, KS, ND, KY, MI, MN, MO, OH, NE, SD and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fuji Photo Film U.S.A. Inc., 610 Bonnie Lane, Elk Grove Village, IL 60007. Send protests to: Annie Booker, TA, Interstate Commerce Commission, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 147605 (Sub-1TA), filed July 2, 1979. Applicant: MILLER PAVING LIMITED, Box 250, Unionville, Ontario L3R 2V3. Representative: Robert D. Gunderman, Esq., 710 Statler Bldg., Buffalo, NY 14202. *Contract carrier, irregular routes. Liquid asphalt cement, in bulk, in tank vehicles*, from Buffalo, NY and points in its commercial zone, to ports of entry of the International Boundary line between the U.S. and Canada on the Niagara River, restricted to the transportation of traffic transported under a continuing contract or contracts with McAsphalt Industries Limited, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): McAsphalt Industries Limited, West Hill, Ontario. Send protests to: Richard H. Cattadoris, DS, ICC, 910 Federal Bldg., 111 W. Huron St., Buffalo, NY 14202.

MC 147694 (Sub-1TA), filed July 16, 1979. Applicant: HEK INC., d.b.a. ELLIOTT BAY SERVICE TRANSFER, 1701 First Avenue S., Seattle, WA 98134. Representative: Jack R. Davis, 1100 IBM Building, Seattle, WA 98101. *General commodities excluding classes A and B explosives*, between points within the Tacoma, WA Commercial Zone on the one hand, and, on the other, in Bellevue, Kent and Seattle, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Totem Ocean Trailer Express, Pier 7, Tacoma, WA. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 147944 (Sub-1TA), filed August 21, 1979. Applicant: ROI LOCKLEY & WALTER W. BRAXTON, d.b.a. ASTRO ENTERPRISES, 5602 Baltimore National Pike, Suite 307, Baltimore, MD 21229. Representative: Chester A. Zyblut, 1030 15th St., N.W., Suite 366, Washington, DC 20005. *Passengers and their baggage* between the Mondawmin Shopping Center, at intersection of Gynns Falls Parkway and Reistertown Road, Baltimore, MD, on the one hand, and on the other, Washington, DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are ten shippers supporting this application. Their statements may be

examined at the office listed below and Headquarters. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 147945 (Sub-1TA), filed August 20, 1979. Applicant: GENERAL MEAT & PROVISION CO., 2430 S. Vicksburg, Ft. Smith, AR 72901. Representative: Edna S. Benedetto, (same address as applicant). *Meats, meat by-products, and articles distributed by meat packing houses* as described in Section 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 Fort Smith, AR to points in the following counties in AR: Boone, Benton, Carroll, Crawford, Franklin, Johnson, Madison, Pope, Washington, Yell, Sebastian, Scott and Logan, for 180 days. Underlying ETA seeks 90 days authority. NOTE: Applicant does intend to interline with other carriers. Supporting shipper(s): Geo. A. Hormel & Co., P.O. Box 800, Austin, MN 55912. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 147985 (Sub-1TA), filed September 4, 1979. Applicant: TAYLOR BROS., INC., P.O. Box 272, Springdale, AR 72764. Representative: Stanley W. Ludwig, P.O. Box 285, Springdale, AR 72764. *Paper and paper articles and burlap bags* in machine compressed bales and *paper and paper articles and burlap bags* in machine compressed bales in mixed loads, from plant facilities of Weyerhaeuser Company at or near Pine Bluff, AR; plant facilities of Continental Can Company at or near Hodge, LA; plant facilities of St. Regis Paper Company at or near Monticello, MS and Cantonment, FL; plant facilities of Imperial Packaging Corporation affiliated with First Midwest Corporation at or near Clarksdale, MS; and plant facilities of First Midwest Corporation at or near Des Moines, IA to IA, MN and ND, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Imperial Packing Corporation affiliated with First Midwest Corporation, 1255 Thomas Beck Rd., Des Moines, IA 50315. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 148204 (Sub-1TA), filed September 10, 1979. Applicant: MINDY TRANSPORTATION CORP., 250 Gorge Road, Cliffside Park, NJ 07010. Representative: George A. Olsen, PO Box 357, Gladstone, NJ 07934. *Contract. Irregular. Games, toys, materials and supplies used in the manufacture of games and toys* (except commodities in

bulk), between points in the New York, NY commercial zone on the one hand, and, on the other, points in the states of CT, MA, RI, NY, NJ, PA, DE, and MD, for 180 days. Underlying ETA seeks 90 days authority. Under a continuing contract or contracts with Knickerbocker Toy Co., Edison, NJ. Supporting shipper(s): Knickerbocker Toy Co., 10 Clearview Road, Raritan Center, Edison, NJ 08817. Send protests to: Joel Morrrows, D/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 148015 (Sub-1TA), filed August 29, 1979. Applicant: SILVERLINE DIVISION, ARCTIC ENTERPRISES, INC., 2300 Twelfth Avenue South, Moorhead, MN 56560. Representative: James Robert Evans, 145 W. Wisconsin Avenue, Neenah, WI 54956. *Contract carrier: irregular routes: Boats*, from Anaheim, CA and Austin, TX, to Alexandria, MN, for the account of A B W, Inc., for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): A B W, Inc., P.O. Box 399, Alexandria, MN 56308. Send protests to: H. E. Farsdale, DS, ICC, Room 268, 657 2nd Avenue North, Fargo, ND 58102.

MC 148074 (Sub-2TA), filed August 17, 1979. Applicant: FRUTH MOTOR TRUCK SERVICE, INC., 720 Scheel, Belleville, IL 62221. Representative: Edward D. McNamara, 907 S. 4th St., Springfield, IL 62703. *Containers and materials and supplies used in the manufacture of glass containers*, from the facilities of Kerr Glass Company located at Dunkirk, IN to St. Louis, MO for 180 days. An underlying ETA seeks 90 days. Supporting shipper(s): Kerr Glass Company, P.O. Box 97, Sand Springs, OK. Send protests to: Dave Hunt, T/A, 219 S. Dearborn St., Room 1386, Chicago, IL 60604.

MC 148164 (Sub-1TA), filed August 30, 1979. Applicant: JESSE MILLER TRUCKING CO., INC., 13000 Overlook Road, Anoka, MN 55303. Representative: Earl Hacking, 1700 New Brighton Boulevard, Minneapolis, MN 55413. *Waste sludge, in bulk, in dump vehicles*, from St. Paul, MN to points in WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Metropolitan Waste Control Commission, 350 Metro Square Building, St. Paul, MN 55101. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, Minneapolis, MN 55401.

MC 148244TA, filed August 22, 1979. Applicant: WILLIAM McVEIGH, d.b.a. McVEIGH TRANSPORTATION, 406 East Kendall, Corona, California 91720. Representative: Richard C. Celio, 1415 West Garvey Avenue, Suite 102, West Covina, California 91790. *Paper and plastic articles*, from points in California

to points in Clark County, Nevada and Arizona, for 180 days, an underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): American Can Co., Transportation Mgr. West, 333 Gellert Blvd., Daly City, California 94105. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 106674 (Sub-420TA), filed July 30, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, US Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Iron and steel articles*, from the facilities of LaBarge Steel, Tubular Division at Bellevue, OH to points in and east of ND, SD, KS, NE, OK and TX for 180 days. Supporting shipper: LaBarge Tubular Division, 20 South Fourth Street, St. Louis, MO 63102. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.

MC 106674 (Sub-421TA), filed August 1, 1979. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, US Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Fiberboard*, from Maryland Heights, MO to points in AL, AR, IL, IN, KY, LA, OH and TN, for 180 days. Supporting shipper: Lucas Sales Company, Inc., 141 Weldon Parkway, Maryland Heights, Mo 63043. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.

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MC 129032 (Sub-101TA), filed July 31, 1979. Applicant: TOM INMAN TRUCKING, INC., 5656 South 129th East Avenue, Tulsa, OK 74121. Representative: David R. Worthington (same address as applicant). *Sugar in packages* (except in bulk), from the facilities of Imperial Sugar Co., located at or near Sugar Land, TX, to points in AR, KS, LA, MO, and OK, restricted to traffic originating at the above named origin and destined to the above named destinations, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Imperial Sugar Company, P.O. Box 9, Sugar Land, TX 77478. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 133802 (Sub-3TA), filed August 17, 1979. Applicant: EMPAK TRANSPORTATION COMPANY, 6200 North 16th Street, Omaha, NE 68110. Representative: Scott E. Daniel, 800 Nebraska Savings Building, 1623 Farnam, Omaha, NE 68102. *Contract carrier; irregular routes: Such commodities as are dealt in or utilized*

by manufacturers of petroleum products, chemicals, and cleaning, washing and scouring compounds from the facilities of Witco Chemical Corporation located at or near Los Angeles, Oildale and Lynwood, CA; New Castle, DE; Chicago, and Lawrenceville, IL; Gretna, LA; Perth Amboy and Paterson, NJ; Cleveland, OH; Petrolia, Trainer and Bradford, PA; Alameda and Houston, TX; and Quincy, WA; and Argus Chemical Corporation located at or near Richmond, CA; Taft, LA; Brooklyn, NY; and Marshall, TX to points in the United States (except AK and HI) for 180 days. Supporting shipper(s): Witco Chemical Corp. and Argus Chemical Corp., 277 Park Avenue, New York, NY 10017. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 136182 (Sub-7TA), filed August 14, 1979. Applicant: B & C MOTOR FREIGHT, INC., P.O. Box 166, Peru, IN 46970. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. *Hydrofluosilicic acid*, from Indianapolis, IN to Louisville, KY and Adrian, MI, for 180 days. Supporting shipper(s): Ulrich Chemical, Inc., 398 Division St., P.O. Box 21008, Indianapolis, IN 46221. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204. An underlying ETA seeks 90 days authority.

MC 136182 (Sub-8TA), filed August 2, 1979. Applicant: B & C MOTOR FREIGHT, INC., P.O. Box 166, Peru, IN 46970. Representative: Donald W. Smith, 9000 Keystone Crossing, Suite 945, Indianapolis, IN 46240. *Water soluble waste paint, in bulk, in tank vehicles*, from the facilities of the Ford Motor Co. at Louisville, KY to the facilities of Technosolve, Inc. at Zionsville, IN, for 180 days. Supporting shipper: Technosolve, Inc., RR 1, Box 197-A, Zionsville, IN 46077. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204. An underlying ETA seeks 90 days authority.

MC 136782 (Sub-25TA), filed August 17, 1979. Applicant: R.A.N. TRUCKING COMPANY, P.O. Box 128, Eau Claire, PA 16030. Representative: Daniel C. Sullivan, 10 South LaSalle St., Chicago, IL 60603. *General commodities*, (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, and those injurious or contaminating to other lading), between pts in PA in and west of Fulton, Huntingdon, Mifflin, Centre, Clinton, and Potter Counties and those in OH

east of a line beginning at Cleveland, OH, and extending along U.S. Hwy. 21 to jct. unnumbered hwy. (formerly portion of US Hwy 21), then along numbered hwy. through Montrose, Clinton and Canal Fulton, OH to jct. US Hwy 21 at or near Massillon, OH then along US Hwy 21 to jct. US Hwy 40 at or near Cambridge, OH, and north of US Hwy. 40 from Cambridge to the OH-WV state line, including pts on the indicated portions of the hwy. specified, on the one hand, and, on the other, Chicago and Joliet, IL, for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack authority sought herein with authority presently held under docket number MC 136782. Applicant intends to interline at Butler County, PA or Pittsburgh, PA and its commercial zones. Supporting shipper(s): Applicant statement of fact. Send protests to: L.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 138652 (Sub-6TA), filed July 30, 1979. Applicant: BAKER TRUCK SERVICE, INC., P.O. Box 106, Grangeville, ID 83530. Representative: Larry O. Nelson, President, (same as above). *Lumber*, between points in ID, NV, OR, WA; and NV and El Dorado Counties in CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gem State Trading, P.O. Box 566, Fruitland, ID, Idaho Forest Industries, 415 S. 13th St., Boise, ID, J. B. Lumber Co, Inc., Box 405, Monmouth, OR 97361. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138882 (Sub-296TA), filed August 1, 1979. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: James W. Segrest, (same address as applicant). (A) *Malt beverages* (except in bulk) and related advertising materials from the facilities of Miller Brewing Company at or near Albany, GA to points in the States of and east of MN, IA, MO, AR, and TX. (B) *Materials, equipment and supplies, used in the manufacture, sale, and distribution of malt beverages* from points in the states of and east of MN, IA, MO, AR, and TX to facilities of Miller Brewing Company at or near Albany, GA, and their suppliers, for 180 days. Supporting shipper(s): Miller Brewing Company, 3939 W. Highland Blvd., Milwaukee, WI 53208. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.

MC 138882 (Sub-297TA), filed August 3, 1979. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: James

W. Segrest, (P.O. Box same as applicant). *Roofing materials, composition shingles, rolled roofing, roofing compound, and accessories thereto, materials, equipment and supplies used in the manufacture and sales of the above mentioned commodities* between the facilities of Tamko Asphalt Products, Inc., located at or near Tuscaloosa, AL, and points in MS, FL, TN, KY, NC, SC, GA, OH, IN, IL, LA, VA, and WV for 180 days. Supporting shipper(s): Tamko Asphalt Products, Inc., P.O. Box 1404, Joplin, MO 64801. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.

MC 138882 (Sub-298TA), filed August 3, 1979. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: James W. Segrest (same address as applicant). *Packaging materials and equipment, materials and supplies used in the manufacture and sale of packaging materials*, (except commodities in bulk) from the facilities of Ronnie Packaging Corp. located at South Plainfield, NJ to Wheeling, Clarksburg and Charleston, WV, for 180 days. Supporting shipper(s): Ronnie Packaging Corporation, 4301 New Brunswick Avenue, South Plainfield, NJ 07080. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35203.

MC 139272 (Sub-3TA), filed August 3, 1979. Applicant: ALOHA FREIGHTWAYS, INC., 1069 Bryn Mawr Avenue, Bensenville, IL 60106. Representative: Grace Kasallis, 1069 Bryn Mawr Avenue, Bensenville, IL 60106. *Contract carrier: irregular routes, steel sheets or coils coated or uncoated*, from the facilities of Pre Finish Metals, Inc. at Elk Grove Village, IL to points in MI for 180 days for the account of Pre Finish Metals, Inc. An underlying ETA seeking 90 days authority was submitted. Supporting shipper(s): Pre Finish Metals, Inc., 2300 E. Pratt Blvd., Elk Grove Village, IL. Send protests to: Annie Booker, TA, Interstate Commerce Commission, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 139482 (Sub-154TA), filed August 8, 1979. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 877, New Ulm, MN 56073. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. *Television sets, radios and audio equipment*, from Bloomington and Indianapolis, IN to Sioux Falls, SD, for 180 days. Supporting shipper(s): RCA Corporation, Route 38, Cherry Hill, NJ 08002. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 139482 (Sub-155TA), filed August 29, 1979. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 877, New Ulm, MN 56073. Representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, MN 55403. *Maintenance and industrial chemicals*, from Indianapolis, IN to Los Angeles, CA and Tampa, FL, for 180 days. Supporting shipper(s): Brulin & Co., Inc., P.O. Box 270-B, 2920 Martindale Avenue, Indianapolis, IN 56206. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, Minneapolis, MN 55401.

MC 139482 (Sub-156TA), filed August 1, 1979. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 877, New Ulm, MN 56073. Representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, MN 55403. *Mechanical construction forms and equipment and supplies used in the manufacture of construction forms* from Windsor, WI to New Ulm, MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mallak Form & Supply Co., 1414 South Washington, New Ulm, MN 56073. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 139882 (Sub-5TA), filed June 26, 1979. Applicant: BARNEY TRUCKING, INCORPORATED, 850 West Main, Salina, UT 84654. Representative: D. Michael Jorgensen, P.O. Box 2465, Salt Lake City, UT 84110. *Decorative rock* between points in AZ, CA, CO, ID, NV, NM, OR, UT, WA, and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fillmore Products, Inc., Star Route, Box 125, Fillmore, UT 84631. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Building, Salt Lake City, UT 84138.

MC 140852 (Sub-7TA), filed August 13, 1979. Applicant: C. W. MITCHELL, INC. d.b.a. MITCHELL TRANSPORT, 4401 N. Westshore Blvd., Tampa, FL 33684. Representative: Rudy Yessin, 314 Wilkinson St., Frankfort, KY 40601. *Pet food*, in packages, from the facilities of Kal Kan Foods, Inc. at Columbus, OH to all points in the State of FL, for 180 days. Supporting shipper(s): Kal Kan Foods, Inc., 5115 Fisher Rd., Columbus, OH 43228. Send protests to: Donna M. Jones, T/A, ICC—BOP, Monterey Bldg, Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

MC 140902 (Sub-8TA), filed August 3, 1979. Applicant: DPD, INC., 3600 N.W. 82nd Ave., Miami, FL 33166. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Contract carrier—irregular route: *Prefabricated buildings*

and component parts thereof, materials, equipment and supplies used in the construction of prefabricated buildings between the facilities of National Homes Corporation at or near Tyler, TX, on the one hand, and, on the other, points in AR, CO, IN, KS, KY, LA, MS, MO, NM, OK, TN, TX, and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Homes Corporation, Earl Ave. and Wallace, Lafayette, IN 47903. Send protests to: Donna M. Jones, T/A, ICC—BOP, Monterey Bldg., Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

MC 140902 (Sub-9TA), filed August 3, 1979. Applicant: DPD, INC., 3600 N.W. 82nd Ave., Miami, FL 33166. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Contract Carrier—Irregular route: *Prefabricated buildings and component parts thereof, materials, equipment and supplies used in the construction of prefabricated buildings* between the facilities of National Homes Corporation at or near Effingham, IL, on the one hand, and, on the other, points in AR, IL, IN, IO, KS, KY, MI, MN, MO, NB, ND, OK, SD, TN and WS for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Homes Corporation, Earl Ave. and Wallace, Lafayette, IN 47903. Send protests to: Donna M. Jones, T/A, ICC—BOP, Monterey Bldg., Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33157.

MC 140902 (Sub-10TA), filed August 3, 1979. Applicant: DPD, INC., 3600 N.W. 82nd Ave., Miami, FL 33166. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Contract Carrier—Irregular route: *Prefabricated buildings and component parts thereof, materials, equipment and supplies used in the construction of prefabricated buildings* between the facilities of National Homes Corporation at or near Thomson, GA, on the one hand, and, on the other, points in AL, FL, GA, IN, KY, MS, NC, SC, TN and VA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Homes Corporation, Earl Ave. and Wallace, Lafayette, IN 47903. Send protests to: Donna M. Jones, T/A, ICC—BOP, Monterey Bldg., Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

MC 141232 (Sub-9TA), filed July 25, 1979. Applicant: STATEWIDE TRUCKING CO., 1801 West Oxford, Englewood, CO 80150. Representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. *Building materials* between points in CO, on the one hand, and WY

on the other for 180 days. An underlying ETA seeking 90 days authority has been filed. Supporting shipper(s): 5 supporting shippers. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 141312 (Sub-8TA), filed August 21, 1979. Applicant: DOKTER TRUCKING CORP., P.O. Box 408, Weeping Water, NE 68463. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Limestone and limestone products* from the facilities of Kerford Limestone Company at or near Weeping Water, NE to points in CO, IL, IA, KS and MO under a continuing contract(s) with Kerford Limestone Company for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kerford Limestone Company, Box 449, Weeping Water, NE 68463. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 No. 14th St., Omaha, NE 68102.

MC 141382 (Sub-4TA), filed August 9, 1979. Applicant: DON'S MOVING & DELIVERY SYSTEM, INC., 527 S. Fremont St., Janesville, WI 53545. Representative: Richard Westley, 4506 Regent St., Suite 100, Madison, WI 53705. *Pre-manufactured homes, in sections and parts & components thereof* from facilities of Heartwood Homes, Inc., at or near Portage, WI to points in KY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Heartwood Homes, Inc., 2400 W. Wisconsin Ave., Portage, WI 54901. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Room 619, Milwaukee, WI 53202.

MC 141532 (Sub-42TA), filed June 11, 1979. Applicant: PACIFIC STATES TRANSPORT, INC., 3328 East Valley Road, Renton, WA 98055. Representative: Henry C. Winters, 525 Evergreen Bldg., Renton, WA 98055. *Lumber*, from points in Whatcom County, WA to points in TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Can Am Industries, Ltd., P.O. Box 34232, Stn. D, Vancouver, B.C. V6J 4N9. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Bldg., Seattle, WA 98174.

MC 141932 (Sub-18TA), filed August 2, 1979. Applicant: POLAR TRANSPORT, INC., 176 King Street, Hanover, MA 02339. Representative: Alton C. Gardner (same address as applicant). *Foodstuffs and materials, equipment and supplies used in the manufacture, sale and distribution of foodstuffs and commodities otherwise exempt from economic regulations under Section 49 U.S.C. 10526(a)(6) of the Interstate Commerce Act when moving in mixed shipments with commodities described,*

(except commodities in bulk, and commodities, the transportation of which, because of size and weight, require the use of special equipment) between points in the United States except Alaska and Hawaii. Restricted to the movement of traffic moving from, to or between the manufacturing facilities, plants, warehouses, processing and/or manufacturing contractors and shipping and receiving facilities of, or used by, Ocean Spray Cranberries, Inc. and Diamond/Sunsweet Inc. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ocean Spray Cranberries, Inc., Plymouth, MA 02360, Diamond/Sunsweet Inc., 1050 Diamond St., P.O. Box 1727, Stockton, CA 95201. Send protests to: John B. Thomas, District Supervisor, Interstate Commerce Commission, 150 Causeway Street, Boston, MA 02114.

MC 141932 (Sub-19TA), filed August 2, 1979. Applicant: POLAR TRANSPORT, INC., 176 King Street, Hanover, MA 02339. Representative: Alton C. Gardner (same address as applicant). *Drugs, medicines and such commodities as are dealt in by wholesale and retail food chains, cosmetic dealers, drugstores, hospitals, discount, variety stores and grocery houses* (See Note A). NOTE A—Subject to released value not exceeding 50 cents per pound. Commodities exceeding released value of 50 cents per pound will be subject to an additional charge of 50 cents per CWT. Restricted to shipments originating at the facilities utilized by Bristol-Myers Company, Atlanta, GA to points in AL, FL, KY, MS, NC, SC, TN. For 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Bristol-Myers Company, Atlanta, GA. Send protests to: John B. Thomas, District Supervisor, Interstate Commerce Commission, 150 Causeway Street, Boston, MA 02114.

MC 142672 (Sub-78TA), filed August 7, 1979. Applicant: DAVID BENEUX PRODUCE AND TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. *Canned meats* from facilities of International Trading Company, at or near Houston, TX to Cincinnati, OH for 180 days. Underlying ETA seeks authority for 90 days. Supporting shipper(s): International Trading Company, P.O. Box 9472, Houston, TX 77011. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 142672 (Sub-80TA), filed July 27, 1979. Applicant: DAVID BENEUX PRODUCE AND TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. *Candy and/or*

confectionery, chocolate and foodstuffs from the plantsites of Hershey Chocolate Company and H. B. Reese Company at or near Derry Township, Dauphin County, PA; Y & S Candies, Inc. at or near East Hempfield Township, Lancaster County, PA; and Dauphin Distribution Services at or near Hampden Township, Cumberland County, PA, to points in AR, CA, IN, MI, OH, OK and TX, for 180 days. Underlying ETA sought corresponding authority for 90 days. Supporting shipper(s): Hershey Chocolate Company, Division of Hershey Foods Corporation, 19 East Chocolate Ave., Hershey, PA 17033. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 142672 (Sub-81TA), filed July 27, 1979. Applicant: DAVID BENEUX PRODUCE AND TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. *Meat, meat products and 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, from Corpus Christi, TX to points in NJ, NY and PA, for 180 days. Supporting shipper(s): Sam Kane Beef Processors, Inc., P.O. Box 9752, Corpus Christi, TX 78411. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 142672 (Sub-82TA), filed August 28, 1979. Applicant: DAVID BENEUX PRODUCE AND TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. *Cardboard sheets* from points in TN and TX to facilities of Westark Specialties, Inc., at or near Ft. Smith, AR, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Westark Specialties, Inc., 7209 Jenny Lind, Ft. Smith, AR 72901. Send protests to: William H. Land, Jr., DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 142672 (Sub-83TA), filed August 7, 1979. Applicant: DAVID BENEUX PRODUCE AND TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. *Household compressors* from Tecumseh, MI and Tupelo, MS to Ft. Smith, AR for 180 days. Underlying ETA seeks 90 day authority. Supporting shipper(s): Whirlpool Corporation, 6400 S. Jenny Lind, Ft. Smith, AR 72903. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144122 (Sub-59TA), filed August 2, 1979. Applicant: CARRETTA TRUCKING, INC., South 160, Route 17 North, Paramus, NJ 07652. Representative: Charles J. Williams, 1815 Front Street, Scotch Plains, NJ 07076. *Meats, meat products, meat byproducts, and articles distributed by meat packing houses*, (except commodities in bulk) from the facilities of Nagle Packing Co., Inc. at Los Angeles, CA to Baltimore, MD, Philadelphia, PA, New York, NY and Boston, MA and points in their respective commercial zones, for 180 days. Supporting shipper(s): Nagle Packing Co., Inc., 819 South Gladys Street, Los Angeles, CA 90021. Send protests to: Joel Morrows, D/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 144222 (Sub-11TA), filed August 2, 1979. Applicant: RONALD HACKENBERGER, d.b.a. RON'S TRUCKING SERVICE, Route 250, North, RFD No. 1, Norwalk, OH 44857. Representative: Richard H. Brandon, P.O. Box 97, 220 W. Bridge St., Dublin, OH 43017. *Lime and limestone products*, in bulk, between Branchton, PA, on the one hand, and, on the other, Carntown, KY and all points in OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mercer Lime & Stone Co., 525 William Penn Place, Suite 3619, Pittsburgh, PA 15219. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 144452 (Sub-15TA), filed August 6, 1979. Applicant: ARLEN LINDQUIST, d.b.a. Arlen E. Lindquist Trucking, 3242 Old Highway 8, Minneapolis, MN 55418. Representative: William J. Gambucci, 414 Gate City Building, P.O. Box 1680, Fargo, ND 58107. *Flour (except in bulk, in tank vehicle)* from Hastings and Mankato, MN and Superior, WI to points in IL, IA, MO and WI, and from Superior, WI to points in MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hubbard Milling Co., 424 North Front Street, Mankato, MN 56001 Peavey Company, 730 2nd Avenue South, Minneapolis, MN 55402. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 144452 (Sub-16TA), filed August 9, 1979. Applicant: ARLEN LINDQUIST, d.b.a. ARLEN E. LINDQUIST TRUCKING, 3242 Old Highway 8, Minneapolis, MN 55418. Representative: William J. Gambucci, 414 Gate City Building, P.O. Box 1680, Fargo, ND 58107. *Automotive parts and accessories* from New Hope, MN to points in MT, ND and SD, for 180 days. An underlying ETA seeks 90 days authority. Supporting

shipper(s): Champion Auto Stores, Inc., 5520 North County Road 18, New Hope, MN 55428. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 So. 4th St., Minneapolis, MN 55401.

MC 144572 (Sub-23TA), filed August 8, 1979. Applicant: MONFORT TRANSPORTATION COMPANY, P.O. Box G, Greeley, CO 80631. Representative: John T. Wirth, 717 17th St., Suite 2600, Denver, CO 80202. *Malt beverages, (except in bulk), and related advertising materials,* from the facilities of Van Munching and Company located at Secaucus, NJ to points in CO, IL, IA and NE for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper(s): Van Munching & Co., Inc., 51 West 51st St., New York, NY 10019. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 144572 (Sub-24TA), filed August 10, 1979. Applicant: MONFORT TRANSPORTATION COMPANY, P.O. Box G, Greeley, CO 80631. Representative: Steven K. Kuhlmann, 717 17th St., Suite 2600, Denver, CO 80202. *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),* from the facilities of Delaware Valley Shippers Association, Inc. at Bristol, PA to Chicago, IL, Denver, CO and Los Angeles and San Francisco, CA for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper(s): Delaware Valley Shippers Association, 2209 East Farragut Ave., Bristol, PA 19007. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 144592 (Sub-6TA), filed July 27, 1979. Applicant: WAYDENS HEAVY HAULERS, INC., 251 5th Ave., Hiawatha, IA 52233. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Contract carrier, irregular routes. (1) *Printing presses, printing machinery, and parts thereof, and (2) materials and supplies used in the production and distribution of the commodities in (1) above (except commodities in bulk),* between Cedar Rapids, IA and Rockford and Chicago, IL, on the one hand, and, on the other, points in the United States in and east of ND, SD, NE, CO, OK, and TX, under continuing contract(s) with MGD Grafic Systems, Inc., for 180 days. An underlying ETA seeks 90 day authority. Supporting shipper(s): Grafic System Division, Rockwell International, 5601 West 31st Street, Chicago, IL 60650. Send protests to: Herbert W. Allen D/S,

ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 144622 (Sub-94TA), filed July 26, 1979. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Meat,* from St. Joseph, MO to CA and from Louisville, KY to MS and TN, for 180 days. Supporting shipper(s): Armour Fresh Meat Company, 111 W. Clarendon, Greyhound Tower, Phoenix, AZ 85077. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144622 (Sub-95TA), filed July 26, 1979. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Zinc, zinc oxide, zinc dust, lead sheet, metallic cadmium, zinc dross, zinc residue, zinc skimmings and materials, equipment and supplies,* used in the production of the above-name commodities, between the facilities of St. Joe Zinc Company in Josephstown (Potter Township, Beaver County), PA, on the one hand, and, on the other, points in CA, LA, MO, MS, TN, and TX, for 180 days. Underlying ETA sought corresponding authority for 90 days. Supporting shipper(s): St. Joe Zinc Company, Two Oliver Plaza, Pittsburgh, PA 15222. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144622 (Sub-96TA), filed July 26, 1979. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Ceramic tile and materials used in the installation and manufacture thereof* between Lansdale and Quakertown, PA and Olean, NY on the one hand, and, on the other, points in the United States (except AK and HI) for 180 days. Supporting shipper(s): American Olean Tile Company, 1000 Cannon Avenue, Lansdale, PA 19446. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145072 (Sub-21TA), filed July 31, 1979. Applicant: M. S. CARRIERS, INC., 7372 Eastern Avenue, Germantown, TN 38138. Representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. (1) *Cloths, rags, pads, plastic articles, paper articles, foil-lined pulpboard items, and cleaning compounds;* from Memphis, TN, to points in AL, AR, DE, GA, IL, IN, KY, LA, MA, MI, MS, MO, NJ, NY, NC, OH, OK, PA, SC, TX, and WI. (2) *Paper and plastic items;* from Hammond, IN,

Crossett, AR, Hammond and Monroe, LA, to points in MS and Nashville, TN. *Materials, equipment and supplies utilized in the manufacture of the commodities in (1) above;* from OK, AR, IN, TX, AL, PA, LA, GA, MI, IL, OH and NJ, to Memphis, TN. Supporting shipper(s): Southern Wiping Cloth Company, 350 North Front Street, Memphis, TN 38101. Send protests to: Floyd A. Johnson, 100 North Main Building, Suite 2006, 100 North Main Street, Memphis, TN 38103.

MC 145742 (Sub-3TA), filed July 23, 1979. Applicant: BOLES TRUCKING, INC., R.R. 1, Ina, IL 62846. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. *Contract carrier: irregular routes: Tires,* for the account of General Tire & Rubber Company from Mt. Vernon, IL to Detroit, Pontiac and Southfield, MI, Akron, OH, Memphis, TN and Janesville, WI for 180 days. An underlying ETA requesting 90 days authority was submitted. Supporting shipper(s): The General Tire & Rubber Co., One General Street, Akron, OH 44329. Send protests to: Annie Booker, TA, South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 147242 (Sub-4TA), filed July 16, 1979. Applicant: 12-90 PLAZA CORP. T/A PLAZA FREIGHT TRANSPORT CORPORATION, 12-90 Plaza Road, Fairlawn, NJ 07410. Representative: Arthur Liberstein, 888 Seventh Avenue, New York, NY 10019. Contract, irregular. *Chemicals, insecticides, drugs and medicines, toilet preparations, and animal feed supplements and the materials and supplies used in the manufacture and distribution of these commodities,* except commodities in bulk, between points in CT, MA, NJ, and NY on the one hand, and on the other, points in CA, IL, MO, NV, OH, OR and TX, under continuing contract with American Cyanamid Company, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): American Cyanamid Company, Wayne, NJ 07470. Send protests to: Joel Morrows, D/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 147552 (Sub-3TA), filed June 26, 1979. Applicant: CAJUN CARTAGE and WAREHOUSING CORP., 1205 St. Louis St., New Orleans, LA 70150. Representative: Thomas N. Willess, 1000 16th St., N.W., Washington, D.C. 20036. *Cleaning, scouring and washing compounds, and soap powder,* from the facilities of Procter and Gamble Distributing Co., located at or near Alexandria, LA, to Lake Charles, LA. Restricted to the transportation of said commodities having a subsequent movement in maritime operations, for

180 days. Applicant has filed an underlying ETA seeking 90 days authority. Supporting shipper(s): Procter and Gamble Distributing Co., P.O. Box 599, Cincinnati, OH 45201. Send protests to: Robert J. Kirspe, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 147662 (Sub-1TA), filed July 11, 1979. Applicant: KMC TRANSPORT, INC., Box 459, Caldwell, ID 83605. Representative: J. Max Harding, Box 82028, Lincoln, NE 68501. *Travel trailers, set in campers and motor homes*, from Caldwell, ID to points in and west of ND, SD, IA, MO, OK and TX (except AK and HI), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kit Manufacturing Company, P.O. Box 459, Caldwell, ID 83605. Send protests to: Barney L. Hardin, D/S, ICC, Rm 110, 1471 Shoreline Dr., Boise, ID 83706.

MC 147672 (Sub-1TA), filed July 24, 1979. Applicant: T. D. REEVES, d.b.a. T & R TRUCKING, P.O. Box 36, Darden, TN 38328. Representative: Martin and Perky, Attorneys at Law, 43 North Broad, Lexington, TN 38351. *Contract: irregular routes: Lightweight aggregate in bulk in dump vehicles* from West Memphis, AR, to Lexington, TN, for 180 days. An underlying ETA seeks authority for 90 days. Supporting shipper(s): E. L. Thomas & Sons, Inc., Church Street, Lexington, TN 38351. Send protests to: Floyd A. Johnson, Suite 2006, 100 North Main Street, Memphis, TN 38103.

MC 147692 (Sub-1TA), filed August 1, 1979. Applicant: RODNEY JOSEPH ROY, d.b.a. SUMMIT TRANSPORTATION, 16402 Cherry Crest Circle, Cerritos, CA 90701. Representative: Rodney Joseph Roy, same address as applicant. Petroleum and petroleum products, in packages; cleaning compounds, in packages; defoaming compounds; and auto care products, in packages; and anti-freeze preparations (except in bulk in tank vehicles), from the Counties of Los Angeles, Orange, San Bernardino, San Diego, and Riverside, CA to the Counties of Cochise, Gila, Coconino, Maricopa, Mohave, Pima, Pinal, Santa Cruz, Yavapai, and Yuma, AZ, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): B.A.S.F. Wyandotte Corp., 8921 Dice Road, Santa Fe Springs, CA 90670; and TR-3 Chemical Corporation, 330 West Taft, Orange, CA 92667. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 147702 (Sub-1TA), filed July 6, 1979. Applicant: ARTURO RIOSECO, d.b.a. DOUBLE AA PACKING &

TRUCKING, 465 West 2nd Street, Calexico, CA 92231. Representative: Arturo Rioseco, same address as applicant. *Contract: irregular: (a) Expanded plastic foam articles, and (b) Plastic pellets, molds, and machinery needed to manufacture foam plastic articles*, (a) From Calexico, CA to points in the State of CA and AZ and (b) From points in the State of CA and AZ to Calexico, CA, for the account of Poliespuma, S.A., for 180 days. Supporting shipper(s): Polyespumas, S.A., KM. 6 Carretera San Luis, Mexicali B.C., Mexico. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 147852 (Sub-1TA), filed May 24, 1979. Applicant: ANDREW T. AND MYRTLE H. SPENCE, d.b.a. SPENCE TRUCK LINE, Rt. No. 1, Box 249, Emporia, VA 23847. Representative: Richard J. Lee, Suite 1222, 700 E. Main St., Richmond, VA 23219. *Fertilizer, lime, plaster and agricultural chemicals* from Wilmington and Aurora, NC to Emporia, VA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kaiser Agr. Chemical, Star Route, Box 36A, Emporia, VA 23847; and Ligon Bros. Fertilizer Co., So. Main St., Emporia, VA. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 147932 (Sub-1TA), filed July 26, 1979. Applicant: COWEN TRUCK LINES, INC., Rt. No. 2, Perrysville, OH 44864. Representative: Jerry B. Sellman, 50 W. Broad St., Columbus, OH 43215. *Metal containers, metal serving trays, can ends and related materials*, from Chicago, IL to pts. in OH, for 180 days. Supporting shipper(s): Olive Can Company, 4700 N. Oketo Ave., Chicago, IL 60656. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 147942 (Sub-1TA), filed August 6, 1979. Applicant: M & L TRUCK LINE, INC., P.O. Box 358, Memphis, TN 38101. Representative: John Paul Jones, 189 Jefferson, Memphis, TN 38103. *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)*, from points in AL, AR, CO, GA, IL, IA, IN, KS, KY, LA, MA, MS, MO, NY, NJ, OH, OK, PA, SC, SD, TX, WI and VA, to TN, AR, and MS for 180 days. An underlying ETA was denied. Supporting shipper(s): There are 13 supporting shippers to this application. Send protests to: Floyd A. Johnson, 100 North Main Street, Suite 2006, Memphis, TN 38103.

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MC 200 (Sub-393TA), filed August 31, 1979. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, Kansas City, MO 64106. Representative: H. Lynn Davis (same as applicant). (a) *Iron, steel, zinc, lead, and articles or products thereof (except in bulk); springs; and construction materials; supplies and equipment (except in bulk); used in the manufacture and distribution of the commodities named in (a) above*, serving Kokomo, IN as an off-route point in connection with applicant's regular route authority over US Hwys 24 and 52, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Penn-Dixie Steel Corp., P.O. Box 744, Kokomo, IN 46901. Send protests to: Vernon V. Coble, DS, 600 Fed. Bldg., I.C.C., 911 Walnut Street, Kansas City, MO 64106.

MC 200 (Sub-394TA), filed August 31, 1979. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, Kansas City, MO 65106. Representative: H. Lynn Davis (same as applicant). *Common, Regular: Electric Meter Boxes*, serving Kokomo, IN as an off-route point in connection with applicant's regular route authority over US Hwys 24 and 52 for 180 days. An underlying ETA for 90 days seeks authority. Supporting shipper(s): Milbank Manufacturing Co., Inc., 1400 E. Havens, Kokomo, IN 46901. Send protests to: Vernon V. Coble, DS, ICC, 600 Fed. Bldg., 911 Walnut Street, Kansas City, MO 64106.

MC 730 (Sub-461TA) (correction), filed July 11, 1979, previously noticed in the **Federal Register** issue of October 3, 1979. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 25 North Via Monte, Walnut Creek, CA 94598. Representative: Alfred G. Krebs (same address as applicant). *Common carrier*, regular routes: 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 Santa Fe, NM as an off-route point in connection with carrier's authorized regular-route operations, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are seven (7) shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

Note.—The purpose of this correction is to indicate the correct authority sought in the territorial description.

MC 730 (Sub-468TA), filed September 11, 1979. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 25 North Via Monte, Walnut Creek, CA 94598. Representative: R. N. Cooledge (same address as applicant). *Petroleum lubricating oil, in bulk, in tank vehicles*, from San Diego, CA to Atlanta, GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): WD-40 Company, 1061 Cudahy Place, San Diego, CA 92110. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 730 (Sub-469TA), filed September 12, 1979. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 25 North Via Monte, Walnut Creek, CA 94598. Representative: R. N. Cooledge (same address as applicant). *Blended gasoline, distillate fuel oil, jet fuels and lubricating oils, in bulk, in tank vehicles*, from AZ to Clark County, NV and points in CA in and south of Ventura, Los Angeles, and San Bernardino Counties, for 180 days. Supporting shipper(s): Union Oil Company of California, 461 South Boylston Street, Los Angeles, CA 90017. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 2900 (Sub-390TA), filed August 30, 1979. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, FL 32203. Representative: S. E. Somers, Jr. (same as applicant). *Common carrier, 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); serving the facilities of International Paper Company at or near Mansfield, LA as an off-route point in connection with carrier's otherwise authorized regular route operations for 180 days. Applicant seeks to tack this authority with that issued in MC-2900 and subs thereunder and to interline with other common carriers at points presently authorized to be served. Supporting shipper(s): Brown and Root, Inc., P.O. Box 3, 921 Caroline Street, Houston, TX 77001. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.*

MC 7840 (Sub-17TA), filed April 24, 1979. Applicant: ST. LAWRENCE FREIGHTWAYS, INC., 650 Cooper St., Watertown, NY 13601. Representative: Werner Steinaker (same address as applicant). (1) *Paper and paper products and materials, equipment and supplies used and useful in the manufacture and shipping of paper and paper products, between Carthage, NY, South Glens*

Falls, NY, Florence, KY, and Newark, DE, on the one hand, and, on the other, points in CT, DC, DE, IL, IN, IA, KY, MA, MD, ME, MI, MO, NH, NJ, NY, NC, OH, PA, RI, SC, VA, VT, and WV, and (2) *Plastic film and material, equipment and supplies, used and useful in the manufacture and shipping of plastic film, between Greensburg, IN and New Castle, DE, on the one hand, and, on the other, points in the 23 states mentioned in 1 above, for 180 days. ETA for 30+2 granted under R-15 with effective date of April 5, 1979. Supporting shipper: Crown-Zellerbach Corp., Mr. Dan Pryer, Transportation Analyst, Eastern District Transportation Office, 8966 Latty Road, Berkeley, MO 63134. Send protests to: ICC, 87 State Street, Room 303, P.O. Box 548, Montpelier, VT 05862.*

MC 35890 (Sub-55TA), filed August 20, 1979. Applicant: BLODGETT FURNITURE SERVICE, INC., 5650 Foremost Drive, SE., Grand Rapids, MI 49508. Representative: Ronald C. Nesmith, P.O. Box 4403, Chicago, IL 60680. (1) *Artificial Trees, shrubbery, wreath decorations and ornaments; (2) venetian blinds, finished and unfinished; (3) metal and plastic lawn and garden items; and (4) parts, materials, supplies, equipment and machinery used or useful in the fabrication, manufacture or distribution of the items named in paragraphs (1), (2), and (3); between the facilities of Marathon Carey-McFall Company, in PA, FA, AND TX, on the one hand, and on the other, points in the United States (excluding HI and AK). For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Marathon Carey McFall Co., P.O. Box 99, Montoursville, PA, 17754. Send protests to: C. R. Flemming, D/S, L.C.C., 225 Federal Building, Lansing, MI 48933.*

MC 59640 (Sub-74TA), filed August 10, 1979. Applicant: PAULS TRUCKING CORPORATION, Three Commerce Drive, Cranford, NJ 07106. Representative: Charles J. Williams, 1815 Front Street, Scotch Plains, NJ 07076. Contract, irregular. *Pet foods and foodstuffs. (1) Between Jersey City, NJ on the one hand, and on the other, Boston, MA; Dunkirk, NY; Union City, GA; and Pittsburgh, PA and (2) From Mechanicsburg, PA to Woodbridge, NJ, restricted in (1) and (2) above (2) to traffic moving to or from the facilities of the Ralston-Purina Company and (b) under a continuing contract(s) with the Ralston-Purina Company, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ralston-Purina Company, 108 Industrial Drive, Jersey City, NJ. Send protests to:*

Robert E. Johnston, D/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 60271 (Sub-10TA), filed August 31, 1979. Applicant: HARPER TRUCK LINE, INC., P.O. Box 288, Monroe, LA 71201. Representative: Sherri L. Roberts (same address as applicant). *Insulation products and products used in the manufacture of insulation and machinery, from Grambling, LA to Baton Rouge, Lake Charles, Monroe and New Orleans, LA and Natchez and Vicksburg, MS, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Pabco Division of Louisiana-Pacific, 1110 16 Road, Fruita, CO 81521. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.*

Note.—Applicant intends to tack the authority here applied for to another authority held by it.

MC 61401 (Sub-19TA), filed August 23, 1979. Applicant: MARX TRUCK LINE, INC., 220 Lewis Street, Sioux City, IA 51101. Representative: Robert A. Wichser, P.O. Box 417, Sioux City, IA 51102. Contract carrier; irregular routes: *Meat, meat products, meat by-products and articles distributed by meat packinghouses as described in Sections A, B and C of Appendix I to the report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766 (except hides and skins and commodities in bulk) between the facilities utilized by John Morrell & Co., at or near Estherville and Sioux City, IA and Sioux Falls, SD, on the one hand, and on the other, points in IL, IN, IA, MN, MO, NE, SD and WI for 180 days. Supporting shipper(s): John Morrell & Co., 208 S. LaSalle St., Chicago, IL 60604. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.*

MC 61440 (Sub-173TA), filed August 14, 1979. Applicant: LEE WAY MOTOR FREIGHT, INC., 3401 N.W. 63rd St., P.O. Box 12750, Oklahoma City, OK 73157. Representative: R. H. Champlin (same address as applicant). *Common Carrier: Regular Route: General commodities, except those of unusual value, classes A&B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the facilities of Continental Carbon Co., located at or near Sheerin, TX, as an off-route point in connection with carriers otherwise authorized regular route operations, for 180 days. Supporting shipper(s): Continental Carbon Co., P.O. Box 22085, Houston, TX 77027. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.*

Note.—Applicant intends to interline with other carriers at presently authorized points of interchange.

MC 67500 (Sub-8TA), filed August 31, 1979. Applicant: BLUE RIDGE TRUCKING COMPANY, INC., P.O. Box 5118, Biltmore Station, Asheville, NC 28803. Representative: Jones P. Byrd, Suite 300, 29 N. Market, Asheville, NC 28807. *General commodities (except those of unusual value, classes A&B explosives, household as defined by the Commission, commodities in bulk or requiring special equipment)* between Canton, Waynesville, Sylva, Cherokee, Bryson City, Franklin, Murphy, Highlands, Cashiers, Brevard, Pisgah Forest, Cedar Mountain, Hazelwood, Hendersonville, Hayesville, and Asheville, NC and Rabun Gap, GA, for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack this authority with MC-67500. Applicant does intend to interline with other carriers at Asheville, NC and other additional points in applicant's existing authority. Supporting shipper(s): Sangamo Weston, P.O. Box 1171, Clayton, GA 30525; Burlington Industries, Inc., P.O. Box 691, Burlington, NC 27215. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 94201 (Sub-182TA), filed August 31, 1979. Applicant: BOWMAN TRANSPORTATION, INC., P.O. Box 17744, Atlanta, GA 30316. Representative: Maurice F. Bishop, 601-09 Frank Nelson Bldg., Birmingham, AL 35203. *Such commodities as are dealt in by wholesale, retail and chain grocery and food business houses (except frozen commodities and commodities in bulk)*, from the facilities of The Clorox Company at or near Houston, TX to points in AR, LA, MS and OK, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Clorox Company, 1221 Broadway St., Oakland, CA 94612. Send protests to: Sara K. Davis, TA, ICC, 1252 W. Peachtree St., N.W., Atlanta, GA 30309.

MC 111231 (Sub-283TA), filed August 29, 1979. Applicant: JONES TRUCK LINES, INC., 610 E. Emma Ave., Springdale, AR 72764. Representative: Don A. Smith, P.O. Box 43, Ft. Smith, AR 72902. (1) *Foodstuffs, frozen and other than frozen (except commodities in bulk)*; (2) *Materials, equipment and supplies (except commodities in bulk)* used in the manufacturing, processing and distribution of commodities in (1), (1) from facilities of Welch Foods, Inc., at or near Lawton, MI to points in IA, NE and SD; (2) from IA, NE and SD to Lawton, MI, for 180 days. An underlying ETA seeks 90 days authority. Supporting

shipper(s): Welch Foods, Inc., Westfield, NY 14787. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 111310 (Sub-53TA), filed August 24, 1979. Applicant: BEER TRANSIT, INC., P.O. Box 352, Black River Falls, WI 54615. Representative: Wayne Wilson, 150 E. Gilman St., Madison, WI 53703. (1) *Meats, meat products, meat byproducts and articles distributed by meat packing houses as described in Sections A & C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209, 766 (except commodities in bulk)* between Norwalk, WI, on the one hand, and, on the other, points in AL, AR, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WI and DC; *Materials, equipment and supplies used in the manufacture and distribution of the commodities described in Part (1) between points in AL, AR, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WV, WI and DC*, on the one hand, and, on the other, Norwalk, WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pine Valley Meats, Inc., Route 71, Norwalk, WI 54648. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 113751 (Sub-30TA), filed September 14, 1979. Applicant: HAROLD F. DUSHEK, INC., 10th & Columbia, St., Waupaca, WI 54981. Representative: James Spiegel, 6425 Odana Rd., Madison, WI 53719. *Feed and feed ingredients*, in bulk, from Minneapolis-St. Paul, MN Commercial Zone to points in WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cargill, Inc., Dept. 17, P.O. Box 9300, Minneapolis, MN 55440. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 113861 (Sub-78TA), filed August 21, 1979. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, P.O. Box 725, Memphis, TN 38101. Representative: James N. Clay, III, 2700 Sterick Building, Memphis, TN 38103. *Liquid and dry wood preservatives and solvent blends used in formulating wood preservatives, in bulk from Memphis, TN to points in AL, AR, GA, KY, LA, MS, MO, NC, SC, and TX*. Supporting shipper(s): Chapman Chemical Company, 416 E. Brooks Road, Memphis, TN. Send protests to: Floyd A. Johnson, 100 North Main Suite 2006, Memphis, TN 38103.

MC 114890 (Sub-97TA), filed August 22, 1979. Applicant: COMMERCIAL CARTAGE CO., 343 Axminster Dr., Fenton, MO 63026. Representative: David A. Cherry, P.O. Box 1540, Edmond, OK 73034. *Ethanol*, in bulk, in tank vehicles, from the facilities of ADM, Inc., at Decatur, IL to points in MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Randolph Oil, Inc., 103 N. Ault St., Moberly, MO 65270. Send protests to: P. E. Binder, TS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 115331 (Sub-519TA), filed September 13, 1979. Applicant: TRUCK TRANSPORT INC., 29 Clayton Hills Lane, St. Louis, MO 63131. Representative: Steve Vogt (same as above). *Brandy*, in bulk, from Delano, CA to Minneapolis, MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): A. Perelli-Minetti & Sons, P.O. Box 818, Delano, CA 93216. Send protests to: P. E. Binder, TS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 116300 (Sub-61TA), filed September 5, 1979. Applicant: NANCE AND COLLUMS, INC., P.O. Drawer J, Fernwood, MS 39635. Representative: Harold D. Miller, Jr., P.O. Box 22567, Jackson, MS 39205. *Sugar, and empty containers* between Gramercy, Louisiana, and the Ports of Lake Charles and New Orleans, LA, for 180 days. Supporting shipper(s): Colonial Sugars, Borden, Inc., Gramercy, LA 70052. Send protests to: Alan Tarrant, D/S, ICC, Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 117370 (Sub-38TA), filed August 29, 1979. Applicant: STAFFORD TRUCKING, INC., 2155 Hollyhock Lane, Elm Grove, WI 53122. Representative: Richard Westley, 4506 Regent St., Suite 100, Madison, WI 53705. *Ice Control salt*, in bulk, from facilities of Morton Salt at or near Detroit, MI to Beloit, WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): City of Beloit, 220 W. Grand Ave., Beloit, WI 53511. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 119090 (Sub-9TA), filed August 16, 1979. Applicant: THRUWAY FREIGHT LINES, INC., P.O. Box 567, Sparta, NJ 07871. Representative: Barry Finkle, P.O. Box 567, Sparta, NJ 07871. *Paper and paper products*, between the facilities of International Paper Co. at or near Jay, ME, on the one hand, and, on the other, points in CT, NJ, NY, PA, MD, DE and DC, for 180 days. Supporting shipper(s): International Paper Company, 220 East 42nd Street, New York, NY 10017. Send

protests to: Joel Morrrows, D/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 119211 (Sub-12TA), filed August 23, 1979. Applicant: MAU TRUCKING, INC., 90 Jacob's Addition, Ida Grove, IA 51445. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50209. Contract carrier; irregular routes: *Construction machinery, equipment, materials, supplies and parts used in the manufacturing and distribution of construction machinery and equipment* at the facilities of Gomaco Corp. at or near Ida Grove, IA, on the one hand, and, on the other, points in FL, IL, IN, MN, MO, MD, NE, NY, OH and WI under continuing contract(s) with Gomaco Corp., a division of Godberson-Smith Construction Co., Ida Grove, IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gomaco Corp., a division of Godberson-Smith Construction Co., Highway 59 & 175, Ida Grove, IA 51445. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 119390 (Sub-17TA), filed June 1, 1979. Applicant: MAIRS TRANSPORT LTD., 976 Adair Avenue (P.O. Box 1188), Coquitlam, B.C., Canada. Representative: Susan W. Carlson, 1215 Norton Bldg., Seattle, WA 98104. *Gypsum wallboard and allied products; roofing materials*, (flatbed trailers in truckload lots), from ports of entry on the U.S.-Canada boundary between WA and B.C. to points in WA on or west of U.S. Hwy. 97, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Domtar Construction Materials Group of Domtar Inc., 2001 University St., Montreal, Quebec. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Bldg., Seattle, WA 98174.

MC 119670 (Sub-49TA), filed August 17, 1979. Applicant: THE VICTOR TRANSIT CORP., 5250 Este Ave., P.O. Box 32115, Cincinnati, OH 45232. Representative: William R. Dally (same as applicant). *Glass containers and Fibreboard boxes* from Warehouse Facilities of Owens-Illinois, Inc., at Hartford City and Muncie, IN to points in KY and OH for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Owens-Illinois, Inc., P.O. Box 1035, Toledo, OH 43666. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila. PA 19106.

MC 119670 (Sub-50TA), filed August 20, 1979. Applicant: THE VICTOR TRANSIT CORP., 5250 Este Ave., P.O. Box 32115, Cincinnati, OH 45232. Representative: William R. Dally (same address as applicant). *Glass containers*,

from Lawrenceburg, IN to St. Louis, MO, for 180 days. Supporting Shipper(s): Thatcher Glass Mfg. Co., Div. of Dart Industries, Inc., P.O. Box 265, Elmira, NY 14902. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 119990 (Sub-10TA), filed August 15, 1979. Applicant: MERCHANTS DELIVERY CO., 1212 E. 19th, Kansas City, MO 64108. Representative: Leonard Rose, 601 W. 47th, Kansas City, MO 64112. *General commodities (except Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment)*. Between points in KS, MO, OK and NE in that area bounded by a line beginning at Beatrice, NE; then southerly along U.S. Hwy. 77 to the KS-NE State line; then along the KS-NE State line to junction U.S. Hwy. 81; then along U.S. Hwy. 81 to junction KS Hwy. 61; then along KS Hwy. 61 to junction KS Hwy. 96; then along KS Hwy. 96 to junction Interstate Hwy. 235; then along Interstate Hwy. 235 to junction Interstate Hwy. 35; then along Interstate Hwy. 35 to the KS-OK State line; then along the KS-OK State line to junction U.S. Hwy. 169; then along U.S. Hwy. 169 to junction U.S. Hwy. 60; then along U.S. Hwy. 60 to the OK-MO State line; then southerly along the OK-MO State line to the MO-AR State line; then along the MO-AR State line to junction U.S. Hwy. 63 to its junction with the IA-MO State line; then along the IA-MO State line to the MO-NE State line; then along the MO-NE State line to junction U.S. Hwy. 136; then along U.S. Hwy. 136 to Beatrice, NE, including points on the described boundary lines and the commercial zones of any such points on the described boundaries or in the described areas, for 180 days. Restriction: No service shall be provided in the transportation of packages or articles weighing separately more than 100 pounds or in the aggregate more than 200 pounds from one consignor at one location to one consignee at one location on any one day. No service shall be provided in the transportation of motion picture film, materials, equipment and supplies used in connection with the exhibition of motion pictures, and confections sold in motion picture theaters. No service shall be rendered between department stores, mail order stores, specialty shops and retail stores and the branches or warehouses of such stores, or between department stores, mail order stores, specialty shops and retail stores or the branches or warehouses thereof, on the one hand, and, on the other, the

premises of the customer of such stores. No delivery service shall be provided under the authority granted herein to the premises of persons who or which have entered into contract with Merchants Contract Deliveries, Inc., and are served by it pursuant to permits issued by the Commission. Supporting shipper(s): Approximately 14 supporting shippers, statement may be viewed at Commission offices in Washington, or field office at Kansas City. Send Protests to: Vernon V. Coble, DS, I.C.C., 600 Federal Building, 911 Walnut, Kansas City, MO 64106.

MC 121420 (Sub-18TA), filed August 10, 1979. Applicant: DART TRUCKING CO., INC., 61 Railroad St., Canfield, OH 44406. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. *Iron and steel, iron and steel articles, and equipment, materials and supplies used in the manufacture of iron and steel, and iron and steel articles*, between the facilities of Sharon Steel Corp. at or near Sharon, PA, on the one hand, and, on the other, points in MI, IN and OH, for 180 days. Supporting shipper(s): Sharon Steel Corp., P.O.B. 291, Sharon, PA 16146. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 121821 (Sub-1TA), filed July 11, 1979. Applicant: TENNESSEE MOTOR LINES, INC., 402 Maplewood Ave., Nashville, TN 37210. Representative: Edward C. Blank, II, P.O. Box 1004, Columbia, TN 38401. *General commodities except Class A and B explosives, household goods as defined by the Commission and commodities in bulk and commodities requiring special handling*. Route: (1) Between Nashville, Tennessee, and Knoxville, Tennessee, serving Cookeville, Tennessee, as an intermediate point, from Nashville, Tennessee, to Knoxville, Tennessee over United States Route I-40 and return over the same route, and serving Cookeville, Tennessee, by utilization of State Route 42 and U.S. Route 70 North. (2) Between Cookeville, Tennessee, and Chattanooga, Tennessee, and that portion of its commercial zone lying wholly within the State of Tennessee, utilizing the following routes: a. From Cookeville, Tennessee, over U.S. Route I-40 to the junction of same with U.S. 27, then over U.S. 27 to Chattanooga, Tennessee, and that portion of its commercial zone lying wholly within the State of Tennessee, and returning over the same route serving no intermediate points. b. From Cookeville, Tennessee, over U.S. Route I-40 to junction with United States Route I-75, then over U.S. Route I-75 to Chattanooga and that portion of its commercial zone lying

wholly within the State of Tennessee, and return over same route as an alternate route for operating convenience only. (3) Between Knoxville, Tennessee, and Chattanooga, Tennessee, and that portion of its commercial zone lying solely within the State of Tennessee, from Knoxville, Tennessee over Interstate Route I-75 to Chattanooga, Tennessee, and that portion of its commercial zone lying wholly within the State of Tennessee, and returning over the same route serving no intermediary points. (4) Between points in Knox County, Tennessee, and Blount County, Tennessee, from Knox County, Tennessee to Blount County, Tennessee, over U.S. Highway 129 and utilizing all federal and state routes located in said counties for service. (5) Between Nashville, Tennessee, and Chattanooga, Tennessee, and that portion of its commercial zone lying wholly within the State of Tennessee, from Nashville, Tennessee, over Interstate Route I-24 to its juncture with U.S. Route 72 in Marion County, Tennessee, thence over U.S. Routes 41, 64 and 72 to Chattanooga, Tennessee, and that portion of its commercial zone lying wholly within the State of Tennessee, and return over the same route serving no intermediate points. Applicant intends to tack to existing authority in MC-121821. Applicant intends to interline at Knoxville, Chattanooga and Nashville, TN. Applicant seeks the above authority for 180 days. Supporting shipper(s): There are no supporting shippers. Applicant presently operates over the sought routes in intrastate commerce. Applicant states that its vehicles are not always loaded and it would conserve fuel and reduce inflation if applicant could handle interstate freight over the same routes. Applicant states that the basis of the application is the National Domestic Policy on energy and inflation and the National Transportation Policy on conservation and fuel and operations over overlapping routes. Send protests to: Joe J. Tate, District Supervisor, ICC, Suite A-422, U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 123310 (Sub-20TA), filed September 6, 1979. Applicant: DOUG ANDRUS DISTRIBUTING, INC., 1820 West Broadway, Idaho Falls, ID 83401. Representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. *Lumber*, from points in OR, WA, MT and points in Benewah, Bonner, Boundary, Kootenai and Shoshone Counties, ID to points in UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Forest Products Company, 3815—100th St. S.W. Suite 3B,

Tacoma, WA 98499. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 123640 (Sub-29TA), filed August 2, 1979. Applicant: SUMMIT CITY ENTERPRISES, INC., 3200 Maumee Avenue, Fort Wayne, IN 46803. Representative: Irving Klein, 371 Seventh Avenue, New York, NY 10001. Contact carrier: irregular routes: *Such commodities as are sold or dealt in by wholesale hardware houses*, between Dixon, IL on the one hand and on the other points in SD, for 180 days. Under contract with Hardware Wholesalers, Inc. at Fort Wayne, IN. Supporting shipper: Hardware Wholesalers, Inc., P.O. Box 868 Nelson Rd., Fort Wayne, IN 46801. Send protest to: Beverly J. Williams, Transportation Assistant, ICC 46 E. Ohio St., Rm 429, Indianapolis, IN 46204.

MC 124141 (Sub-25TA), filed August 6, 1979. Applicant: JULIAN MARTIN, INC., P.O. Box 3348, Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Boulevard, McLean, VA 22101. *Candy and confectionery, chocolate and foodstuffs* (except in bulk) in vehicles equipped with temperature control, from Hershey, Lancaster and Mechanicsburg, PA to points in AL, LA and MS, for 180 days. Supporting shipper(s): Hersey Chocolate Company, 19 E. Chocolate Ave., Hershey, PA 17033. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 124141 (Sub-26TA), filed August 28, 1979. Applicant: JULIAN MARTIN, INC., P.O. Box 3348, Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Boulevard, McLean, Virginia 22101. *Glues, adhesives* in containers packaged in cartons, 5 gallon pails and 55 gal. drums, from facilities of Franklin Chemical Industries, Inc. at Columbus, OH to Center, TX and Nashville, TN, for 180 days. Supporting shipper(s): Franklin Chemical Industries, Inc., 2020 Bruck St., P.O. Box 07802, Columbus, OH 43207. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 124141 (Sub-27TA), filed August 27, 1979. Applicant: JULIAN MARTIN, INC., P.O. Box 3348, Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Boulevard, McLean, VA 22101. *Such commodities as are dealt in by retail and department stores* (except in bulk) from points in CA to facilities of or used by Wal-Mart Stores, Inc. in AL, AR, IL, KS, KY, LA, MS, MO, OK, TN and TX, for 180 days. Underlying ETA seeks 90 days authority. Supporting

shipper(s): Wal-Mart Stores, Inc., P.O. Box 116, Bentonville, AR 72712. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 124141 (Sub-28TA), filed September 11, 1979. Applicant: JULIAN MARTIN, INC., P.O. Box 3348, Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Margarine and margarine products* (except commodities in bulk) from Osceola, AR to points in AL, AR, CA, CO, FL, GA, IL, IN, IA, KS, KY, LA, MD, MI, MN, MS, MO, NE, NJ, NY, NC, OH, OK, PA, SC, TN, TX, VA, WV and WI, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Osceola Foods, Inc., P.O. Box 368, Osceola, AR 72370. Send protests to: William H. Land, Jr., DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 124160 (Sub-32TA), filed August 22, 1979. Applicant: SAVAGE BROTHERS, INCORPORATED, 585 South 500 East, American Fork, UT 84003. Representative: Lon Rodney Kump, 333 East Fourth South, Salt Lake City, UT 84111. *Sodium tripolyphosphate* from Newark, CA to Salt Lake City, UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Huish Distributing Company, 3540 West 1987 South, Salt Lake City, UT 84104. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 124211 (Sub-373TA), filed August 16, 1979. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, NE 68101. Representative: Norma J. Kuebler (same as applicant). *Foodstuffs* from the facilities of Stilwell Foods at Stilwell, OK to points in CA, AZ, NM, IL, WI, MI, NE, IA, KS, AR, TX, LA, MS, AL, GA, FL, TN, SC and NC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Stilwell Foods, Inc., Box 432, Stilwell, OK 74960. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 124230 (Sub-39TA), filed August 6, 1979. Applicant: C. B. JOHNSON, INC., P.O. Drawer S, Cortez, CO 81321. Representative: David E. Driggers, Suite 1600, Lincoln Center, 1660 Lincoln Street, Denver, CO 80264. *Uranium ores in bulk*, from points in Montrose County, CO, to the facilities of Energy Fuels Nuclear, Inc. at or near Blanding, UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kenterprises—Sole Proprietorship, 214 West 5th North, Blanding, UT 84511. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, Colorado 80202.

MC 125470 (Sub-54TA), filed August 3, 1979. Applicant: MOORE'S TRANSFER, INC., P.O. Box 1151, Norfolk, NE 68701. Representative: Lavern R. Holdeman, 521 S. 14th St., Suite 500, Lincoln, NE 68501. *Iron and steel articles* from the facilities of Nucor Steel Corporation at or near Norfolk, NE to points in AZ, CO, KS, MO, NM, OK, OR, SD and TX for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Nucor Steel Corporation, P.O. Box 309, Norfolk, NE 68701. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 126320 (Sub-13-TA), filed July 9, 1979. Applicant: DETTINBURN TRUCKING, INC., P.O. Box 24, Rt. 3, Petersburg, WV 26847. Representative: Daniel B. Johnson, 4304 East-West Highway, Washington, DC 20014. (a) *Charcoal, charcoal briquets, wood chips, vermiculite, lighter fluid, and sawdust and wax impregnated fireplace logs* (except commodities in bulk), from the facilities of the Kingsford Co. at Parsons and Ridgeley, WV to points in CT, DE, DC, KY, ME, MD, MA, NH, NJ, NY, NC, OH, PA, RI, TN, VA, and VT. (b) *Materials, supplies, and equipment* used or useful in the manufacture, sale, or distribution of the commodities set forth in (a) above, from points in CT, DE, DC, KY, ME, MD, MA, NH, NJ, NY, OH, PA, RI, TN, VA, and VT, to the facilities of the Kingsford Co. at Parsons and Ridgeley, WV for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): The Kingsford Co., P.O. Box 1033, 1700 Commonwealth Bldg., Louisville, KY 40201. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 128030 (Sub-129-TA), filed August 16, 1979. Applicant: THE STOUT TRUCKING CO., INC., P.O. Box 98, Urbana, IL 61801. Representative: James Madler, 120 W. Madison St., Chicago, IL 60602. (a) *Beverages*, from Evansville, IN to points in IL (except Chicago, Waukegan, Geneva, Danville, and Paris); and (b) *empty containers and related materials*, from points in IL to Evansville, IN for 180 days. Supporting Shipper(s): Heilman Brewing, 925 S. 3rd St., LaCrosse, WI 54601. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 128220 (Sub-30-TA), filed August 27, 1979. Applicant: RALPH LATHAN, d.b.a. LATHAM TRUCKING COMPANY, P.O. Box 596, Burnside, KY, 42519. Representative: Robert H. Kinker, P.O. Box 464, Frankfort, KY, 40602. Packaged Coal and packaged ice melting compound, and materials, equipment and supplies used in the manufacture and distribution thereof, between

Louisville, KY., on the one hand, and , on the other, points in the U.S., in and east of KS, NE, ND, OK, SD, and TX. Supporting Shipper(s): Sharon L. Kelly, VP, Cal-Metrics Mfg. Corp., & Ever-Glo Coal Co., Inc., 640 Barrett Ave., Louisville, Ky. 40204. Universal Sales & Products Corp., 200 W. Monroe, Chicago, IL 60606 (Under contract with the two supporting shippers). Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY. 40202.

MC 128290 (Sub-8TA), filed August 2, 1979. Applicant: EARL HAINES, INC., P.O. Box 2557, Winchester, VA 22601. Representative: Bill R. Davis, Suite 101, Emerson Ctr., 2814 New Spring Rd., Atlanta, GA 30339. (1) *Wood fiber mulch and wood cellulose insulation*, from High Point, NC to points in KY, VA, WV, MD, DE, NJ, NY, PA, CT, RI, NH, VT, ME, OH, MA, TN, SC, GA, AL, FL, TX, MS, LA, AR, OK, MI, IL, IN, and DC and (2) *Recycled newsprint* on return for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Superior Fiber Products Co., 1201 65th St., Baltimore, MD 21237. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 128951 (Sub-28TA), filed September 14, 1979. Applicant: ROBERT H. DITTRICH, d.b.a. BOB DITTRICH TRUCKING, 1000 North Front, New Ulm, MN 56073. Representative: Rodney H. Jeffrey (same as applicant). *Feed and feed ingredients*, from the facilities of Cargill, Inc., in the Minneapolis-St. Paul, MN commercial zone to points in WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cargill, Inc., General Traffic Manager, Dept. 17, P.O. Box 9300, Minneapolis, MN 55440. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 133630 (Sub-9TA), filed August 9, 1979. Applicant: KING BROS. TRUCKING, INC., Rural Route 2, Ashkum, IL 60911. Representative: Edward McNamara, 907 S. 4th St., Springfield, IL 62703. *Crushed stone*, from Newton County, IN to Iroquois County, IL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Lehigh Paving Co., P.O. Box 231, Paxton, IL 60957. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 133920 (Sub-21TA), filed July 11, 1979. Applicant: HOWARD SHEPPARD, INC., P.O. Box 755, Sandersville, GA 31082. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, GA 30349. *Liquid sodium silicate in tank vehicles* from Nixon, GA to points in AL, FL, MS, NC, SC, TN and VA for 180

days. An underlying ETA seeks 90 days authority. Supporting shipper(s): P Q Corporation, Valley Forge Executive Mall, P.O. Box 840, Valley Forge, PA 19482. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., NW, Rm. 300, Atlanta, GA 30309.

MC 133920 (Sub-22TA), filed August 15, 1979. Applicant: HOWARD SHEPPARD, INC., P.O. Box 755, Sandersville, GA 31082. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, GA 30349. *Sand in bulk in dump or tank trailers*, from Shuler (Lexington County), SC to the Plant of P.Q. Corp. at Nixon (Richmond County), GA, for 180 days. Supporting shipper(s): P.Q. Corp., P.O. Box 840, Valley Forge, PA 19482. Send protests to: Sara K. Davis, TA, ICC, 1252 W. Peachtree St., N.W., Atlanta, GA 30309.

MC 134730 (Sub-19TA), filed August 29, 1979. Applicant: METALS TRANSPORT, INC., 528 S. 108 St., West Allis, WI 53214. Representative: M. H. Dawes (same address as applicant). Contract carrier; irregular routes; *non-ferrous metals and scrap metals* between Milwaukee, Waukesha and Pewaukee, WI on the one hand, and, on the other, points in AR, IL, IN, KS, KY, MI, MO, OH, PA and TX, for 180 days. Supporting shipper(s): Balco Metals, Inc., 127 S. 11 St., Milwaukee, WI 53233. Send protests to: Gail Daughterty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 134970 (Sub-27TA), filed August 20, 1979. Applicant: UNZICKER TRUCKING, INC., P.O. Box 35, El Paso, IL 61738. Representative: Michael Ogborn, P.O. Box 82028, Lincoln, NE 68501. *Paper, paper products, aluminum foil and sealing tape*, from the facilities of St. Regis Paper Co. at Troy, OH to Peoria, IL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): St. Regis Paper Co., 421 S. Union St., Troy, OH 45373. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 135611 (Sub-10TA), filed September 6, 1979. Applicant: WALKER & WHITTED TRANSPORTATION CO., 320 North Eighth Street, Brawley, California 92227. Representative: Thomas M. Loughran, 100 Bush Street, 21st Floor, San Francisco, California 94104. *Petroleum products, except petrochemicals, in bulk, in tank vehicles*, from points in California in or south of Los Angeles and San Bernardino Counties to points in Arizona except points in Yuma County, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Mock Petrochemical, President, 16191

Construction Circle West, Suite A, Irvine, CA 92714; Union Oil Company, Manager, Marketing Transportation, Union 76 Division (Western Region), Union Oil Center, Los Angeles, CA 90017; Mobil Oil, Regional Traffic, Manager, 612 S. Flower St., Los Angeles, CA 90017. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 135861 (Sub-56TA), filed August 15, 1979. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl St., Fort Worth, TX 76103. *Contract carrier*—irregular routes: *Candies, confectionery and licorice*, from East Hempfield Township, Lancaster County, PA to AL, AR, LA, MS, OK, TN, and TX, for the account of Y & S Candies, Inc., Hershey Foods Corporation, Hershey, PA, for 180 days. Supporting shipper(s): Y & S Candies, Inc., Hershey Foods Corporation, 19 E. Chocolate Ave., Hershey, PA 17033. Send protests to: Martha A. Powell, TCS, I.C.C., 9A27 Federal Bldg., Fort Worth, TX 76102.

MC 136220 (Sub-85TA), filed August 27, 1979. Applicant: SULLIVAN'S TRUCKING COMPANY, INC., P.O. Box 2164, Ponca City, OK 74601. Representative: G. Timothy Armstrong, 200 North Choctaw, P.O. Box 24, El Reno, OK 73036. (1) *Aluminum sulfate clay*, in bulk, in dump vehicles, from the facilities of Stauffer Chemical Company at Little Rock, AR, to the facilities of Stauffer Chemical Company at Bastrop, LA; and (2) *Bauxite clay*, in bulk, in dump vehicles, from the facilities of Stauffer Chemical Company at Bastrop, LA, to the facilities of Stauffer Chemical Company at Little Rock, AR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Stauffer Chemical Company, Westport, CT 06880. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 136981 (Sub-13TA), filed August 30, 1979. Applicant: BLAIR CARTAGE, INC., 13658 Auburn Road, P.O. Box 52, Newbury, OH 44065. Representative: Lewis S. Witherspoon, 88 East Broad St., Columbus, OH 43215. *Contract carrier*: irregular routes: *Litharge, nepheline syenite, soda ash, glass bulbs, glass rod and tubing, glassware, metal racks, cullet, electric lamps, batteries and battery chargers, lighting fixtures, holiday decorations, packaging materials, steel nestainers, lamp ballast, sand, potash, metals N.O.I., displays and advertising, borax and borax products, paints, dolomite, lamp bases, compressed gases in cylinders, nitrate and electrical equipment and parts,*

materials and supplies used in the manufacture and distribution thereof between points in AL, AR, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, TN, TX, UT, VA, VT, WI, WV, WY, DC, and Ports of Entry on the International Boundaries between the U.S. and Canada and the U.S. and Mexico, for 180 days. Supporting shipper(s): General Electric Co., Nela Park, Cleveland, OH 44112. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 139171 (Sub-5TA), filed August 28, 1979. Applicant: CONTROLLED DELIVERY SERVICE, INC., P.O. Box 1299, City of Industry, California 91749. Representative: Patricia M. Schnegg, 707 Wilshire Boulevard, Suite 1800, Los Angeles, California 90017. *General commodities (except commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring the use of special equipment)*, El Paso, Texas, on the one hand, and on the other all points in the United States, except Alaska and Hawaii, restricted to shipments originating at or destined to Sun City warehouses in El Paso, Texas, for 180 days. Supporting shipper(s): Sun City Warehouses, Inc., Warehouse Manager, 6501 Convoir, El Paso, Texas 79925. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 141330 (Sub-3TA), filed August 23, 1979. Applicant: MALCOLM POWELL, d.b.a. POWELL TRUCKING, Route 1, Lumber City, GA 31549. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Lumber*, from Lumpkin, GA, to points in AL, FL, DE, KY, IL, IN, MD, NJ, NY, NC, OH, PA, SC, TN, VA, and WV, for 180 days. Supporting shipper(s): St. Regis Allied Operations, St. Regis Paper Company, P.O. Box 36A, Lumpkin, Ga. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 141871 (Sub-15TA), filed August 31, 1979. Applicant: WNI, INC., 8700 S.W. Elligsen Road, Wilsonville, OR 97070. Representative: Neil A. Dujardin, P.O. Box 2298, Green Bay, WI 54306. *Beer, wine, and champagne (except in bulk)* from Napa County, Fairfield and Los Angeles, CA to Burlington, WA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Skagit Northwest Dist., 735 Fairhaven, Burlington, WA 98233. Send protests to: A. E. Odoms, DS, ICC, 114 Pioneer Courthouse, Portland, OR 97204.

MC 142140 (Sub-5TA), filed August 9, 1979. Applicant: CITY TRANSFER & STORAGE OF CONRAD, INC., P.O. Box 1432, Conrad, MT 59425. Representative: Eugene D. Riewer (same address as applicant). *Animal and poultry feed*, in bulk, in hopper bottom trailers or grain trailers with traps, from the port of entry on the U.S.-Canada International Boundary line at or near Sweetgrass, MT to Great Falls, Choteau, Belgrade, Hamilton, Billings and Chjinook, MT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): North Montana Feeders, RR 2, Box 118, Choteau, MT 59422. Alberta Processing Company, Div. of West Coast Reductions, Ltd., P.O. Box 5025, Stn. A, Calgary, AB, Canada T2H 1X1. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 142941 (Sub-51TA), filed August 31, 1979. Applicant: SCARBOROUGH TRUCK LINES, INC., 1313 N. 25th Ave., Phoenix, AZ 85009. Representative: Lewis P. Ames, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. *Toilet preparations*, from the facilities of Roux Laboratories, Inc. in Duval County, FL to points in AZ, CA, CO, ID, KS, MT, NV, NM, OR, UT, WA and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Roux Laboratories, Inc., 3733 University Blvd., West, Jacksonville, FL 32217. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 142941 (Sub-52TA), filed August 31, 1979. Applicant: SCARBOROUGH TRUCK LINES, INC., 1313 N. 25th Ave., Phoenix, AZ 85009. Representative: Lewis P. Ames, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. *Alcoholic beverages*, from Havre de Grace, MD, to Flagstaff, Phoenix, Tucson and Yuma, AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: All American Distributing Co., Inc., 235 E. Pima, Suite 107, Phoenix, AZ 85004. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 143121 (Sub-6TA), filed September 12, 1979. Applicant: TILLAMOOK CARRIERS, INC., 11600 Paramount Boulevard, Office C, Downey, CA 90241. Representative: Stuart R. Mandel, 315 S. Beverly Drive, Suite 315, Beverly Hills, CA 90212. *Contract, irregular; such commodities as are dealt in by retail and chain grocery, hardware, variety, merchandising and drug stores, and materials, and supplies used in the manufacture and distribution of such commodities (except in bulk)*, (1) between New York, NY and Atlanta, GA, and points in DC, FL, GA, MD, NC,

PA, SC and VA, (2) between Canton, OH and Atlanta, GA and points in KY, TN, and WV, (3) between Chicago, IL and Atlanta, GA and points in IN, KY, and TN, (4) between Los Angeles, CA, Arlington, TX and Atlanta, GA, (5) from the facilities of the suppliers of American Home Products at points in NJ, NY, PA, Danville, IL and Mono Lake, Newbury Park, CA and Green River, WY to the plants and facilities used by American Home Products at Los Angeles, CA, Chicago, IL, Atlanta, GA, Arlington, TX, Canton, OH and New York, NY, for 180 days. Supporting Shipper(s): American Home Products Corporation, Director of Distribution, 685 Third Avenue, New York, NY 10017. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 143121 (Sub-7TA), filed September 13, 1979. Applicant: TILLAMOOK CARRIERS, INC., 11600 Paramount Boulevard, Office C, Downey, CA 90241. Representative: Stuart R. Mandel, 315 S. Beverly Drive, Suite 315, Beverly Hills, CA 90212. *Contract, irregular; such commodities as are dealt in by retail and chain grocery, hardware, variety, merchandising and drug stores, and materials, and supplies used in the manufacture and distribution of such commodities (except in bulk)*, from (1) Chicago, IL to Phoenix, AZ, Denver, CO, and Boise, ID, Albuquerque, NM, Billings and Butte, MT, Omaha, NE, Reno, NV, Fargo, ND, Salt Lake City, UT and points in CA, IA, OR and WA, and (2) from Reno, NV, to points in CA, OR and WA, for 180 days. Supporting Shipper(s): American Home Products Corporation, Director of Distribution, 685 Third Avenue, New York, NY 10017. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 143570 (Sub-15TA), filed August 15, 1979. Applicant: D & G TRUCKING, INC., 4420 East Overland Road, Meridian, ID 83642. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. *Such commodities as are dealt in by wholesale and retail office supply and equipment companies, when moving from or to such establishments*, from points in Los Angeles, Orange, San Francisco, Santa Clara and Alameda Counties, CA to Boise and Twin Falls, ID and the commercial zones thereof, for 180 days. Supporting Shipper(s): Woodman's Office Supply Inc., 211 N. 10th, Boise, ID 83702. Just's Copys Inc., 242 S. Cole Rd., Boise, ID 83705. Intermountain Design, Inc., 517 South 8th St., Boise, ID 83702. Send protests to: Barney L. Hardin, D/S, ICC Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 144110 (Sub-5TA), filed August 24, 1979. Applicant: KANE TRANSPORT,

INC., P.O. Box 126, Sauk Centre, MN 56378. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. *Liquid fertilizer in bulk, in tank vehicles*, from Alexandria, MN to points in IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Agrico Chemical Company, P.O. Box 3166, Tulsa, OK 74101. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, MN 55401.

MC 144140 (Sub-40TA), filed August 27, 1979. Applicant: SOUTHERN FREIGHTWAYS, INC., P.O. Box 158, Eustis, FL 32726. Representative: John L. Dickerson (same as applicant). *Petroleum and petroleum products (except commodities in bulk)* from the facilities of Quaker State Oil Refining Corporation located at Emlenton and New Kensington, PA, Congo and St. Marys, WV, to points in AL and FL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Quaker State Oil Refining Corp., P.O. Box 989, Oil City, PA 16301. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 144621 (Sub-10TA), filed September 4, 1979. Applicant: CENTURY MOTOR LINES, INC., P.O. Box 15246, 1720 East Garry Avenue, Santa Ana, California 92705. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1800 Sherman Street, Denver, Colorado 80203. *Surgical, medical and health care products and supplies*, (1) between Middlesex County, NJ; Will and Cook Counties, IL; San Mateo County, CA; and Grayson County, TX, to Denver, CO and its commercial zone, for 180 days. Supporting shipper(s): Johnson & Johnson, Inc.; Johnson & Johnson Products, Inc.; Personal Products, Inc.; Surgikos, Inc.; Manager of Transportation, New Brunswick, New Jersey 08903. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 145190 (Sub-3TA), filed August 27, 1979. Applicant: D.A.D. TRANSPORT CORP., 3832 New Cummings Road, Chattanooga, TN 37409. Representative: Daniel O. Hands, Suite 200, 205 W. Touhy, Park Ridge, IL 60068. *Confectionery, confectionery dispensing machines and display materials (except in bulk), in vehicles equipped with mechanical refrigeration*, (1) from Selma, AL; Encino, Los Angeles, Palo Alto, Richmond and Salinas, CA; Wheatridge, CO; Naugatuck, CT; Chicago and Robinson, IL; Frankfort, IN; Boston, MA; St. Louis, MO; Englewood, Freehold and Patterson, NJ; Brooklyn,

Buffalo and New Hyde Park, NY; Philadelphia and Pittsburgh, PA; Pautucket, RI; and Suffolk, VA to the facilities utilized by Consolidated Products Sys., Inc. at Chattanooga, TN and (2) from the facilities utilized by Consolidated Products Systems, Inc. at Chattanooga, TN to points in the United States in and east of ND, SD, NE, KS, OK and TX, for 180 days. Restriction: Restricted in parts (1) and (2) to the transportation of shipments originating at the named origins and destined to the named destinations. An underlying ETA seeks 90 days authority. Supporting shipper(s): Consolidated Products Systems, Inc., P.O. Box 145, E. McKeesport, PA 15035. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 145700 (Sub-3TA), filed August 27, 1979. Applicant: TIGATOR, INC. d.b.a. TIGATOR TRUCKING SERVICE, 8686 Anselmo Lane, Baton Rouge, LA 70810. Representative: J. H. Campbell, Jr., P.O. Box 1748, Baton Rouge, LA 70821. *Contract, irregular routes, Soft drinks* from the facilities of Shasta Beverage Company at or near Houston, TX and Birmingham, AL to the warehouse facility of Associated Grocers, Inc. of Baton Rouge, LA, for 180 days. Restricted to a transportation service performed under a continuing contract with Associated Grocers, Inc. of Baton Rouge, LA. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper(s): Associated Grocers, Inc., P.O. Box 1748, Baton Rouge, LA 70821. Send protests to: Robert J. Kirspel, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 145760 (Sub-7TA), filed August 15, 1979. Applicant: JOHNSON TRANSPORTATION CO., 1327 Highway 13 North, Columbia, MS 39439. Representative: Fred W. Johnson, Jr., 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *plastic pipe and accessories and fittings used in the installation thereof* from the facilities of Davis Water and Waste Industries, Inc., at or near Thomasville, GA to points in AL, AR, FL, KY, LA, MS, MO, NC, SC, TN and VA. Supporting shipper: Davis Water and Waste Industries, Inc., 1806 Metcalf Avenue, Thomasville, GA 31792. Send protests to: Mr. Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Suite 1441, Federal Building, 100 West Capitol Street, Jackson, MS 39203.

MC 145950 (Sub-47TA), filed August 16, 1979. Applicant: BAYWOOD TRANSPORT, INC., Route 6, Box 2611, Waco, TX 76702. Representative: E. Stephen Heisley, 666 Eleventh St., N.W., Washington, DC 20001. *Meats, meat products and articles distributed as described in M.C.C. 61 MCC 209 and 766* (except hides and commodities in bulk) from the facilities of Swift & Co. at New York, NY; Jersey City, NJ; Miami and Tampa, FL; Laredo and El Paso, TX, to the states of IN, IL, AL, OH, GA, TX, WI, IA, NC, and SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Swift and Company, 115 West Jackson Blvd., Chicago, IL 60604. Send protests to: Opal M. Jones, TCS, Room 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 145981 (Sub-14TA), filed August 29, 1979. Applicant: ACE TRUCKING CO., INC., 1 Hackensack Avenue, South Kearny, NJ 07032. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Wall coverings and wall paper, and materials, equipment, and supplies used in the manufacture and sale of wall coverings and wall paper* (except commodities in bulk), between Hatfield and Chelsea, MA on the one hand, and, on the other, points in CA, FL, GA, IL, MD, NY, OH, PA, TN, and TX. An underlying ETA seeks 90 days authority. Supporting shipper(s): Style Tex and Thomas Strahan Co., Divisions of National Gypsum Corp., 142 Elm Street, Hatfield, MA 01038. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 146110 (Sub-1TA), filed August 28, 1979. Applicant: SMALL SHIPMENT EXPRESS OF ILLINOIS, INC., 9623 N. Karlov Ave., Skokie, IL 60076. Representative: Allan Zuckerman, 29 S. LaSalle St., Chicago, IL 60603. *Commodities as are dealt in by mail order, direct selling, wholesale, and catalog sales companies*, from the facilities of Shaklee Corporation, at Chicago, IL to points in WI and points east of U.S. Hwy. 63 in MO for 180 days. An underlying ETA was granted for 90 days authority. Supporting shipper(s): Shaklee Corporation, 1900 Powell St., Emeryville, CA 94608. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 146440 (Sub-1TA), filed August 30, 1979. Applicant: BOSTON CONTRACT CARRIER, INC., P.O. Box 68, Brookline, MA 02167. Representative: Alan Bernson (same address as applicant). *Polyethylene foam* from the facilities of Voltek, Inc., in Lawrence, MA, and in Coldwater, MI to points in the United

States (except AK and HI), restricted against the transportation of commodities in bulk, for 180 days. Supporting shipper(s): Voltek, Inc., 100 Shephard St., Lawrence, MA. Send protests to: John B. Thomas, 150 Causeway Street, Boston, MA 02114.

MC 146550 (Sub-1TA), filed June 27, 1979. Applicant: PETERSEN NORTHWEST CORP., P.O. Box 3156, Midway, WA 98031. Representative: Ronald P. Erickson, 2120 Pacific Bldg., Seattle, WA 98104. *Contract carrier: irregular routes: Mobile office units*, between points in ID (Boise, Nampa, OR (Salem) and CA (Woodland) to points in WA (Bellingham, Everett, Seattle, Spokane, Tacoma, Wenatchee, Richland Aberdeen, Hoquiam and Vancouver), for the account of Design Space International, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Design Space International, 22644 Pacific Hwy. So., Midway, WA 98188. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Bldg., Seattle, WA 98174.

MC 146820 (Sub-5TA), filed August 13, 1979. Applicant: B & G TRUCKING INC., 77 E. Wilson Bridge Rd., Worthington, OH 43085. Representative: David Turano, 100 E. Broad St., Columbus, OH 43215. *Contract carrier: Irregular routes: (1) Paper and paper products and (2) empty plastic bottles* between Mason, OH, on the one hand, and on the other, points in IL, IN, KY, MI, MO, PA, TN, and WV, for 180 days. Restricted to service performed under contract of continuing contracts with Liquid Container Corporation. Supporting shipper(s): Liquid Container Corp., 1300 Nuclear Dr., P.O. Box 399, West Chicago, IL 60185. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 147110 (Sub-1TA), filed August 20, 1979. Applicant: NATIONAL FREIGHTWAYS, INC., 1923 South 111th Street, Omaha, NE 68144. Representative: J. F. Crosby, P.O. Box 37205, I-80 & Highway 50, Omaha, NE 68137. *Iron or steel articles*, from the facilities of Midwest Steel Division of the National Steel Corporation at Portage, IN to points in Cass, Pottawattamie, and Woodbury Counties, IA; and to Dodge, Douglas, Lancaster, Madison, Otoe, Platte and Seward Counties, NE for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Midwest Steel Division of National Steel Corporation, Portage, IN 46368. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 No. 14th St., Omaha, NE 68102.

MC 147131 (Sub-1TA), filed August 22, 1979. Applicant: KENNAMER

BROTHERS, INC., Route 2, Box 866, Grant, AL 35747. Representative: Donald B. Sweeney, Jr., 603 Frank Nelson Building, Birmingham, AL 35203. *Cheese, meats, meat products, meat by-products, and articles distributed by meat packing houses*, (except hides and commodities in bulk), as defined in Sections A & C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 & 766. From the facilities of Swift & Company located at points in IL, IA, MN, NE, KS, and WI to points in AL, GA, and TN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Swift & Company, 115 West Jackson Blvd., Chicago, IL 60604. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35203.

Note.—Applicant intends to interline with other carriers at principal gateways in the destination states.

MC 147540 (Sub-1TA), filed June 20, 1979. Applicant: RICHARD S. POWELL, P.O. Box 433, Everson, WA 98247. Representative: George R. LaBissoniere, 1100 Norton Bldg., Seattle, WA 98104. *Contract Carrier: irregular routes: Lumber and wood products*, between Ports of Entry on the U.S./Canada International Boundary Line in WA, on the one hand, and points in WA, OR, ID, CA, UT and NV on the other hand, under contract with Ruskin Cedar Products, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ruskin Cedar Products, 604 Bayside Road, Bellingham, WA 98225. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 147561 (Sub-3TA), filed August 30, 1979. Applicant: J. M. JONES COMPANY, Division of Super Valu Stores, Inc., 101 Jefferson Avenue, Hopkins, MN 55343. Representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, MN 55402. *Frozen foods* from Bettendorf, IA to Champaign, IL, for 180 days. Supporting shipper(s): Continental Processors, Inc., P.O. Box 414, Lafayette, CA 94549. Send protests to: Judy L. Olson, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 147680 (Sub-1TA), filed August 30, 1979. Applicant: RICHARD TARVIN, INC., Rural Route #1, Dewey, IL 61840. Representative: Edward McNamara, 907 S. 4th St., Springfield, IL 62703. *Soya products and by-products; animal and poultry feed*, between the facilities of Central Soya Co. located at Gibson City, IL and the United Warehouse facilities at East Peoria, in IN for 180 days. An underlying ETA was granted for 90 days authority. Supporting shipper(s): Central

Soya Company, Inc., P.O. Box 112, Gibson City, IL 60936. Send protests to: Cheryl Livingston, T.A. ICC 219 S. Dearborn, Rm 1386 Chicago, IL 60604.

MC 147800 (Sub-1TA), filed July 24, 1979. Applicant: ABBLEY TRANSPORT, INC., 3512 Harney Street, Vancouver, WA 98660. Representative: Philip G. Skofstad, 1525 NE. Weidler Street, Portland, OR 97232. *Container manufacturing materials and supplies* from points in CA to the facilities of Continental Co. and of American Can Co. in OR, WA, and ID and from points in WA to the facilities of Continental Can Co. and American Can Co. in CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Continental Can Company, U.S.A., 10200 N. Lombard St., Portland, OR 97203, American Can Company, 333 Gellert Blvd., Daly City, CA. Send protests to: R. V. Dubay, DS, ICC, 114 Pioneer Courthouse, 555 S. W. Yamhill St., Portland, OR 97204.

MC 147801 (Sub-1TA), filed July 23, 1979. Applicant: WAY-MAR, INC., 5730 Olympic Place, San Diego, CA 92115. Representative: Eric Meierhoefer, 1511 K Street, NW., Suite 423, Washington, DC 20005. *Sanitary maintenance products and cleaning compounds*, between Phoenix, AZ, on the one hand, and, on the other, WA, OR, CA, AZ, NV, UT, NM, TX, CO, NE, KS, MN, IA, MO, LA, IL, MI, ID, OH, and MD, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Emcor, Inc., P.O. Box 1071, Phoenix, AZ 85001. Send protests to: Irene Carlos, T.A. ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 147810 (Sub-1TA), filed August 8, 1979. Applicant: POWELL TRUCKING COMPANY, 117 Wilson Avenue, Grove Hill, AL 36451. Representative: Kossie Ray Powell (same address as applicant). *Lumber, plywood, and particleboard* between points in AL, MS, FL, GA, NC, SC and TN restricted to shipments originating at or destined to a facility of or utilized by MacMillan Bloedel Bldg. Materials, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): MacMillan Bloedel Building Materials, Div. of MacMillan Bloedel, Inc., 6540 Powers Ferry Road, Suite 200, Atlanta, GA 30339. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35203.

MC 147821 (Sub-2TA), filed July 27, 1979. Applicant: JOEL OLSON, P.O. Box 837, Clatskanie, OR 97016. Representative: Lawrence V. Smart, Jr., 419 NW. 23rd Ave., Portland, OR 97210. *Wood residuals* from the Longview Fibre Co. sorting yard at or near

Clatskanie, OR to Longview, WA and its commercial zone for 180 days. MC 147821 R granted 7/27/79, expires 10/24/79. An underlying ETA seeks 90 days authority. Supporting shipper(s): Longview Fibre Co., Clatskanie, OR. Send protests to: R. V. Dubay, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, OR 97204.

MC 147830 (Sub-1TA), filed July 30, 1979. Applicant: IOWA-NEBRASKA STEEL TRANSPORTATION CO., 5092 NE. 46th Ave., Altoona, IA 50009. Representative: Thomas E. Leahy, Jr., 1980 Financial Ctr., Des Moines, IA 50309. *Iron and steel articles and non-ferrous metals* from the facilities of Central Steel and Wire at Chicago, IL, to points in IA and NE, restricted to traffic originating at the named origin and destined to the indicated destinations, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Central Steel & Wire, 3000 W. 51st St., Chicago, IL 60632. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 147831 (Sub-5TA), filed August 30, 1979. Applicant: CENTRAL STATES EXPRESS, INC., P.O. Box 2464, Jackson, TN 38301. Representative: Abraham A. Diamond, 29 South LaSalle Street, Chicago, IL 60603. (1) *Electrical apparatus*; (2) *Materials, equipment, and supplies used in the manufacture and distribution of electrical apparatus*, between the facilities of Switches, a Division of Dura Corporation, in or near Humboldt, TN, on the one hand, and, on the other, points in the States of IL, IN, CA, FL and TX. Supporting shipper(s): Switches (a Division of Dura Corp.), 2200 Viking Drive, Humboldt, TN 38343. Send protests to: Floyd A. Johnson, 100 North Main Street, Suite 2006, Memphis, TN 38103.

MC 147940 (Sub-1TA), filed August 14, 1979. Applicant: MAE DUBLIN d.b.a. DUBLIN TRUCKING, Route 5, Miller Church Rd., P.O. Box 215, Mayfield, KY 42066. Representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Street, Memphis, TN 38103. *Clay, in bags* from the facilities of Old Hickory Clay Company at Hickory, KY and Gleason, TN to Ohio, IL, IN, KY (except from Hickory), TN (except from Gleason), PA, MO, and MI and to Baltimore MD, Woodstock VA, Manville NJ, Waterford NY, Houston MS, Little Rock AR, Chester and Newell WV, and Leesburg AL. A corresponding ETA has been granted for 90 days. Supporting shipper(s): Old Hickory Clay Company, Route 2, Box 303, Mayfield, KY 42066. Send protests to: Floyd A. Johnson, Suite

2006, 100 North Main Street, Memphis, TN 38103.

MC 147950 (Sub-1TA), filed August 6, 1979. Applicant: SIMCO TRUCKING, INC., Front & Townsend Sts., Chester, PA 19013. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Scrap metals, in dump vehicles*, from Philadelphia, PA to Elizabeth, NJ and Baltimore, MD for for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Can Co., American Lane, Greenwich, CT 06830. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 147980 (Sub-1TA), filed August 16, 1979. Applicant: 321 EQUIPMENT LEASING CO., 712 W. Airline Ave., Gastonia, NC 28052. Representative: W. G. Reese III, P.O. Box 3004, Charlotte, NC 28203. *Contract carrier—Irregular Routes; Empty glass bottles, and dry dairy products* between the facilities of Borden Foods, Inc. located at Chester, SC and warehouse facilities at or near Rock Hill, SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Borden Foods Division, Borden Foods, Inc., 180 E. Broad St., 21st Floor, Columbus, OH 43215. Send protests to: Sheila Reece, Transportation Assistant, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 147991 (Sub-1TA), filed August 15, 1979. Applicant: HAMMOND TRUCKING, INC., 1131 S. Dunlop, Forest Park, IL 60130. Representative: Dwight Harris, 7310 Constance, Chicago, IL 60649. *Meats, packing-house products and commodities used by packing-houses*, from the facilities of Swift & Co. at Rochelle, IL, St. Charles and Bradley, IL to points in the states of GA, FL, AL, MS, NC, SC, and TN for 180 days. An underlying ETA seeks 90 days. Supporting shipper(s): Swift & Co., 115 W. Jackson Blvd., Chicago, IL 60604. Send protests to: Dave Hunt, T/A, 219 S. Dearborn St., Room 1386, Chicago, IL 60604.

MC 148000 (Sub-2TA), filed August 20, 1979. Applicant: C. H. DREDGE & CO., INC., 918 South 2000 West, Syracuse, UT 84041. Representative: Bruce W. Shand, 430 Judge Building, Salt Lake City, UT 84111. *Meat, meat products and meat by products*, 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, from the facilities of Efans Meat Co. at or near Laveen, AZ to points in CA, CO, MN, TX and UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Evans Meat Co., Box 123 B, Laveen, AZ 85339. Send

protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 148060 (Sub-1TA), filed August 22, 1979. Applicant: STOVER LINES, INC., 5636 NW 17th, Topeka, KS 66608. Representative: Clyde N. Christey, 110L, 1010 Tyler, Topeka, KS 66612. (1) *Dry Feed Ingredients*, from facilities of Ralston Purina Co., located in North Kansas City, MO, to points in AR, KS, OK & Flagstaff, AZ. (2) *Soybean meal, dry feed and dry feed ingredients*, from facilities of Ralston Purina Co., located in Kansas City, MO to points in AR, KS, OK & Flagstaff, AZ for 180 days, common, irregular; 90-day ETA filed simultaneously; supporting shipper: Ralston Purina Co., 2334 Rochester, Kansas City, MO; send protests to: M. E. Taylor, DS, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 148071 (Sub-2TA), filed July 30, 1979. Applicant: COFER TRANSPORT, INC., R.R. No. 1, Box 42, Willard, OH 44890. Representative: Arthur R. Cline, 420 Security Building, Toledo, OH 43604. *Printed matter, directories, catalogs, and books, N.O.I.; and, materials, supplies and equipment used in the manufacturing, printing and preparation for shipping of these items between Sandusky, Shelby and Willard, OH, on the one hand, and, on the other, points in the states of IN, KY, MD, MI, NJ, NY, PA, TN, OH, and VA for 180 days.* Supporting shipper(s): R. R. Donnelly & Sons Co., 1145 Conwell Avenue, Willard, OH 44890. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 148130 (Sub-TA), filed August 22, 1979. Applicant: SHARP TRANSPORT, INC., Route 1, Box 20, Ethridge, TN 38456. Representatives: Jean Nelson Beckner P.O. Box 2757, Nashville, TN 37219; and Henry E. Seaton, 929 Pennsylvania Building, 13th and Pennsylvania Avenue, N.W., Washington, DC 20004. *Contract carrier: irregular routes: Such articles as are dealt in by manufacturers of bicycles and lawn and garden care equipment and commodities used in the manufacture of same between Lawrenceburg, TN, on the one hand, and, on the other, points in the United States (Except HI and AK), for 180 days.* RESTRICTION: Restricted to traffic moving under a continuing contract with Murray Ohio Manufacturing Co., Inc. Supporting shipper(s): Murray Ohio Manufacturing Co., Inc., Hannon Drive, Lawrenceburg, TN 38464. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 148131 (Sub-TA), filed August 23, 1979. Applicant: JAMTRAN, INC., Box 57, St. Hilaire, MN 56754. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. *Prestressed concrete products*, from the facilities of Concrete, Inc., at Grand Forks, ND, to points in MN and SD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Concrete, Inc., P.O. Box 908, Grand Forks, ND 58201. Send protests to: H. E. Farsdale, DS, ICC, Room 268 Federal Building, 657 2d Avenue North, Fargo, ND 58102.

MC 148191 (Sub-TA), filed September 6, 1979. Applicant: GERALD J. MAJERUS d.b.a. L & M TRUCKING, P.O. Box 486, Kelso, WA 98626. Representative: William H. Grady, 1100 Norton Building, Seattle, WA 98104. (1) *Canned goods*; and (2) *scrap paper baled* (1) from the Port of Longview, WA to points in IL, KS, MN, MO, NE, OK, WI, IA, MI; (2) from Kent, WA to Springfield, OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mitsubishi International Corp., 875 No. Michigan Avenue, Chicago, IL 60611. Weyerhaeuser Co., 2525 S. 336th Federal Way, Tacoma, WA 98477. Send protests to: R. V. Dubay, DS, ICC, 114 Pioneer Courthouse, Portland, OR 97204.

MC 148231 (Sub-TA), filed August 8, 1979. Applicant: SIKORA & WILSON, INC., d.b.a. EAST-WEST EXPRESS, 7900 N. Frontage Road, Hinsdale, IL 60521. Representative: Robert J. Gill, 29 S. LaSalle Street, Suite 740, Chicago, IL 60521. *Chemicals, paint and paint products, textile fibers, film, plastic granules, plastic articles and products in refrigerated or protective service equipment, except commodities in bulk*, between the facilities of E.I. du Pont de Nemours & Co., Inc. at or near Des Plaines, IL and Parkersburg, WV on the one hand, and, on the other, points in the U.S. except AK and HI, for 180 days. Supporting shipper(s): E.I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, DE 19898. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604

Motor Carrier of Passengers

MC 147090 (Sub-2TA), filed August 20, 1979. Applicant: ANDRE R. DESJARDINS LTD., P.O. Box 130, Martintown, Ontario K0C 1S0. Representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, NY 14202. *Passengers and their baggage, in round-trip charter operations*, beginning and ending at points in Canada, between ports of entry on the international boundary line between the United States and Canada located in MI and NY, and all points in the United States,

for 180 days. Supporting shipper(s): There are eleven shippers. Their statements may be examined at the office listed below and headquarters. Send protests to: Anne C. Siler, TA, ICC, 910 Federal Building, 111 W. Huron Street, Buffalo, NY 14202.

MC 147710 (Sub-1TA), filed August 17, 1979. Applicant: ACE CAB OF ELKHART, INC., 300 E. High Street, Elkhart, IN 46514. Representative: W. H. Chester, 317 W. Franklin Street, P.O. Box 1261, Elkhart, IN 46515. *Contract carrier: irregular routes: Passengers who are employees of Consolidated Rail Corporation*, from Elkhart, IN to points in IL, OH, and MI for 180 days. Supporting shipper: Consolidated Rail Corporation, Robert Young Yards, Elkhart, IN 46514. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio Street, Room 429, Indianapolis, IN 46204.

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MC 109 (Sub-3TA), filed August 27, 1979. Applicant: CAMPBELL'S AUTO EXPRESS, Lambs Road and Laurel Drive, Pitman, NJ 08071. Representative: Raymond A. Thistle, Jr., Five Cottman Court, Homestead Road and Cottman Street, Jenkintown, PA 19046. *Phonograph records, phonograph record jackets, sleeves, labels, and label paper, phonographs, phonograph machinery parts, sound recording tapes and printed matter relating to the foregoing commodities.* Between the plantsites of CBS Records, a division of CBS, Inc., at Pitman, NJ and of Polygram Distribution Inc., located at Edison, NJ on the one hand, and, on the other, points in CT, DE, MD, MA, NY, PA and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Polygram Distribution, Inc., 810 Seventh Avenue, New York, NY 10019. Send protests to: Robert E. Johnston, D/S, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 13569 (Sub-54TA), filed August 9, 1979. Applicant: THE LAKE SHORE MOTOR FREIGHT CO., INC., 1200 S. State Street, Girard, OH 44420. Representative: M. R. Werner, 167 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07006. *Steel guard rails and steel and iron pipe and tubing* from the facility of Regal Tube Co., 7401 S. Linder Ave., Chicago, IL to points in IN, MI, NJ, NY, OH and PA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Regal Tube Co., 7401 S. Linder Avenue, Chicago, IL 60638. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 21259 (Sub-6TA), filed August 24, 1979. Applicant: GERTSEN CARTAGE CO., INC., 3000 Hirsch Street, Melrose Park, IL 60160. Representative: Anthony Vance, 1307 Dolley Madison Boulevard, McLean, VA 22101. *General Commodities (with the usual exceptions) in containers*, between O'Hare Airport in Chicago, IL and points in IN, IL, and MO, restricted to traffic having a prior or subsequent movement by air by Northwest Airlines for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Northwest Airlines, 29 E. Madison, Chicago, IL 60602. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 25798 (Sub-389TA), filed August 30, 1979. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, FL 33823. Representative: Tony G. Russell (same address as applicant). *Plumbing fixtures and fittings and accessory parts and supplies* from New Orleans, LA to points in FL restricted to shipments originating at the facilities of American Standard, Inc. for 180 days. Supporting shipper(s): American Standard, Inc., P.O. Box 2003, New Brunswick, NJ 08903. Send protests to: Donna M. Jones, T/A, ICC-BOP, Monterey Building, Suite 101, 8410 N.W. 53d Terrace, Miami, FL 33166.

MC 26739 (Sub-106TA), filed July 26, 1979. Applicant: ALFARM TRUCKLINES, 1703 Embracadero Road, Palo Alto, CA 94303. Representative: Richard G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. *Tires, tubes and related articles* which, because of size and weight, require special equipment; between the plant site of Goodyear Tire and Rubber Co., at or near Topeka, KS on the one hand, and, on the other, Aurora, Decatur, Libertyville, and Peoria, IL, for 180 days. Supporting shipper(s): Goodyear Tire & Rubber Co., P.O. Box 1917, Topeka, KS 66601. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 40978 (Sub-67TA), filed July 27, 1979. Applicant: CHAIR CITY MOTORS EXPRESS CO., 3321 Business 141 South, Sheboygan, WI 53081. Representative: Wm. C. Dineen, 710 N. Plankinton Avenue, Milwaukee, WI 53203. *Materials and supplies used in the manufacture of office furniture* from Buffalo, NY; Lancaster, Williamsport, McKeesport, Wyoming and Philadelphia, PA; Grant Rapids, MI; Gardner, MA; Bridgeport, CT; Indianapolis & Ft. Wayne, IN; Odenton, MD; Hampton, SC; Hickory, NC; and Hopkinsville & Georgetown, KY to facilities of All-Steel Inc. at Aurora, IL, for 180 days. An underlying ETA seeks

90 days authority. Supporting shipper(s): All-Steel Inc., P.O. Box 871, Aurora, IL 60507. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

MC 44449 (Sub-3TA), filed June 27, 1979. Applicant: BLUE BIRD VAN & STORAGE CO., INC., N. 15 Grant, Spokane, WA 99002. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. *Sacked concrete, mortar and sand products*, from Spokane, WA to points in ID, MT and OR, restricted to traffic moving from the facilities of Central Pre-Mix Concrete Co. An underlying ETA seeks 90 days authority. Supporting shipper(s): Central Pre-Mix Concrete Co., TA Box 3366, Spokane, WA 99220. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 50069 (Sub-551TA), filed August 6, 1979. Applicant: REFINERS TRANSPORT & TERMINAL CORP., 445 Earlwood Avenue, Oregon, OH 43616. Representative: William P. Fromm (same address as applicant). *Paint*, in bulk, in tank vehicles, from Flint, MI to Aurora, IN, for 180 days. Supporting shipper(s): E. I. du Pont de Nemours & Co., T. & D. Department, Wilmington DE 19898. Send protests to: ICC Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 52709 (Sub-375TA), filed August 24, 1979. Applicant: RINGSBY TRUCK LINES, INC., P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (same address as applicant). *Alcoholic liquors and wine* (except in bulk) from Bardstown and Frankfort, KY and Cincinnati, OH to Denver, CO for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper(s): McKesson Wine & Spirit Co., 1800 Bassett, Denver, CO 80204. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 58549 (Sub-34TA), filed August 13, 1979. Applicant: GENERAL MOTOR LINES, INC., 1634 Granby Street, NE, P.O.B. 13727, Roanoke, VA 24034. Representative: Jerry D. Beard (same address as applicant). *Common carrier, regular routes, general commodities*, with the usual exceptions, between Pulaski, VA and Bluefield, WV (a) from Pulaski, VA over US Hwy. 11 to junction VA Hwy 100 at or near Dublin, VA, then over VA Hwy 100 to junction US Hwy 460 at or near Pearisburg, VA, then over US Hwy 460 to Bluefield, WV and return over the same route, and (b) from Pulaski, VA over US Hwy 11 to junction Interstate Hwy 81 then over Interstate Hwy 81 to junction Interstate Hwy 77, then over Interstate Hwy 77 to junction US Hwy 21 and 52 near Rocky Gap, VA,

then over US Hwy 21 and 52 to Bluefield, WV and return over the same route, serving all intermediate points and their commercial zones on Routes (a) and (b) above, for 180 days.

Note.—Applicant proposes to tack the authority sought here with its existing operating authority. It proposes to interline at Pulaski, and Roanoke, VA and Dobson, NC. An underlying ETA seeks 90 days authority.

Supporting shipper(s): Blue Ridge Talc Co., P.O.B. 39, Henry, VA 24102, Commonwealth Medical Supply, 927 Williamson Road, Roanoke VA 24013; Skyland Hospital Supply Co., 250 Bluefield Ave., Bluefield, WV 24701; Helms Brothers, 701 Bland Street, Bluefield, WV 24701. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 105269 (Sub-81TA), filed August 24, 1979. Applicant: GRAFF TRUCKING CO., INC., 2110 Lake Street, Kalamazoo, MI 49005. Representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, MI 49503. *Lift trucks, material handling equipment and parts therefore*, restricted to traffic with prior or subsequent movement by rail; between Battle Creek, MI and Chicago, IL. Restricted to the plantsite of Clark Equipment Company and destined to Chicago, IL. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Clark Equipment Co., 522 N. 24th Street, Battle Creek, MI 49016. Send protests to: C. R. Flemming, D/S, ICC, 255 Federal Building, Lansing, MI 48933.

MC 109689 (Sub-361TA), filed August 28, 1979. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, UT 84087. Representative: Mark K. Boyle, Attorney at Law, 10 West Broadway Building, Suite 400, Salt Lake City, UT 84101. *Crude oil, in bulk*, from Trap Springs, Nye County, NV to Gary Western Refinery near Fruita, CO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Husky Oil Co., 600 South Cherry Street, Denver, CO 80222. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Building, Salt Lake City, UT 84138.

MC 109818 (Sub-67TA), filed July 28, 1979. Applicant: WENGER TRUCK LINE, INC., P.O. Box 3427, Davenport, IA 52808. Representative: Larry D. Knox, 600 Hubbell Building, Des Moines, IA 50309. (1) *Meat, Meat products, meat by-products and articles distributed by meat packinghouses* as described in Sections A & C of Appendix I to Motor Carrier Descriptions, 61 M.C.C. 209, and 766, and *foodstuffs* moving in mixed loads with the commodities in (1) above, in vehicles equipped with mechanical refrigeration, restricted against the

transportation of skins, hides, and commodities in bulk, from Davenport, IA, to Sioux Falls, S.D. and points in NE for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Oscar Mayer & Co., P.O. Box 7188, Madison, WI 53707. Send protests to: Herbert W. Allen D/S, Interstate Commerce Commission, 518 Federal Building, Des Moines, IA 50309.

MC 111289 (Sub-13TA), filed August 13, 1979. Applicant: RICHARD D. FOLTZ, 613 Hillcroft Avenue, Cressona, PA 17929. Representative: S. Berne Smith, P.O. Box 1166, 100 Pine Street, Harrisburg, PA 17108. *Contract carrier*, irregular routes, *foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk), from the facilities of Nestle Co., Inc. in Camden and Gloucester Counties, NJ to Derry Township, Dauphin County, PA. Restricted to transportation to be performed under contract with Nestle Co. Inc. of White Plains, NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Nestle Co., Inc., 100 Bloomingdale Road, White Plains, NY 10605. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street., Room 620, Philadelphia, PA 19106.

MC 113678 (Sub-838TA), filed June 25, 1979. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (same address as above). *Petroleum products* from Toledo, OH to Siegel Oil Company at or near Denver, CO, for 180 days. Supporting shipper(s): Siegel Oil Co., 1380 Zuni Street, Denver, CO 80204. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 113678 (Sub-839TA), filed June 27, 1979. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Rober M. Shaner (same address as above). *Canned and preserved foodstuffs* (except in bulk) from Greeley Foods Inc., near Greeley, CO to points in the United States (except AK, CO and HI), for 180 days. Supporting shipper(s): Greeley Foods, Inc., 2626 8th Avenue, Greeley, CO 80631. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 113678 (Sub-840TA), filed June 27, 1979. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (Same address as above). *Frozen foods*, from the facilities of Ore-Ida-Foods, Inc. located in OR and ID, to points in AZ (representative points Flagstaff, Glendale, and Tucson), for 180 days. Supporting shipper(s): Ore-Ida Foods, Inc., Box 10, Boise, ID 83707. Send

protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 113678 (Sub-841TA), filed July 20, 1979. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (same address as above). *General commodities* (except Classes A & C explosives, household goods as defined by the Commission, commodities which because of size and weight require special equipment, and commodities in bulk), from Chicago, IL and points in its commercial zone to Denver, CO and points in its commercial zone, serving no intermediate points; from Chicago, IL over Interstate Highway 80 to junction Interstate Highway 76, then over Interstate Highway 76 to Denver, CO, for 180 days. Applicant does intend to tact the authority here applied for to another authority. Underlying ETA seeks 90 days identical authority. Supporting shipper(s): (34 supporting shippers). Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 114408 (Sub-11TA), filed May 29, 1979. Applicant: TRI-AREA TRUCKING CO., 320 W. Edgerton Street, Bryan, OH 43506. Representative: Robert W. Gardier, Jr., 100 E. Broad Street, Columbus, OH 43215. *Raw foundry sand and resin coated foundry sand* from Muskegon, MI; Bridgman, MI, and Chicago, IL, to the facilities of the General Motors Corporation Central Foundry Division located at or near Defiance, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Central Foundry, Division GMC, 77 W. Center Street, Box 1629, Saginaw, MI 48605. Send protests to: D/S, ICC, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 114569 (Sub-344TA), filed August 8, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins, same address as applicant. *Bananas*, from Tampa, FL to points in MN, WI, IL, MI, KS, OH, PA, NY, NJ, DE, MD, VA, WV, NE, DC, KY, TN, IA, MA, MO, AL and GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Del Monte Banana Co., 1201 Brickell Avenue, Miami, FL 33101. Send protests to: ICC, Federal Reserve Bank Bldg., 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 114569 (Sub-345TA), filed August 20, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same as applicant). *Frozen foods* from Hartford, CT and Wethersfield, CT to Syracuse, NY; Allentown, PA; Atlanta, GA; Chicago,

IL; Dallas, TX; Anaheim, CA; Burley, ID; Greenville, MI Plover, WI; Massillon, OH; Bonner Springs, KS for 180 days. Supporting Shipper(s): Foodways National, Inc., 1000 Silas Deane Highway, Wethersfield, CT 06109. Send protests to: I.C.C. Fed. Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 116319 (Sub-13TA), filed May 23, 1979. Applicant: WASHINGTON TRUCKING, INC., P.O. Box 107, Darrington, WA 98421. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. *Cement, in sacks*, from Seattle, WA to Portland, OR for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Lone Star Industries, Inc., 901 Fairview Avenue N., Seattle, WA 98109. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 116859 (Sub-24TA), filed August 16, 1979. Applicant: CLARK TRANSFER, INC., P.O. Box 190, Burlington, NJ 08016. Representative: David A. Sutherland, Fulbright & Jaworski, 1150 Connecticut Avenue, N.W. Suite 400, Washington, DC 20036. *Printed matter*. From Chicago, IL to Old Saybrook, CT, Baltimore, MD; Glendale, MD; Lancaster, PA; Philadelphia, PA; Merrifield, VA; and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Time, Inc., 303 E. Ohio Street, Chicago, IL 60611. Send protests to: Robert E. Johnston, D/S, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 117119 (Sub-776TA), filed August 14, 1979. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, AR 72728. Representative: L. M. McLean (same address as applicant). *Meat, meat products, and meat by-products*, from facilities of Iowa Beef Processors, Inc., at or near Amarillo, TX to points in AL, GA, MS, NC, SC, TN and VA for 180 days. Underlying ETA seeks 90 days authority. Supporting Shipper(s): Iowa Beef Processors, Inc., Dakota City, NE 68731. Send protests to: William H. Land, DS, 3108 Federal Building, Little Rock, AR 72201.

MC 118779 (Sub-13TA), filed August 7, 1979. Applicant: PENNSYLVANIA TRUCK LINES, INC., 49th Street and Parkside Avenue, Philadelphia, PA 19131. Representative: S. Berne Smith, P.O.B. 1165, 100 Pine Street, Harrisburg, PA 17108. *Contract carrier*, irregular routes, *lumber cross ties* from points in TN to Toledo, OH; Indianapolis, IN and Madison, IL, under a continuing contract with ConRail, Philadelphia, PA, for 180 days. Supporting shipper(s): ConRail

Corp., 1528 Walnut Street, Philadelphia, PA 19102. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 119349 (Sub-33TA), filed August 30, 1979. Applicant: STARLING TRANSPORT LINES, INC., P.O. Box 1733, Fort Pierce, FL 33450. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, DC 20001. *Meat, meat products and meat by-products*, as described in Appendix I to Descriptions in Motor Carrier Certificate 61 M.C.C. 209 and 270 (1952) from the facilities of Roberts Food Products, at or near Pennsauken, NJ to New Orleans, LA, Houston and Fort Worth, TX, Denver, CO and points in CA for 180 days. Supporting shipper(s): Roberts Food Products, 6710 Westfield Avenue, Pennsauken, NJ 08110. Send protests to: Donna M. Jones, T/A, ICC-BOP, Monterey Building, Suite 101, 8410 N.W. 53d Terrace, Miami FL 33166.

MC 119619 (Sub-139TA), filed August 20, 1979. Applicant: DISTRIBUTERS SERVICE CO., 2000 W. 43d Street, Chicago, IL 60609. Representative: Arthur J. Piken, Suite 1515, One Lefrak City Plaza, Flushing, NY 11368. (1) *Flour, donut and pastry icings, toppings, and coatings, and pastry fillings (except commodities in bulk and frozen foods)*, and (2) *canned goods when moving in mixed shipments with the commodities described in (1) above*, from the facilities utilized by DCA Food Industries, Inc. located at Hillsdale and Jonesville, MI to points in CO, CT, DE, DC, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA and WV for 180 days. Supporting shipper(s): DCA Food Industries, Inc., 919 3d Avenue, New York, NY 10022. Send protests to: Dave Hunt, T/A, 219 S. Dearborn St., Room 1386, Chicago, IL 60604.

MC 119789 (Sub-631TA), filed August 17, 1979. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr. (address same as above). *Drugs, medicines and related displays*, from New Brunswick, South Plainfield, North Brunswick and Somerset, NJ to Houston, TX for 180 days. Underlying ETA for 90 days filed. Supporting shipper(s): E. R. Squibb & Sons, Inc., 5 Georges Road, New Brunswick, NJ 08903. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Building, 819 Taylor Street, Fort Worth, TX 76102.

MC 125689 (Sub-9TA), filed August 21, 1979. Applicant: BEATTYVILLE TRANSPORT, INC., P.O. Box 357, Catlettsburg, KY 41129. Representative: Oakie G. Ford, president (same as

above). *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Boyd County, KY to points in OH and WV. Supporting shipper(s): Harold Vanhoose, owner, Southeast Oil Co., 1205 McKinley Avenue, Ashland, KY 41101. Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Building, Louisville, KY 40202.

MC 126679 (Sub-18TA), filed August 21, 1979. Applicant: DENNIS TRUCK LINE, INC., P.O. Box 189, Vidalia, GA 30474. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Boulevard, Atlanta, GA 30349. *Plywood or veneer*, between the facilities of Woodcraft Incorporated at or near Madison, GA on the one hand and points in AL, DE, FL, MD, MS, NJ, NY, NC, PA, SC, TN, and VA, on the other hand, for 180 days. Supporting shipper(s): Woodcraft Incorporated, P.O. Box 2489, Peachtree City, GA 30269. Send protests to: G. H. Fauss, Jr., DS, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 126949 (Sub-1TA), filed August 16, 1979. Applicant: ATLANTIC COAST IMPORT CARRIERS, INC., 316 S. 6th Avenue, La Grange, IL 60525. Representative: Joan Devitt (same address as applicant). *General commodities (with the usual exceptions)*, between (and including the commercial zones of) Cleveland and Toledo, OH, Chicago, Decatur, Moline and Peoria, IL, St. Louis, MO, and Milwaukee, WI and (including the commercial zones of) Boston, MA, New York, NY, Elizabeth and Sommerville, NJ, Philadelphia, PA, Baltimore, MD, and Norfolk and Richmond, VA for 180 days. Supporting shipper(s): Sokol & Co., 5315 Dansher Road, Countryside, IL 60525. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 127539 (Sub-80TA), filed June 1, 1979. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Avenue East, Tacoma, WA 98424. Representative: Michael D. Duppenhaler, 211 S. Washington Street, Seattle, WA 98104. *Frozen Foods, and materials and supplies utilized in the manufacturing and distribution of frozen foods*, between points in WA, OR, CA and MN, restricted to shipments originating at or destined to the facilities of Stokely-Van Camp, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Stokely-Van Camp, Inc., 941 N. Meridian Street, Indianapolis, IN 46206. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 127739 (Sub-6TA), filed August 31, 1979. Applicant: BOYCE BRUCE

TRUCKING CO., INC., 517 N. Metts Street, Louisville, MS 39339. Representative: Harold D. Miller, Jr., P.O. Box 22567, Jackson, MS 39205. *Contract carrier: irregular routes: Lumber* from the facilities of TMA Forest Products, Division of Tennessee River Pulp & Paper Co. at or near Ackerman, MS to AL, AR, GA, IL, IN, IA, KS, KY, LA, MI, NE, OH, TX, WI, OK, MO, TN, WV, and VA, for the account of TMA Forest Products, Div. of TN River Pulp & Paper Co., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): TMA Forest Products, Division of TN River Pulp & Paper Co., P.O. Box 2388, Jasper, AL 35501. Send protests to: Alan Tarrant, D/S, ICC, Federal Building, Suite 1441, 100 W. Capitol Street, Jackson, MS 39201.

MC 133119 (Sub-172TA), filed August 22, 1979. Applicant: HEYL TRUCK LINES, INC., P.O. Box 206, 200 Norka Drive, Akron, IA 51001. Representative: A. J. Swanson, P.O. Box 1103, 300 South Thompson Avenue, Sioux Falls, SD 57101. *Meats, meat products and meat by-products* from Hawarden, IA to points in NC, SC, FL and GA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hawarden of Iowa, Inc., P.O. Box 87, 315, 10th Street, Hawarden, IA 51023. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th Street, Omaha, NE 68102.

MC 135069 (Sub-3TA), filed August 20, 1979. Applicant: ROCKAWAY TRUCKING, INC., Route 46, Rockaway, NJ 07866. Representative: Dixie C. Newhouse, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, MD 21740. *Contract, irregular. New containers and cylinders*. From Columbus, OH and Plano, TX and their respective commercial zones to Wichita, KS and its commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Racon, Inc. 6040 South Ridge Road, Wichita, KS 67201. Send protests to: Joel Morrows, D/S, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 138469 (Sub-181TA), filed August 24, 1979. Applicant: DONCO CARRIERS, INC., 4720 S. W. 20th Street, Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Avenue, Suite 200, Park Ridge, IL 60068. *Such commodities as are manufactured, dealt in and used by producers of health care products, personal care products, beauty care products and household cleaning products (except commodities in bulk)*, from the facilities of Shaklee Corporation at or near Hayward, CA, to Denver, CO, Portland, OR, and Salt Lake

City, UT, and points in their respective commercial zones, restricted to the transportation of traffic originating at the named origin and destined to the indicated destinations, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Shaklee Corporation, 1900 Powell Street, Emeryville, CA 94662. Send protests to: Connie Stanley, ICC, Room 240, 215 N.W. 3d Street, Oklahoma City, OK 73102.

MC 138469 (Sub-182TA), filed August 24, 1979. Applicant: DONCO CARRIERS, INC., 4720 S.W. 20th Street, Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Avenue, Suite 200, Park Ridge, IL 60068. *Confectionery* (except in bulk), in vehicles equipped with mechanical refrigeration, from Dallas, TX, and points in its commercial zone, to the facilities of Shaklee Corporation at Atlanta, GA, Chicago, IL, Dayton, NY, and Hayward, CA, and points in their respective commercial zones, restricted to the transportation of traffic originating at or destined to the facilities of the Shaklee Corporation, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Shaklee Corp., 1900-Powell Street, Emeryville, CA 94662. Send protests to: Connie Stanley, ICC, Room 240, 215 N.W. 3d, Oklahoma City, OK 73102.

MC 138469 (Sub-183TA), filed August 28, 1979. Applicant: DONCO CARRIERS, INC., 4720 S.W. 20th Street, Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Avenue, Suite 200, Park Ridge, IL 60068. *Methanol alcohol*, except in bulk, from Marcus Hooks, PA, to the facilities of Smith Gas Company at or near Carnegie, OK, restricted to the transportation of traffic originating at the named origin and destined to the indicated destination, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Smith Gas Co., P.O. Box 629, Carnegie, OK 73015. Send protests to: Connie Stanley, ICC, Room 240, 215 N.W. 3d, Oklahoma City, OK 73102.

MC 140349 (Sub-2TA), filed August 21, 1979. Applicant: COPE-BESTWAY EXPRESS, INC., 2024 Harvey Road, Grand Island, NY 14072. Representative: D. Thomas Cope (same address as above). *Contract carrier*—irregular routes. *Abrasives, including grinding wheels, stones, paper, cloth, grain, crude and materials used in the manufacture of abrasives; insulating material NOI and insulating paper (high temperature) and materials used in the manufacture of high temperature insulating material; and Refractory products (high*

temperature), including firebrick and shapes produced from silicon carbide and aluminum oxide, between the facilities of the Carborundum Company located in Niagara County, NY, on the one hand, and, on the other, points in the States of CT, IL, IN, MA, NY, NH, NJ, MI, OH, PA and RI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Carborundum Co., Inc., P.O. Box 337, Niagara Falls, NY 14302. Send protests to: Anne C. Siler, TA, ICC, 910 Federal Building, 111 West Huron Street, Buffalo, NY 14202.

MC 140709 (Sub-12TA), filed August 22, 1979. Applicant: FANKHAUSER BROS., INC., 139 Hillside, El Dorado, KS 67042. Representative: Clyde N. Christey, Suite 110L, 1010 Tyler, Topeka, KS 66612. *Liquid feed* from facilities of Ralston Purina Co., Kansas City, MO to KS and OK for 180 days, common, irregular. Supporting shipper(s): Ralston Purina Co., 2334 Rochester, Kansas City, MO. Send protests to: M. E. Taylor, DS, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 140829 (Sub-319TA), filed August 28, 1979. Applicant: CARGO, INC., P.O. Box 206, U.S. Highway 20, Sioux City, IA 51102. Representative: David L. King (same address as applicant). *Computing machine paper, printed or non printed* from Dallas, TX to points in AR, CO, KS, MD, MO, NE, OK, and D.C. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Texas Stock Tab, 8804 Sovereign Row, Dallas, TX 75247. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 No. 14th St., Omaha, NE 68102.

MC 140829 (Sub-320TA), filed August 16, 1979. Applicant: CARGO, INC., P.O. Box 206, U.S. Highway 20, Sioux City, IA 51102. Representative: David L. King (same address as applicant). *Wooden doors, wooden screens, wooden blinds, compressed wood fire logs and other wood products* from the facilities of McLeland-Harris Door Co., Inc. at or near Fort Worth and Mount Pleasant, TX to all points in AR, KS, MO, OK and TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): McLeland-Harris Door Co., Inc., 3131 West Bolt St., Fort Worth, TX 76110. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 140829 (Sub-321TA), filed August 17, 1979. Applicant: CARGO, INC., P.O. Box 206, U.S. Highway 20, Sioux City, IA 51102. Representative: David L. King (same address as applicant). *Aluminum cots, rollaway bed, folding tables and chairs, polyfoam mattresses, stadium seats, trampolines, ping pong tables, weight lifting benches and gym apparatus* from the facilities utilized by

Imperial American Company at Tyler, TX to points in CO, IL, MD, MI, MN, NY, OH and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Imperial American Company, P.O. Box 878, Tyler, TX 75710. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 140829 (Sub-322TA), filed August 21, 1979. Applicant: CARGO, INC., P.O. Box 206, U.S. Highway 20, Sioux City, IA 51102. Representative: David L. King (same address as applicant). *Glazed ceramic wall and floor tile* from the facilities of Huntington, Tile, Inc., at or near Fort Worth, TX to points in IL, IA, KS, MO, NE and SD for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Huntington Tile, P.O. Box 7292, Fort Worth, TX 76111. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 No. 14th St., Omaha, NE 68102.

MC 141459 (Sub-11TA), filed August 17, 1979. Applicant: A.G.S. ENTERPRISES, INC., 809 Columbia Boulevard, Litchfield, IL 62056. Representative: Allan C. Zuckerman, 39 S. LaSalle St., Chicago, IL 60603. *Corrugated boxes*, from Mt. Olive, IL to points in IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Forest Products Division, Owens-Illinois, Inc., P.O. Box 1035, Toledo, OH 43666. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 141459 (Sub-12TA), filed August 17, 1979. Applicant: A.G.S. ENTERPRISES, INC., 809 Columbia Blvd., Litchfield, IL 62056. Representative: Allan Zuckerman, 39 S. LaSalle St., Chicago, IL 60603. *Zinc Oxide*, from Hillsboro, IL to MO and E. St. Louis, IL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): ASARCO Incorporated, 611 Olive St., Suite 1755, St. Louis, MO 63101. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 142059 (Sub-98TA), filed August 24, 1979. Applicant: CARDINAL TRANSPORT, INC., 1830 Mound Rd., Joliet, IL 60436. Representative: Jack Riley (same address as applicant). *Iron and steel plate or sheet*, between Cleveland, OH and Chicago, IL, Commercial Zones for 180 days. Supporting shipper(s): Temson-Roby Steel, Inc., 6100 Truscon Ave., Cleveland, OH 44127. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 142368 (Sub-29TA), filed August 30, 1979. Applicant: DANNY HERMAN TRUCKING, INC., 1415 East Ninth

Avenue, Pomona, CA 91766.

Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. *Processed beef (not cooked)*, from El Paso, TX to points in Colorado, MT, OR, SD, and WY, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Prepared Foods, Inc., Traffic Manager, P.O. Box 26918, El Paso, TX 79962. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 142508 (Sub-116TA), filed August 27, 1979. Applicant: NATIONAL TRANSPORTATION, INC., 10810 South 144th Street, P.O. Box 27465, Omaha, NE 68137. Representative: Lanny N. Fauss, P.O. Box 37096, Omaha, NE 68137. *Foodstuffs* from the facilities of Delaware Frozen Center, at Newark, DE to points in the United States in and east of ND, SD, NE, KS, OK and TX for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Delaware Freezer Center, Division Omniway Service Company, P.O. Box 7705, Elkton Road, Newark, DE 19711. Send protests to: D/S Carroll Russell, ICC, Suite 20, 110 North 14th St., Omaha, NE 68102.

MC 142508 (Sub-117TA), filed August 27, 1979. Applicant: NATIONAL TRANSPORTATION, INC., 10810 South 144th Street, P.O. Box 37465, Omaha, NE 68137. Representative: Lanny N. Fauss, P.O. Box 37096, Omaha, NE 68137. *Foodstuffs (except in bulk)* from the facilities of Kaukauna Dairy Products at Little Chute, WI to points in the United States (except AK and HI) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kaukauna Dairy Products, P.O. Box 229, Kaukauna, WI 54130. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 142559 (Sub-117TA), filed August 3, 1979. Applicant: BROOKS TRANSPORTATION, INC., 3830 Kelley Ave., Cleveland, OH 44114. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. (1) *Paper, paper products, and woodpulp (except commodities in bulk); and (3) materials and supplies used in the manufacture, sale and distribution of the commodities in (1) above (except commodities in bulk)* between Cincinnati, Hamilton and Middletown, OH, on the one hand, and, on the other, points in and east of MN, IA, KS, OK, and TX for 180 days. Supporting shipper(s): Crystal Tissue, South Verity Pkwy., Middletown, OH 45042. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 142559 (Sub-120TA), filed August 21, 1979. Applicant: BROOKS TRANSPORTATION, INC., 3830 Kelley Ave., Cleveland, OH 44114. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. (1) *Overhead door sections and component parts and accessories for overhead doors; and (2) materials, equipment and supplies (except commodities in bulk) used in the manufacture and distribution of the commodities in (1) above* between Dallas, TX and Fort Worth, TX, on the one hand, and, on the other, pts. in CA, GA, IN, KY, MI, and OH, for 180 days. Supporting shipper(s): Overhead door Corporation, P.O. Box 188, Hartford City, IN 57348. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 630, Phila., PA 19106.

MC 143389 (Sub-11TA), filed August 15, 1979. Applicant: MERCHANTS DUTCH EXPRESS, INC., P.O. Box 2525, Monroe, LA 71207. Representative: Richard M. Tettelbaum, 5th Floor, Lenox Towers S, 3390 Peachtree Road, NE., Atlanta, GA 30326. *Contract carrier over irregular routes. (1) Animal feed (except in bulk)*, from Red Bay, AL and Tupelo, MS, to points in AR, KS, LA, MO, IA, TX, OK, NC and SC; (2) *Materials, equipment and supplies* used in the manufacture, distribution and sale of animal feed (except in bulk), from points in AR, KS, LA, MO, IA, TX, OK, NC and SC, to Red Bay, AL and Tupelo, MS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sunshine Feed Mills, Inc., P.O. Drawer S, Red Bay, AL 35582. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 143739 (Sub-38TA), filed August 16, 1979. Applicant: SHURSON TRUCKING CO., INC., P.O. Box 147, New Richland, MN 56072. Representative: Micheal L. Carter (same address as applicant). *Such commodities as are dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business (1)* between the facilities of or utilized by the Drackett Company located at or near Franklin, KY, Dayton and Urbana, OH, and Nashville, TN and their respective commercial zones, on the one hand, and, on the other, points in CO, CA, GA, IL, KS, MN, MO, NJ, NY, NC, RI, TX and UT; and (2) between the facilities of or utilized by the Drackett Company located at or near Nashville, TN and its commercial zone, on the one hand, and, on the other, points in FL, MI, OH, OR, PA and VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Drackett

Company, 5020 Spring Grove Avenue, Cincinnati, OH 45232. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 143739 (Sub-39TA), filed August 20, 1979. Applicant: SHURSON TRUCKING CO., INC., P.O. Box 147, New Richland, MN 56072. Representative: Michael L. Carter (same address as applicant). *Foodstuffs, (except in bulk)*, from Kansas City, MO and its respective commercial zone to points in IL, IN, IA, KY, MI, MN, NE, ND, OH, OK, PA, SD, TN, TX, WV and WI, for 180 days. Supporting shipper(s): Commercial Distribution Center, Inc., P.O. Box 477, Independence, MO 64051. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 144319 (Sub-2TA), filed August 21, 1979. Applicant: JOHN BRACY d.b.a. NORTHWEST AGRI SUPPLY, 1056 Wiloma Drive, Billings, MT 59101. Representative: David E. Wishney, Attorney at Law, P.O. Box 837, Boise, ID 83701. (1) *Scoria* from points in Sheridan County, WY to points in Yellowstone County, MT; and (2) *sand and gravel* from points in Yellowstone County, MT to points in WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mossman Industries, P.O. Box 20833, Billings, MT 59104. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 145839 (Sub-1TA), filed August 27, 1979. Applicant: ASSOCIATED TRUCKING, INC., 2500 Broadway, Dept. 13, Camden, NJ 08104. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Contract, irregular. Pre-stress concrete*, from Vineland and Williamstown, NJ to points in DE, MD, NY, PA and VA, under a continuing contract or contracts with Formigi Corp., for 180 days. Supporting shipper(s): Formigi Corp., Williamstown, NJ 07102. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 146049 (Sub-8TA), filed August 21, 1979. Applicant: SOLAR TRUCKING INC., 211 Eighth St., Perrysburg, OH 43551. Representative: Arthur R. Cline, 420 Security, Toledor, OH 43604. *Cement Clinkers*; in bulk, in dump vehicles, from Silica, OH to Wampom, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Medusa Cement Co., P.O. Box 5668, Cleveland, OH. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 146149 (Sub-13TA), filed July 9, 1979. Applicant: KENNEDY FREIGHT LINES, INC., 7401 Fremont Pike, Perrysburg, OH 43551. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. (1) *Wearing apparel*, from Hialeah, FL to the facilities of Hercules Trouser Company, Inc., at Columbus, OH, and (2) *Wearing apparel and piece goods*, between the facilities of Hercules Trouser Company, Inc., at Columbus, OH, on the one hand, and, on the other, Loganville, GA and Fordyce, AR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Hercules Trouser Company, Inc., 2025 Corvair Drive, Columbus, OH 43207. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 146949 (Sub-11TA), filed June 29, 1979. Applicant: McINVALE TRUCK LINES, INC., 5965 Highway 18 W., Jackson, MS 39209. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205. *Cleaning, washing and buffing compounds, chemicals, drugs and toilet preparations* (except commodities in bulk) from the facilities of American Cyanamid Company at or near Jackson, MS to points in AZ, CA, CO, NV, NM, OK, OR, TX, UT and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Cyanamid Company, 859 Berdan Avenue, Wayne, NJ 07470. Send protests to: Alan C. Tarrant, DS, ICC, Rm. 212, 145 E. Amite Bldg., Jackson, MS 39201.

MC 147069 (Sub-5TA), filed August 29, 1979. Applicant: CAL THERMO EXPRESS, INC., 17327 Ventura Blvd., Suite 301, Encino, California 91316. Representative: Milton R. Snelson, 17327 Ventura Blvd., Suite 301, Encino, California 91316. *Automobile and recreational vehicle parts and accessories, and materials, equipment and supplies used in the manufacture of such parts and accessories*, between points in the commercial zones of Los Angeles, Orange and San Bernardino Counties, CA; Dallas and Houston, TX; New Orleans, LA; Chicago, IL; Elkhart, IN and Detroit, MI; restricted to the facilities used by Members of the Specialty Equipment Manufacturers Association and facilities used by their customers and suppliers, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Shalmar Corp., Vice President, 12814 Lakeland Rd., Santa Fe Springs, CA; Specialty Equipment Manfr Assn., Executive Director, 11001 E. Valley Mall, Suite 200, El Monte, CA 91731; Production Assembly and Packaging Co., Owner, General

Manager, 17000 Western Ave., Gardena, CA; Keystone Products, Inc., Vice President, 1333 South Bon View Ave., Ontario, CA 91761. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 147079 (Sub-2TA), filed August 21, 1979. Applicant: NATIONWIDE MAGAZINE AND BOOK DISTRIBUTORS, INC., 2111 Rose Lane, Irving, TX 75061. Representative: Sam Hallman, 4555 First National Bank Building, Dallas, TX 75202. *Contract carrier, irregular routes, magazines and books* from Dallas, TX to El Dorado, Fayetteville, Fort Smith, Jonesboro, Little Rock and Pine Bluff, AR; Baton Rouge, Crowley, LaFayette, New Orleans and Shreveport, LA; Gulfport, MS; Albuquerque, Carlsbad, Gallup and Tucumcari, NM; Oklahoma City and Tulsa, OK; and Amarillo, Austin, Beaumont, Bryan, Corpus Christi, El Paso, Galveston, Harlingen, Houston, Laredo, Lubbock, Lufkin, Midland, Paris, San Antonio, Temple, Tyler, Victoria, Waxahachie, and Wichita Falls, TX for 180 days. An underlying ETA for 90 days filed. Supporting shipper(s): Nationwide Driver Service, Inc., 2111 Rose St. Irving, TX 75061. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 147299 (Sub-TA), filed July 20, 1979. Applicant: REDWAY CARRIERS, INC., 5910 49th St., Kenosha, WI 53140. Representative: Paul Maton, 10 S. LaSalle St., Suite 1620, Chicago, IL 60603. *Food products, dry or liquid, and supplies used in the manufacture of said food products*, between Plymouth, IN on the one hand, and, on the other, points in IL, IA, KY, MI, MN, MO, OH, WI & TN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Texsun Corp., P.O. Box 327, Weslaco, TX 78596. Send protests to: Gail Daugherty, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 147609 (Sub-1TA), filed June 28, 1979. Applicant: ARCH'S TRANSFER LTD., 2491 McKenzie St., Penticton, B.C., Canada V2A 6H9. Representative: J. A. Moore (same as above). *Contract carrier: irregular routes: Laminated beams and lumber*, between Ports of Entry on the International Boundary between the U.S. and Canada located in the states of WA and ID and points in WA, ID, and OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): KeePee Laminating Ltd., 736 Okanagan Ave. E., Penticton, B.C., Canada; Structurlam Products, Ltd., 402 Warren Ave., Penticton, B.C., Canada. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 147619 (Sub-3TA), filed July 6, 1979. Applicant: D.D.S. TRANSPORT, INC., P.O. Box 15544, South Salt Lake City, UT 84115. Representative: Chester A. Zyblut, 1030-15th Street, N.W.—366 Executive Bldg., Washington, DC 20005. *Health aids and beauty aids* from Clearfield, UT, to points west of MI, IN, KY, TN, and MS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Forest City Products Inc., Bldg. C-12, Sect 3, Clearfield, UT 84016. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 147619 (Sub-4TA), filed July 16, 1979. Applicant: D.S.S. TRANSPORT, INC., P.O. Box 15544, South Salt Lake City, UT 84115. Representative: Chester A. Zyblut, 1030 Fifteenth St. N.W., 366 Executive Bldg., Washington, DC 20005. *Frozen bakery goods* from Richmond, Clearfield, and Logan, UT to Sumter, SC, Salisbury, MD and Milford, DE, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pepperidge Farm, Inc., P.O. Box 5500—Westpoint Avenue, Norwalk, CT 06856. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 147829 (Sub-1TA), filed August 10, 1979. Applicant: GREGORY A. SAUNDERS and VIRGINIA MAY SAUNDERS, d.b.a. S & S TRUCKING, 5 Ruth Place, Belle Vernon, PA 15012. Representative: John A. Vuono, Esquire, Vincent P. Szeligo, Esquire, Wick, Vuono & Lavelle, 2310 Grant Building, Pittsburg, PA 15219. *Contract carrier, over irregular routes, transporting Glass-annealing furnaces, glass ovens, glass-making machinery and equipment, materials and supplies used in the manufacture and distribution of said commodities*, between Uniontown, PA on the one hand, and, on the other, Lakeland, FL; Niles, Lancaster, and Toledo, OH; Henryetta, OK; Atlanta, GA; Camden, Englewood and Wharton, NJ; Toano, VA; Montgomery, AL; New York and Brooklyn, NY; Philadelphia, PA; Rockford, IL; Wabash, IN; Laurens, SC; Baltimore, MD; and Wilmington, DE under a continuing contract or contracts with E. W. Bowman, Inc., for 180 days. An underlying ETA seeks 90 days has been filed. Supporting shipper(s): E. W. Bowman, Inc., P.O. Box 840, Uniontown, PA 15401. Send protests to: J. J. England, D/S, Interstate Commerce Commission, 2111 Federal Building, Pittsburgh, PA 15222.

MC 147839 (Sub-8TA), filed August 23, 1979. Applicant: BIB ENTERPRISES, INC., 401 West 9th South, Salt Lake City, UT 84101. Representative: Miss Irene Warr, 430 Judge Building, Salt Lake City,

UT 84111. *Contract carrier; irregular routes: iron and steel articles, aluminum, copper, brass and nickel articles and articles of alloys of these metals*, from points in CA to the facilities of Castle Metals, Inc. located at or near Salt Lake City, UT under a continuing contract or contracts with Castle Metals, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Castle Metals, Inc., 939 South 700 West, Salt Lake City, UT 84101. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Building, Salt Lake City, UT 84138.

MC 147949 (Sub-TA), filed August 6, 1979. Applicant: ROEDER CARTAGE CO., INC., 175 Mumaugh Rd., Lima, OH 45804. Representative: Richard H. Brandon, 220 W. Bridge St., Dublin, OH 43017. *Sulphur dioxide and sulphuric acid*, in bulk, in tank vehicles, between Cairo, OH, on the one hand, and, on the other, points in KY, IN, MI, WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Coulton Chemical Corp., 6600 Sylvania Ave., Sylvania, OH 43560. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Philadelphia, PA 19106.

MC 147979 (Sub-1TA), filed August 10, 1979. Applicant: ROAD KING TRUCKING, INC., Route 4, Box 235-B, Bardstown, KY 40004. Representative: John M. Nader, Attorney, 1600 Citizens Plaza, Louisville, KY 40202. *Foodstuffs* (except frozen or in bulk) in vehicles equipped with mechanical refrigeration, from the facilities of Shedd's Foods, Inc., at Louisville, KY. To Phoenix, AZ; Los Angeles and San Francisco, CA; Denver, and Wheatridge, CO; Hunt Valley, and Jessup, MD; Carlstadt, Tereboro, NJ; Albuquerque and Santa Fe, NM; Albany, Buffalo, Elmira, Elmira Heights, Falconer, Liverpool, Mt. Kisco, New York, Norwich, Olean, Rochester, Syracuse, Waterford, and Waverly, NY; Belle Vernon, Forty Fort, Philadelphia, Sunbury, and York, PA; San Antonio, Lubbock, Houston, El Paso, Dallas, and Ft. Hood, TX, and Sanstom, VA. An underlying ETA seeks 90 days authority. Supporting shipper(s): John Zihar, Shedd Foods, Inc., 2440 So. Floyd St., Louisville, KY 40217. Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 147989 (Sub-1TA), filed August 30, 1979. Applicant: J. I. M. CORP., 3811 North Arden Drive, El Monte, CA 91731. Representative: John Ruan, 3811 North Arden Drive, El Monte, CA 91731. *Contract; Irregular; Iron and steel articles, concrete reinforced posts or poles and concrete pilings*, from Los Angeles Harbor, Ameron plants or other designated origins in CA to points and

places in AZ, NV and NM, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ameron Steel & Wire Div., Traffic Manager, P.O. Box 8, Etiwanda, CA 91739. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 148009 (Sub-2TA), filed August 21, 1979. Applicant: MANHATTAN COLLISION SPECIALISTS, INC., d.b.a. MANHATTAN TOWING, 1700 Manhattan Avenue, Union City, NJ 07087. Representative: Harold L. Reckson, 32-28 Halsey Road, Fair Lawn, NJ 07410. *Disabled, wrecked, stolen and repossessed motor vehicles and trailers, and replacement vehicles* therefor between points in NH, MA, RI, CT, NY, NJ, PA, MD, GA, DE, VA, WV, NC, SC, TN, FL, OH and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hemingway Transport, Inc., 438 Dartmouth Street, New Bedford, MA, Pacific Intermountain Express Co., 101 Commerce Way, Hackensack, NJ, Pilot Freight Carrier, Inc., P.O. Box 615, Winston-Salem, NC, Spector Freight System, 550 Secaucus Road, Secaucus, NJ. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 148019 (Sub-1TA), filed August 23, 1979. Applicant: BOULEVARD T & B MANAGEMENT CORP., 86-10 Whitney Avenue, Elmhurst, N.Y. 11373. Representative: Sidney J. Leshin, 575 Madison Avenue, New York, N.Y. 10022. *Common carrier, irregular routes: misplaced or lost baggage and personal effects of airline passengers* between J.F.K. International Airport and LaGuardia Airport, New York, N.Y. and points and places in New York, New Jersey and Connecticut for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are six (6) supporting shippers to this application. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 148029 (Sub-1TA), filed August 23, 1979. Applicant: DORMAN TRANSPORT CORP., 105 3rd St., Monroe, WI 53566. Representative: Steven Kuhlmann, 717 17th St., Suite 2600, Denver, CO 80202. *Contract carrier; irregular routes; (1) Cheese* from Monroe, WI to points in NY, NJ, MD, PA, MI, OH, IL, MA and (2) from points in NJ, NY, MI, PA, IL, & IA to Detroit, MI and points in WI, restricted to transportation service to be performed under contract(s) with N. Dorman & Co., Inc., New York; N. Dorman & Co., Inc. of WI, Neptune Custom Cut Corp., Jeffrey Cheese Co. & Hickory Cheese Co., for

180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): (1) Jeffery Cheese Co., Inc., 105 3rd St., Monroe, WI 53566; (2) Neptune Custom Cut Corp., 1105 11th Ave., Neptune, NJ 07753; (3) N. Dorman & Co., Inc. of NY., 125 Michael Dr., Syosset, NY 11791; (4) Hickory Cheese Co., Inc., 105 3rd St., Monroe, WI 53566; (5) N. Dorman & Co., Inc. of WI, 105 3rd St., Monroe, WI 53566. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 148099 (Sub-1TA), filed August 24, 1979. Applicant: WILMINGTON CORP., 24 Industrial Way, Wilmington, MA 01887. Representative: Stanley A. Twarog, Esq., Mintz, Levin, Cohn, Glovsky and Popeo, One Center Plaza, Boston, MA 02108. *General commodities moving on Part IV Freight Forwarder Bills of Lading* from the site of Springmeier Shipping Co., Inc., Dallas, TX to the sites of Springmeier Shipping Co., Inc. in the New York, NY Commercial Zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Springmeier Shipping Co., Inc., St. Louis, MO 63101. Send protests to: John B. Thomas, 150 Causeway Street, Boston, MA 02114.

MC 148099 (Sub-2TA), filed August 24, 1979. Applicant: WILMINGTON CORP., 24 Industrial Way, Wilmington, MA 01887. Representative: Stanley A. Twarog, Esq., Mintz, Levin, Cohn, Glovsky and Popeo, One Center Plaza, Boston, MA 02108. *General commodities moving on Part IV Freight Forwarder Bills of Lading* from the site of Springmeier Shipping Co., Inc., Dallas, TX to the site of Springmeier Shipping Co., Inc., St. Louis, MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Springmeier Shipping Co., Inc., St. Louis, MO 63101. Send protests to: John B. Thomas, 150 Causeway Street, Boston, MA 02114.

MC 148099 (Sub-3TA), filed August 24, 1979. Applicant: WILMINGTON CORP., 24 Industrial Way, Wilmington, MA 01887. Representative: Stanley A. Twarog, Esq., Mintz, Levin, Cohn, Glovsky and Popeo, One Center Plaza, Boston, MA 02108. *General commodities moving on Part IV Freight Forwarder Bills of Lading* from the site of Springmeier Shipping Co., Inc., St. Louis, MO to Springmeier Shipping Co., Inc. facilities in the New York, NY Commercial Zone. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Springmeier Shipping Co., Inc., St. Louis, MO 63101. Send protests to: John B. Thomas, 150 Causeway Street, Boston, MA 02114.

MC 148129 (Sub-TA), filed August 2, 1979. Applicant: CODERE TRUCKING

CO., 1213 Front Street, Lake Linden, MI 49950. Representative: Robert W. Hansley, 120 North 6th Street, Escanaba, MI 49829. *Contract carrier*; Irregular routes: Wood residuals in bulk from Mohawk, MI to Kaukauna, WI and Mosinee, WI. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Louisiana-Pacific Seaway Division, 2501 14th Avenue South, Escanaba, MI 49829. Send protests to: C. R. Flemming, D/S, ICC, 225 Federal Building, Lansing, MI 48933.

MC 148168 (Sub-TA), filed August 31, 1979. Applicant: RAYMOND RUPPRECHT, d.b.a. RAY RUPPRECHT TRANSPORT SERVICE, R.R. 2, Box 373A, Jefferson, WI 53549. Representative: Michael Varda, 121 S. Pinckney St., Madison, WI 53701. *Contract carrier*; irregular routes; *Motor vehicle, boat and airplane parts, accessories and supplies* (except commodities in bulk) from Madison, WI to points in Dane (except Madison), Dodge, Green, Iowa, Jefferson, LaFayette and Rock (except Janesville and Beloit) Counties, WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Parts System, Inc., 4175 W. 76 St., Minneapolis, MN 55435. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 148258 (Sub-TA), filed August 30, 1979. Applicant: FERMAR TRUCKING, INC., 420 East 64th St., New York, NY 10021. Representative: Ronald I. Shapss, Esq., 450 Seventh Avenue, New York, NY 10001. *Contract carrier*, irregular routes: *Gypsum wallboard and related products, and material and supplies, used in the manufacture and distribution thereof*, between Burlington, NJ, on the one hand, and, on the other, New York, NY Commercial Zone, and Suffolk County, NY; under a continuing contract(s) with Gold Bond Building Products, Division of National Gypsum Company, Charlotte, NC; for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gold Bond Building Products, Division of National Gypsum Company, 2001 Raxford Road, Charlotte, NC 28211. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

MC 148268 (Sub-TA), filed August 27, 1979. Applicant: STELLY & SON TRUCKING, Route 2, Box 616, Arnaudville, LA 70512. Representative: John L. Olivier, 654 Napoleon Ave., P.O. Drawer E, Sunset, LA 70584. *Contract*, irregular routes, *Farm equipment* from Lake Charles, LA to Memphis, TN and

Forest City, AR, for 180 days. Supporting shipper(s): Louisiana Farm Power, Inc., P.O. Box 561, Opelousas, LA 70570, Tri State Welding, P.O. Box 1688, West Mphs, AR 72301. (There are five other supporting shippers.) Send protests to: Robert J. Kirspel, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 148269 (Sub-TA), filed August 22, 1979. Applicant: WILLIAM F. HICKS, d.b.a. HICKS TRANSPORT, 7997 Bentley, Eaton Rapids, MI 48827. Representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933. *Contract carrier*; Irregular routes: *Steel and steel products* from the facilities of steel distributors and producers located in MI, IL, IN, OH, TN, NY, WI, PA, MO, SC, NE, ID and MN to the plant sites of Jacklin Steel Supply Company and Purvis Bros., Inc., at or near Lansing, Kalamazoo, Traverse City and Iron Mountain, MI. (2) Commercial and industrial stationary waste compactors and related equipment from the facilities of Quality Steel Fabricators, Inc., at or near Hopkins, MI to various points in the United States. Under continuing contract or contracts with Jacklin Steel Supply Company, Purvis Brothers, Inc., and Quality Steel Fabricators, Inc. For 180 days. Supporting shipper(s): Jacklin Steel Supply, Inc., Purvis Bros., Inc. and Quality Steel Fabricators, Inc., 1340 S. Waverly, Lansing, MI 48917. Send protests to: C. R. Fleming, D/S, ICC, 225 Federal Building, Lansing, MI 48933.

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MC 26396 (Sub-290TA), filed September 4, 1979. Applicant: POPELKA TRUCKING CO., d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Agricultural chemicals* from Randolph, WI to points in MT, ND, SD, IA, NE, WY, ID, MN and UT, for 180 days. An underlying partial ETA seeks 90 days authority. Supporting shipper(s): Hopkins Agricultural Chemicals, 110 Hopkins Drive, Randolph, WI 53956. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 26396 (Sub-291TA), filed September 18, 1979. Applicant: POPELKA TRUCKING CO., d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Lime, in bags*, from the International Boundary line between the U.S. and Canada located in MT and WA to points in MT, ND, and WA, for 180 days. An underlying ETA seeks 90 days

authority. Supporting shipper(s): Steel Brothers Canada, Ltd., 4836—6th St. NE, Calgary, AB, Canada T2E 3Z9. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 26396 (Sub-292TA), filed September 18, 1979. Applicant: POPELKA TRUCKING CO., d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Agricultural chemicals* from Mendota, IL to points in ND, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Eli Lilly & Company, P.O. Box 32, Indianapolis, IN 64206. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 26396 (Sub-296TA), filed October 2, 1979. Applicant: POPELKA TRUCKING CO., d.b.a. THE WAGGONERS, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Inedible corn flour, inedible starch, and sealing compounds* (except in bulk, in tank vehicles) from McPherson, KS and points in its commercial zone to points in CO, LA, MN, MT, ND, OK, TX and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Chemstar Products Company, P.O. Box 19086, Minneapolis, MN 55419. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 32166 (Sub-16TA), filed September 4, 1979. Applicant: BRONAUGH MOTOR EXPRESS, INC., 1025 Nandino Blvd., Lexington, KY 40511. Representative: John W. Bronaugh, President (same address as above). *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 Louisville, KY, and its commercial zone, and Cincinnati, OH, and its commercial zone, serving no intermediate points; from Louisville, KY, over I-71 to Cincinnati, OH and return over the same route. (Applicant proposes to interline with other carriers at Cincinnati, OH; Louisville & Lexington, KY; Knoxville and Nashville, TN.) Supporting shipper(s): 26 Supporting shippers. Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 42487 (Sub-944TA), filed August 31, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. *Common carrier*; regular routes:

General commodities (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the facilities of Kayser-Roth Hosiery, Inc., at or near Creedmoor, NC, as an off-route point in connection with carrier's presently authorized regular route operations. The facilities of Kayser-Roth Hosiery, Inc., at or near Creedmoor, NC will be off-route to the following service routes of Applicant: MC 42487 Sub— (The Commission authorized Applicant to acquire and merge Burris Express, Inc., under Docket No. MC-F-12497. The transaction was consummated January 14, 1976. A Certificate has not yet been issued in the name of Applicant by the Commission. When the Certificate is issued it will be identified as Docket No. MC 42487 Sub 835).

Note.—Applicant intends to tack to its existing authority and any authority it may acquire in the future.

MC 42487 (Sub-946TA), filed September 19, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. *Common carrier*; regular routes: *General Commodities* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment; between the junction U.S. Hwy 82 and U.S. Hwy 75 and Albuquerque, NM, serving the intermediate points of Gainesville, Wichita Falls and Amarillo, TX and serving the junction U.S. Hwy 82 and U.S. Hwy 377 for purpose of joinder only: From the junction U.S. Hwy 82 and U.S. Hwy 75 over U.S. Hwy 82 to junction U.S. Hwy 287 at Henrietta, TX, then over U.S. Hwy 287 to Amarillo, TX, then over U.S. Hwy 66 to Albuquerque, and return over the same route. Between Wichita Falls, TX and Fort Worth, TX, serving no intermediate points: From Wichita Falls over U.S. Hwy 287 to Fort Worth, and return over the same route. Between Denton, TX and the junction U.S. Hwy 377 and U.S. Hwy 82, serving no intermediate points: From Denton over U.S. Hwy 377 to the junction U.S. Hwy 377 and U.S. Hwy 82, and return over the same route, for 180 days. Applicant seeks to serve all points in the Commercial Zones of points of service authorized above.

MC 42487 (Sub-949TA), filed October 9, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF

DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. *Common carrier*; regular routes: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the facilities of Consolidated Metco, Inc., at Monroe, NC, as an off-route point in connection with carrier's presently authorized regular route operations. The facilities of Consolidated Metco, Inc., at Monroe, NC will be off-route to the following service routes of Applicant: MC 42487 (Sub-744) (A) *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Asheville, NC, and Winston-Salem, NC, serving all intermediate points.

Note.—Applicant intends to tack to its existing authority and any authority it may acquire in the future.

MC 45736 (Sub-60TA), filed August 29, 1979. Applicant: GUIGNARD FREIGHT LINES, INC., P.O. Box 26067, Charlotte, NC 28213. Representative: Edward G. Villalon, 1032 Pennsylvania Building, Penn. Ave. and 13th St., NW., Washington, DC 20004. (1) *Newsprint, printing paper and woodpulp*, from the facilities of Bowater Carolina Corporation, at or near Catawba, SC; to points in GA, MD, NC (except points within 225 miles of Concord, NC), OH, points in PA on and west of I-Hwy. 83 beginning at MD-PA State line, then along I-Hwy. 83 to Harrisburg, then along PA State Hwy. 147 to its junction with U.S. Hwy. 220 at or near Pennsdale, PA, then along U.S. Hwy. 220 to the PA-NY State line; points in TN (except points west I-Hwy. 40 beginning at the NC-TN State line, then along I-Hwy. 40 to its junction with I-Hwy. 81, then along I-Hwy. 81 to its junction with U.S. Hwy. 25E, then along U.S. Hwy., 25E to the TN-VA State line), VA (except points within 225 miles of Concord, NC, WV (except points within 225 miles of Concord, NC, and DC; and (2) *materials, supplies and equipment used in the manufacture or packaging of newsprint, printing paper and woodpulp (except in bulk)*, from points in the destination territory described in (1) above to the facilities of Bowater Carolina Paper Corporation at or near Catawba, SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Bowater Carolina Corp., P.O. Box 7, Catawba, SC 29704. Send protests to:

Sheila Reece, T/A, 800 Briar Rd.—Rm. CC516, Charlotte, NC 28205.

MC 51146 (Sub-746TA), filed September 10, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Equipment, materials, and supplies used in the manufacture of games and toys* from points in the U.S. except ID, NV, MT, UT, AZ, WY, CO, NM, ND, SD, NE, KS, OK, TX, AK and HI to Appleton and Hartonville, WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Toy & Furniture Co., 2605 N. Casa Loma Drive, Appleton, WI 54911. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-747TA), filed September 10, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Assorted beds and springs and materials used in the manufacture and distribution of assorted beds* between Kenyon, MN on the one hand, and, on the other, Eau Claire and Tomah, WI and Carthage, MO for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Leggett & Platt, Inc., 509 Centennial Dr., Kenyon, MN 55946. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-748F), filed September 10, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Kitchen cabinets and vanities, and materials, equipment and supplies used in the manufacture and distribution of kitchen cabinets and vanities* (1) from Atkins, VA to Jackson, OH; Adrian, MI; and Lakeville, MN and (2) from Jackson, OH to Atkins, VA; Adrian, MI; and Lakeville, MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Merillat Industries, Inc., 2075 W. Beecher Rd., Adrian, MI 49221. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-749TA), filed September 10, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Lumber and wood products* between Waukesha, WI on the one hand, and, on the other, Centerville, IA and Mattoon, IL for 180 days. An underlying ETA seeks 90 days authority.

Supporting shipper(s): Waukesha Industrial Lumber, Inc., W271 S2885 Merrill Hills Rd., P.O. Box 767, Waukesha, WI 53187. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-750TA), filed September 10, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Lawn, garden and snow removal equipment* from facilities of Gilson Brothers Co. at or near Plymouth, New Holstein, and Oostburg, WI to points in IN, OH, MI, PA, NY, CT, MA, VT, NH, and MD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gilson Brothers Co., P.O. Box 152, Plymouth, WI 53073. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-751TA), filed September 11, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). (1) *Combination wood and coal burning furnace add ons, wood and coal burning furnaces, room heaters, combination wood and electric stoves, and fireplace inserts;* and (2) *equipment, materials, and supplies used in manufacture and distribution of the commodities named in (1) above* between Beaver Dam, WI on the one hand, and, on the other, points in the US except WA, OR, CA, ID, NV, MT, WY, UT, AZ, CO, NM, TX, LA, MS, AL, GA, FL, AK and HI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Malleable Iron Range Co., 715 N. Spring St., Beaver Dam, WI 53916. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-752TA), filed September 18, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Containers* from Oak Creek, WI to Clemmons, NC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Can Corp., 8101 E. Higgins Rd., Chicago, IL 60631. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-753TA), filed September 17, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Silica*, in bags, from Elco, IL to Milwaukee, WI, for 180

days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Allen Bradley Co., 1201 S. 2nd St., Milwaukee, WI 53204. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-758TA), filed September 4, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Pulpboard, fibreboard, other than corrugated*, from Morris, IL to Fort Smith, AR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Federal Paper Board Co., 960 E. North St., Morris, IL 60450. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-759TA), filed September 19, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Toilet preparations and related sundries*, carried by retail chains from facilities of Supreme Distribution Company and Advance Promotions, Inc. at Detroit, MI to points in OH, WI, IN, IL, MN, KY and MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Supreme Distributions Co., 6501 E. McNichols, Detroit, MI 48205; and Advance Promotions, Inc., 5570 Belvue, Detroit, MI 48211. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-760TA), filed September 20, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil Dujardin (same address as applicant). *Automotive parts and accessories* and materials used in the manufacture of automobiles from Detroit, MI and points in its commercial zone to Chicago, IL, Louisville, KY, Mahwah & Metuchen, NJ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ford Motor Co., One Parklane Blvd., Parklane Towers East, Suite 200, Dearborn, MI 48128. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 51146 (Sub-761TA), filed October 4, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. Dujardin, (same address as applicant). *Fabricated fireplaces, space heaters, ranges and accessories* from the facilities of Preway, Inc. located at or near Wisconsin Rapids, Stevens Point and Plover, WI to Kansas City, MO,

Columbus, OH, Greensboro, NC, Dorchester, MA, Dallas, TX and Los Angeles, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Preway, Inc., Wisconsin Rapids, WI 54494. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, WI 53202.

MC 51146 (Sub-762TA), filed October 4, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. Dujardin, (same address as applicant). *Rubber tires and tubes* (1) from Akron, OH, Charlotte, NC, Mayfield, KY, Mt. Veron & Elk Grove Village, IL, Memphis, TN & Omaha, NE to Pine Brook, NJ & Birmingham, AL and (2) from Omaha, NE to Milwaukee, WI and Chicago & Waukegan, IL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): J & L Distributing Co., 513 W. Dean Court, Milwaukee, WI 53217. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, WI 53202.

MC 51146 (Sub-763TA), filed October 5, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. Dujardin, (same address as applicant). *Rolled fireplace logs, firewood, bagged stone and fertilizer* from Wheatland, WY, Spokane, WA, Blanca, CO and Marysville, OH to Milwaukee, WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Minor's Nursery, 7777 N. 76th St., Milwaukee, WI 53223. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, WI 53202.

MC 51146 (Sub-764TA), filed September 25, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. Dujardin, (same address as applicant). *Printed matter* from the facilities of R. R. Donnelley & Sons Company at or near Gallatin, TN to points in CT, DE, IL, IN, IA, KY, ME, MD, MA, MI, MN, MO, NH, NJ, NY, OH, PA, RI, VT, VA, WV, WI & DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): R. R. Donnelley & Sons Co., P.O. Box 129, Gallatin, TN 37060. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, WI 53202.

MC 59457 (Sub-50TA), filed October 9, 1979. Applicant: SORENSEN TRANSPORTATION CO., INC., Old Amity Road, Bethany, CT 06525. Representative: Thomas W. Murrett, 342 North Main Street, West Hartford, CT

06117. *Common carrier*; irregular routes; *Concentrated frozen citrus juices, in containers*, from Lake Wales, FL to Menands, NY, limited to service to and from the facilities of the Borden Corporation at Menands, NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Borden Corp., 355 Benton Street, Stratford, CT 06497. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Hartford, Connecticut 06103.

MC 59856 (Sub-85TA), filed August 31, 1979. Applicant: SALT CREEK FREIGHTWAYS, P.O. Box 39, Casper, WY 82602. Representative: John R. Davidson, Rm 805 Midland Bank Bldg., Billings, MT 59101. *General commodities*, except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring the use of special equipment. Between Missoula, MT and Spokane, WA; from Missoula over Interstate 90 and U.S. Hwy 10 to Spokane, and return over the same route, serving the intermediate points of Mullan, Wallace, Kellogg and Coeur D'Alene, ID on west bound shipments only, serving no intermediate points on eastbound shipments. Restriction against taching and interline waived. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 23 shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: Paul A. Naughton, DS, ICC, Rm 105 Federal Bldg., 111 South Wolcott, Casper, WY 82601.

MC 60186 (Sub-61TA), filed July 16, 1979. Applicant: NELSON FREIGHTWAYS, INC., 47 East Street, Rockville, CT 06066. Representative: Clifford J. O. Nelson, 47 East Street, Rockville, CT 06066. *Frozen foods and commodities*, exempt from regulation under Section 203 (b)(6) of the Interstate Commerce Act when moving in mixed loads with frozen foods from the facilities of Empire Freezers of Syracuse, Inc., Syracuse, NY to points in Ohio. For 180 days. Supporting shipper(s): Empire Freezers of Syracuse, Inc., P.O. Box 4892, Syracuse, NY 13221. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Hartford, CT 06103.

MC 60186 (Sub-63TA), filed September 24, 1979. Applicant: NELSON FREIGHTWAYS, INC., 47 East Street, Rockville, CT 06066. Representative: Clifford J. O. Nelson, (same address as applicant). *Common carrier*; irregular routes; *Roofing and building materials*, except in bulk, from Quakertown, PA to

points in NY, NJ, CT, DC, DE, MD, VA, WV and OH, for 180 days. Supporting shipper(s): Georgia-Pacific Corp., Gypsum Division, 1062 Lancaster Avenue, Rosemont, PA 19010. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Hartford, CT 06103.

MC 61396 (Sub-375TA), filed October 5, 1979. Applicant: HERMAN BROS., INC., 2565 St. Marys Avenue, P.O. Box 189, Omaha, NE 68101. Representative: Duane L. Stromer (same address as applicant). *Cement, in bag and bulk* from the facilities of Marquette Cement Co., at Cowan, TN to points in AL, GA, KY, SC, NC, TN, VA, FL, MO, OH, MS, IL, IN, and LA for 180 days. Supporting shipper(s): The Marquette Company, G & W Natural Resources Group, Walter I. Simons, Jr., Rate Analyst, 2200 First American Center, Nashville, TN 37238. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th Street, Omaha, NE 68102.

MC 63417 (Sub-246TA), filed September 4, 1979. Applicant: BLUE RIDGE TRANSFER CO., INC., P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). *Foodstuffs and materials, supplies, and equipment used in the manufacture and distribution of food stuffs* between (1) Millsboro, DE on the one hand, and, on the other, points in WV and (2) Greenville, MS, on the one hand, and, on the other, points in AL, GA, and TN for 180 days. Restricted against the transportation of commodities in bulk, those requiring special equipment, and those requiring refrigeration. An underlying ETA seeks 90 days authority. Supporting shipper(s): Vlastic Foods, Inc., 33200 W. 14th Mile Rd., West Bloomfield, MI 48033. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 74416 (Sub-23TA), filed August 27, 1979. Applicant: LESTER M. PRANGE, INC., Box 1, Kirkwood, PA 17536. Representative: Charles A. Zyblut, 1030 15th St., N.W., Suite 366, Washington, DC 20005. *Fabricated sheet metal products, heating and air conditioning systems, and equipment, materials, and supplies used in the installation of the aforementioned commodities*, from Medina, NY to points in ME, NH, VT, MA, CT, RI, NJ, PA, DE, MD, VA, WV, DC, and Lithuania, GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Acme Manufacturing Co., 7500 State Rd., Philadelphia, PA 19136. Send protests to: ICC., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 94876 (Sub-18TA), filed September 7, 1979. Applicant: RICHARD ACERRA, INC., 38-09 Vernon Blvd., Long Island City, NY 11101. Representative: J. Aiden Connors, 325 East 201 St., New York, NY 10458. *Contract carrier*, irregular routes; *Bakery products and return stale bakery products (except commodities in bulk)*, between New York, NY, Wayne, NJ, and New Castle County, DE, Baltimore and Montgomery Counties, MD, Delaware, Lehigh, Montgomery, Northampton, Philadelphia Counties, PA, Fairfax County, VA, Washington, DC. for 180 days. Supporting shipper(s): Borden, Inc., Foods Division, Drake Bakery, 75 Demarest Road, Wayne, NJ 07470. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

MC 100666 (Sub-496TA), filed September 4, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Applicant is seeking authority to operate as a *common carrier* over irregular routes transporting *mineral wool insulation (fiber glass)*, except *commodities in bulk* from the facilities of CertainTeed Corporation at or near Athens, Atlanta, and Chamblee, GA to points in AL, AR, IL, IN, KY, LA, MO, OH, and TX, for 180 days. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper(s): CertainTeed Corporation, P.O. Box 860, Valley Forge, PA 19481. Send protests to: Robert J. Kirspel, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 102616 (Sub-1014TA), filed September 14, 1979. Applicant: COASTAL TANK LINES, INC., 250 North Cleveland-Massillon Rd. Akron, OH 44313. Representative: Wendell M. Kiefaber (same address as applicant). *Acrylonitrile, in bulk, in tank vehicles* from Addyston, OH to Inman, SC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Monsanto Co., 800 N. Lindbergh, St. Louis, MO 63166. Send protests to: Interstate Commerce Commission, Federal Reserve Bank Building, 101 North 7th Street, Room 620, Philadelphia, PA 19106.

MC 102817 (Sub-30TA), filed September 24, 1979. Applicant: PERKINS FURNITURE TRANSPORT, INC., 5034 Lafayette Road, P.O. Box 24335, Indianapolis, IN 46254. Representative: Robert W. Loser II, 1101 Chamber of Commerce Building, Indianapolis, IN 46204. *New furniture and furniture parts*.

(1) from east Arlington, VT to points in IN, IL, OH, MI, KY, WI, MO, PA, NY and WV; and (2) from Jamestown NY to points in OH, MI, IN, IL, IA, MO, KY and TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Dorset Corporation, 208 N. Hitzler, Box 898, Warsaw, IN 46580, and Crawford Furniture Corporation, 1021 Allen St., Jamestown, NY 14701. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 429 Federal Bldg., 46 E. Ohio St., Indianapolis, IN 46204.

MC 107006 (Sub-4TA), filed August 28, 1979. Applicant: THOMAS KAPPEL, INC., P.O. Box 1406, Springfield, OH 45501. Representative: John L. Alden, 1396 W. Fifth Ave., Columbus, OH 43212. *Contract; irregular: Fabricated reinforcing steel and welded wire mesh*, from the facilities of Wolverine Re-Steel Fabricators, Inc. at New Hudson, MI to points in OH for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wolverine Re-Steel Fabricators, Inc., 29059 Milford Rd., New Hudson, MI 48165. Send protests to: ICC, Fed. Res. Bank Bldg., Philadelphia, PA 19106.

MC 107496 (Sub-1245TA), filed October 1, 1979. Applicant: RUAN TRANSPORT CORP., 666 Grand Ave., Des Moines, IA 50309. Representative: E. Check (same address as applicant). *Plant nutrient, in bulk, in tank vehicles*, from Storm Lake, IA, to Stockton, CA, for 180 days. Supporting shipper(s): TransAgra Corporation, Suite 261, 1355 Lynnfield, Rd., Memphis, TN 38138. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 107496 (Sub-1240TA), filed August 28, 1979. Applicant: RUAN TRANSPORT CORP., 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, 666 Grand Avenue, Des Moines, IA 50309. *Liquefied petroleum Gas, in bulk, in tank vehicles*, from Milford, IN to points in MI. An underlying ETA seeks 90 day authority for 180 days. Supporting shipper(s): Great Plains Gas, Div. National Propane, P.O. Box 408, Dowagic, MI 49047. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 107496 (Sub-1241TA), filed September 17, 1979. Applicant: RUAN TRANSPORT CORP., 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check (same address as applicant). *Petroleum products, in bulk, in tank vehicles*, from Pana, IL, to points in IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): R. B. Winke Oil Co., Ft. of 48, Ft. Madison, IA 52627. Send protests to:

Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 107496 (Sub-1242TA), filed September 7, 1979. Applicant: RUAN TRANSPORT CORP., 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check (same address as applicant). *Liquid sugar and corn syrup and blends thereof, in bulk, in tank vehicles*, from Birmingham, AL, to points in AR, FL, GA, KY, LA, MS, TN, NC, and SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sunbelt Sweeteners, Inc., P.O. Box 278, Birmingham, AL 35201. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 108207 (Sub-529TA), filed August 17, 1979. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 225888, Dallas, TX 75265. Representative: M. W. Smith, P.O. Box 285888, Dallas, TX 75265. *Bakery Products (except commodities in bulk) form Altoona and Des Moines, IA and its commercial zone to points in MN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Salem's Specialty Foods, Inc., 805 8th St. S.W., Altoona, IA 50009. Send protests to: Opal Jones, Rm. 9A27 Fed. Bldg., ICC, 819 Taylor St., Ft. Worth, TX 76102.*

MC 108207 (Sub-530TA), filed September 27, 1979. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 225888, Dallas, TX 75265. Representative: M. W. Smith (same address as above). *Mineral water (except in bulk) in mechanically refrigerated equipment from Laredo, TX to points in MN, MI, IL, IN, OH, MO, KS, NE, IA, KY, TN, SD, and Fargo, ND for 180 days. Underlying ETA filed. Supporting shipper(s): Lindholm, Inc., 6106 Excelsior Blvd., Suite B, Minneapolis, MN 55416. Send protests to: Opal Jones, TCS, ICC, Rm. 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.*

MC 108207 (Sub-531TA), filed October 2, 1979. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 225888, Dallas, TX 75265. Representative: M. W. Smith (same address as above). *Foodstuffs, i.e., frozen donuts and pastries and/or bakery goods (except in bulk) in mechanically refrigerated equipment*, from Cincinnati, OH to points in IL, MO, OK, TX, CA, TN, LA, AR, MS, KS, NM, and AZ for 180 days. Underlying ETA for 90 days filed. Supporting shipper(s): Prestige Donuts, 10633 Glendale Road, Cincinnati, OH 45246. Send protests to: Opal Jones, TCS, ICC, Rm. 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 108207 (Sub-532TA), filed October 11, 1979. Applicant: FROZEN FOOD

EXPRESS, INC., P.O. Box 225888, Dallas, TX 75265. Representative: M. W. Smith (same address as above). *Intravenous solutions and hospital supplies* from Dallas, TX to Shreveport, LA for 180 days. Underlying ETA filed. Supporting shipper(s): Abbott Laboratories, 14th and Sheridan Roads, N. Chicago, IL 60604. Send protests to: Opal Jones, TCS, ICC, Rm. 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 108676 (Sub-148TA), filed October 3, 1979. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Ave., Knoxville, TN 37917. Representative: Mark S. Roach (same address as applicant). *Fired clay cat litter, except in bulk, in tank vehicles*, from the facilities of OCPC, Inc. at or near Stroud, OK to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper(s): O.C.P.C., Inc., 523 W. 1st St., Stroud, OK 74079. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 109126 (Sub-16TA), filed October 10, 1979. Applicant: LA SALLE TRUCKING CO., 690 Anita Street, Chula Vista, CA 92011. Representative: Fred H. Mackensen, Murchison & Davis, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Ca 90212. *General commodities (except commodities of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*, between U.S.-Mexico Border crossing points on the one hand, and, on the other, points in CA, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): There are approximately 19 supporting shippers. Their statements may be examined at the office listed below and at Headquarters. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 109397 (Sub-476TA), filed September 27, 1979. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, MO 64801. Representative: Max G. Morgan, P.O. Box 1540, Edmond, OK 73034. *Blasting agents (nitro-carbo-nitrate), explosive primer charges and caps, when moving in the same vehicle with blasting agents*, from Biwabik, MN to points in PA, VA, and WV. Supporting shipper(s): Energy Science and Consultants, Inc., Box B, Biwabik, MN 55708. Send protests to: Vernon Coble DS, 600 Federal Building, 911 Walnut St., Kansas City, MO 64106.

MC 110656 (Sub-14TA), filed September 13, 1979. Applicant: Parker Motor Freight, Inc., 1505 Steele Avenue

SW., Grand Rapids, MI 49502. Representative: Ronald J. Mastej, 900 Guardian Bldg., Detroit, MI 48226. *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 ISG Extrusion Toolings, Inc. at or near Suttons Bay, MI as an off route point in connection with otherwise authorized operations. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): ISG Extrusion Toolings, Inc., 1483 Southeast Manitou Trail, Suttons Bay, MI. 49682. Send protests to: C. R. Flemming, DS, I.C.C., 201 Corr Building, 300 E. Michigan Avenue, Lansing, MI 48933.

MC 112617 (Sub-454TA), filed September 28, 1979. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, KY 40221. Representative: Charles R. Dunford (same address as above). *Liquid petroleum pitch, in temperature controlled tank vehicles*, from Warriors Asphalt Co., Doraville, GA, to Union Carbide Corp., Carbon Products, at Greenville, SC. Supporting shipper(s): N. H. Hinze, Union Carbide Corp., 270 Park Ave., 6th Floor, New York, NY 10017. Send protests to: Ms. Clara L. Eyl, TA, ICC 426 Post Office Bldg., Louisville, KY 40402.

MC 114457 (Sub-546TA), filed September 14, 1979. Applicant: DART TRANSIT CO., 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Wills, (same address as applicant). *Materials, equipment, and supplies used in the manufacture, sale and distribution of electric ranges and microwave ovens and accessories related thereto* from Crestline and Lima, OH, Huntington, Columbus and Converse, IN, Huntingdon and Johnson City, TN, Horsehead and Watertown, NY, Cullman, AL, Chicago and Rockford, IL, Detroit, Spring Lake and Grand Rapids, MI, Ford City, PA, Siren, Racine, Phillips, Milwaukee and Montello, WI, and Cassville, MO to the facilities of Litton Microwave Cooking Products, Litton Systems, Inc. at Sioux Falls, SD, for 180 days. Supporting shipper(s): Litton Microwave Cooking Products, Litton Systems, Inc., 1405 Xenium Lane North, Minneapolis, MN 55441. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 114457 (Sub-547TA), filed September 14, 1979. Applicant: DART TRANSIT CO., 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Wills, (same address as applicant). *Confectionery in vehicles*

equipped with mechanical refrigeration (except commodities in bulk) from the facilities of Schrafft Candy Company at or near Boston and Woburn, MA to points in the U.S. in and east of ND, SD, NE, KS, OK and TX, for 180 days. Supporting shipper(s): Schrafft Candy Company, 529 Main Street, Charlestown, MA 02129. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 115116 (Sub-31TA), filed September 21, 1979. Applicant: SUBURBAN TRANSIT CORP., 750 Somerset Street, New Brunswick, NJ 08901. Representative: Edward F. Bowes, 167 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07006. Supporting shipper(s): Supported by 49 passengers whose names and addresses are on file at the Newark, NJ office of the ICC. Send protests to: Irwin Rosen, TS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 115826 (Sub-546TA), filed September 7, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Howard Gore (same address as above). *Petroleum, petroleum products, vehicle body sealer and sound deadener (except commodities in bulk)* from Newell and St. Mary's WV, Emlenton, Bradford, and North Warren, PA and Buffalo and North Tonawanda, NY to points in AL, CA, CO, FL, GA, IA, ID, IL, TN, KS, KY, MN, MO, MS, NC, NE, OR, SC, TN, UT, WI, for 180 days. Supporting shipper(s): Quaker State Oil Refining Corp., P.O. Box 989, Oil City, PA 16301. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 115826 (Sub-547TA), filed October 10, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Howard Gore (same address as above). *General commodities (except foodstuffs and commodities in bulk) between all points in the United States (except AK and HI)*, for 180 days. Supporting shipper(s): Dutch Boy, Inc., P.O. Box 209, Northfield, IL 60093. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 115716 (Sub-28TA), filed September 26, 1979. Applicant: DENVER-LIMON-BURLINGTON TRANSFER COMPANY, 3650 Chestnut Place, Denver, CO 80203. Representative: Edward C. Hastings, 666 Sherman Street, Denver, CO 80203. *General commodities, except Classes A and B explosives, commodities in bulk, in tank vehicles, commodities requiring special equipment and household goods as defined by the Commission, between Denver, CO and Colorado Springs, CO,*

for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): (None). Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80216.

MC 116457 (Sub-49TA), filed September 27, 1979. Applicant: GENERAL TRANSPORTATION INCORPORATED, 1804 S. 27th Ave., P.O. Box 6484, Phoenix, AZ 85005. Representative: D. Parker Crosby, 1710 S. 27th Ave., P.O. Box 6484, Phoenix, AZ 85005. *Gypsum wallboard, gypsum lather, plaster, gypsum wallboard systems, and related products used in the installation thereof (except in bulk or tank vehicles)*, from the plantsite of National Gypsum Company located in Maricopa County, AZ to CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Gold Bond Building Products, A Division of National Gypsum Company, 1414 E. Hadley St., Phoenix, AZ 85036. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 116896 (Sub-25TA), filed August 16, 1979. Applicant: FERREE FURNITURE EXPRESS, INC., 252 Wildwood Road, Hammond, IN 46324. Representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, IL 60603. *Cathode ray television picture receiving tubes, and parts, materials and supplies used in the manufacture thereof*, between Marion, IN and Lebanon, TN for 180 days. Supporting shipper(s): RCA Corporation, Building 204-2, Cherry Hill, NJ. Send protests to: Annie Booker, TA, 219 South Dearborn St., Room 1386, Chicago, IL 60604.

MC 116896 (Sub-26TA), filed August 27, 1979. Applicant: FERREE FURNITURE EXPRESS, INC., 252 Wildwood Road, Hammond, IN 46324. Representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, IL 60603. *Carpet padding and materials, equipment and supplies used in the sale and installation thereof (except in bulk)*, from Ft. Wayne, IN to points in IL, IA, KY, MI, MN, MO, OH, TN, WV, and WI for 180 days. An underlying ETA was granted for 90 days authority. Supporting shipper(s): General Felt Industries, Park 80 Plaza West-One, Saddlebrook, NJ 07662. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 117676 (Sub-14TA), filed September 6, 1979. Applicant: HERMS TRUCKING, INC., 620 Pear Street, Trenton, NJ 08648. Representative: Alan Kahn, Esquire, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. *Charcoal briquets and hickory chips (except in bulk)*, from the facilities of The Kingsford Company at Dothan, AL and

Burnside, KY, to points in CT, DC, DE, MA, MD, ME, NC, NH, NJ, OH, PA, RI, VA and VT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Kingsford Company, P.O. Box 1033, Louisville, KY 40201. Send protests to: Robert J. Latorewicz, TR&TS, ICC, 744 Broad St., Room 522, Newark NJ 07102.

MC 119777 (Sub-416TA), filed May 7, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer "L", Madisonville, KY 42431. Representative: Carl U. Hurst, Attorney (same address as above). Authority sought to operate as a motor *common carrier*, over irregular routes, to transport: *Paper products*, from the facilities of Western Kraft, Inc., at or near Campi, LA, to Memphis, TN, St. Louis, MO; Bridgeview, Streator, Montgomery, Elk Grove, Mt. Olive, and Alton, IL; Indianapolis and Crawfordsville, IN; Bowling Green and Louisville, KY; Milan, MI; Circleville, Delaware, and Middletown, OH; Pittsburgh, PA; Riegelsville and Bellmawr, NJ, and Huntington, WV. Supporting shipper(s): Mr. R. M. Sheffer, Director of Traffic, Western Kraft Paper Group, Willamette Industries, Inc., 3700 First National Bank Tower, Portland, OR 97201. Send protests to: Linda H. Sypher, DS, ICC, 426 Post Office Building, Louisville, KY 40202.

MC 11977 (Sub-418TA), filed October 1, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer "L", Madisonville, KY 42431. Representative: Carl U. Hurst, Attorney (same address as above). (1) *Aluminum and aluminum products*, (2) *Parts and accessories* used in the installation of the commodities in (1) above, and (3) *Materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) and (2) above, (except in bulk), between the facilities of V.A.W. of America, Inc., in St. Johns County, FL, on the one hand, and, on the other, points in GA, AL, MS, LA, TX, AR, NC, SC, VA, WV, KY, TN, CA, OR, WA, CO, and OK. Supporting shipper(s): Robert W. Scarbrough, V.A.W. of America, Inc., P.O. Box 367, St. Augustine, FL 32084. Send protests to: Ms. Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 119787 (Sub-8TA), filed September 20, 1979. Applicant: F. W. GROVES TRUCKING COMPANY, Rt. 4, Box 89, Leland, NC 28451. Representative: Ralph McDonald, P.O. Box 2246, Raleigh, NC 27602. *Commodities which because of size or weight require the use of special equipment* between Wilmington, NC and its commercial zone on the one hand, and, on the other, points in the states of

AL, AR, CO, CT, DE, FL, GA, IL, IN, KY, LA, ME, MD, MA, MI, MS, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, TX, VT, VA, WV, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 9 supporting shippers. Their statements may be examined at the address listed below or Headquarters. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 124306 (Sub-73TA), filed August 29, 1979. Applicant: KENAN TRANSPORT COMPANY, INC. P.O. Box 2729, Chapel Hill, NC 27514. Representative: W. David Fesperman, P.O. Box 2729, Chapel Hill, NC 27514. *Petroleum products, in bulk, in tank vehicles*, from Charlotte, NC to points in VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Parker Oil Company, P.O. Box 120, South Hill, VA 23970. Send protests to: Sheila Reece, Transportation Assistant, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 124887 (Sub-99TA), filed September 24, 1979. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, FL 32421. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Fertilizer and fertilizer materials and materials, supplies, and equipment necessary for the manufacture of fertilizer, not in bulk*, between Pace, FL on the one hand, and, on the other, points in AL, GA, LA, MS, and TN for 180 days. Supporting shipper(s): Air Products & Chemicals, P.O. Box 538, Allentown, PA 18105. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 126346 (Sub-28TA), filed October 3, 1979. Applicant: HAUPT CONTRACT CARRIERS, INC., P.O. Box 1023, Wausau, WI 54401. Representative: Daniel C. Sullivan, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Contract carrier; irregular route; Such commodities as are manufactured or distributed by manufacturers of (1) power transmission and fluid handling equipment, (2) heat transfer, refrigeration and air conditioning units, (3) avionics, actuating, generating, control and power systems, (4) pumps, (5) castings and weldments, (6) parts and components for (1), (2), (3), (4) and (5) and (7) equipment, materials and supplies for (1), (2), (3), (4), (5) and (6), (except commodities in bulk)*. Between points in the United States (except AK and HI). Restricted to a transportation service to be performed under a continuing contract(s) with Sundstrand Corporation and its subsidiaries Sundstrand Heat Transfer, Inc.,

Sundstrand Tubular Products, Inc., The Falk Corporation, Sundstrand Data Control, Inc. and Global Navigation, Inc., for 180 days. Supporting shipper(s): Sundstrand Corporation, 4751 Harrison Ave., Rockford, IL 61101. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, WI 53202.

MC 127047 (Sub-40TA), filed October 10, 1979. Applicant: ED RACETTE & SON, INC., 6021 N. Broadway, Wichita, KS 67219. Representative: William B. Barker, 641 Harrison, Topeka, KS 66603. *Industrial Conveyor Systems, and components thereof*, from the facilities of Uniflo Conveyor, Wichita, KS, to points in the commercial zones of Los Angeles and San Francisco, CA; Chicago, IL; Minneapolis, MN, Cleveland, OH; Denver, CO, Detroit and Kalamazoo, MI; Portland, OR; and Dallas, TX. Supporting shipper: Uniflo Convey, Div. of Great Plains Ventures, 1970 Southwest St., Wichita, KS 67213; for 180 days, common, irregular. Send protests to: M. E. Taylor, DS, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 128527 (Sub-137TA), filed September 13, 1979. Applicant: MAY TRUCKING COMPANY, P.O. Box 400, Payette, ID 83661. Representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. *Carpets, floor coverings, tile and commodities used in the installation, manufacture and distribution thereof*, from Spokane, WA and points in the commercial zone thereof, to points in ID, OR and UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Thompson Tile & Carpet Dist., East 3230 Main, P.O. Box 2944, Spokane, WA 99220. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 128866 (Sub-62TA), filed September 24, 1979. Applicant: B & B TRUCKING, INC., Post Office Box 128, 9 Brade Lane, Cherry Hill, NJ 08034. Representative: J. Michael Farrell, 1725 "K" Street, N.W., Suite 814, Washington, DC 20006. *Contract, irregular. Scrap aluminum*. From the plantsites of Penny Plate, Inc. at Cherry Hill, NJ; Waynesboro, VA; Deerfield, IL; Searcy and Atkins, AR, to Lancaster, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Penny Plate, Inc., P.O. Box 458, Haddonfield, NJ 08033. Send protests to: Joel Morrows, DS, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 13087 (Sub-54TA), filed September 5, 1979. Applicant: STOCKBERGER TRANSFER & STORAGE, INC., 524 Second St., SW., Mason City, IA 50401. Representative: William L. Fairbank,

1980 Financial Center, Des Moines, IA 50309. (1) *Crushed glass* from Mason City, IA, to Rosemount, MN, and (2) *empty barrels* from Rosemount, MN, to Mason City, IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): J & W Distributing Co., Inc., Box 45, Mason City, IA 50401. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 134017 (Sub-9TA), filed September 14, 1979. Applicant: R. M. HENDERSON, d.b.a. H & M MOTOR LINES, P.O. Box 3535, Greenville, SC 29608. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Drive, Gaithersburg, MD 20760. *Contract carrier*; irregular routes; (1) *Adhesives (except in bulk)* from the facilities of Para-Chem Southern, Inc., Simpsonville, SC to points in and east of MN, IA, MO, OK and TX; (2) *Materials and supplies used in the manufacture of adhesives (except in bulk)* from points in and east of MN, IA, MO, OK, and TX to the facilities of Para-Chem Southern, Inc., Simpsonville, SC, under a continuing contract with Para-Chem Southern, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Para-Chem Southern, Inc., P.O. Box 127, Simpsonville, SC 29681. Send protests to: E. E. Strotheid, DS, ICC, Rm. 302, 1400 Bldg., 1400 Pickens St., Columbia, SC 29201.

MC 134387 (Sub-74TA), filed September 11, 1979. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Avenue, South Gate, CA 90280. Representative: Patricia M. Schnegg, Knapp, Grossman & Marsh, 707 Wilshire Blvd., Suite 1800, Los Angeles, CA 90017. *Polyethylene Board*, from the facilities of Insulthane Corporation in Kent, WA to CA, OR, and NV, for 180 days. Supporting shipper(s): Insulthane Corporation, P.O. Box 278, Kent, WA 98031. Send protests to: Irene Carolos, TA, ICC, P.O. box 1551, Los Angeles, CA 90053.

MC 134387 (Sub-77TA), filed September 11, 1979. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Avenue, South Gate, CA 90280. Representative: Patricia M. Schnegg, Knapp, Grossman & Marsh, 707 Wilshire Blvd., Suite 1800, Los Angeles, CA 90017. *Polyurethane Board*, from Kent, WA to CA, OR, and NV, for 180 days. Supporting shipper(s): Insulthane Corporation, P.O. Box 278, Kent, WA 98031. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 134477 (Sub-365TA), filed October 4, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 W.

Mendota Rd., W. St. Paul, MN 55118. Representative: Thomas D. Fischbach (same address as applicant). (1) *Cleaning compounds, calking compounds, roof and concrete sealer, fertilizer and petroleum products; and (2) equipment, materials and supplies used in the distribution of commodities named in (1) above (except commodities in bulk in (1) and (2))* from the facilities of Conklin Company, Inc. at or near Shakopee, MN to Atlanta, GA, Peoria, IL, Des Moines, IA, Lansing, MI, Denver, CO, Lincoln, NE, Bismarck, ND, Hilliard, OH, Tulsa, OK, Manheim, PA and Amarillo, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Conklin Company, Inc., Valley Park Drive and Hwy. 101, Shakopee, MN 55379. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 134477 (Sub-366TA), filed October 4, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 W. Mendota Rd., W. St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St Paul, MN 55164. *Candy (except in bulk)* from St. Paul, MN to Ada, MI and Dallas, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pearson Candy, Co., 2140 W. 7th St., St. Paul, MN 55116. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 134477 (Sub-367TA), filed October 4, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 W. Mendota Rd., W. St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul MN 55164. *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.G.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Goldberger Foods, Inc. at or near Minneapolis, MN to points in CT, DE, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, VT, VA, WV and DC, for 180 days. Supporting shipper(s): Goldberger Foods, Inc., 11 W. 28th St., Minneapolis, MN 55408. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 134547 (Sub-8TA), filed September 4, 1979. Applicant: BILBO TRANSPORTS, INC., 2722 Singleton Blvd., Dallas, TX 75212. Representative: Austin L. Hatchell, 801 Vaughn Blvd., Austin, TX 78701. *Contract, irregular: Building, wall or insulating boards* from the plant facility of Masonite

Corporation at or near Grand Prairie, TX to points in OK, under a continuing contract with Masonite Corporation for 180 days. Underlying ETA filed for 90 days. Supporting shipper(s): Masonite Corporation, 1102 Ave. J East, Grand Prairie, TX 75050. Send protests to: Opal Jones, Transportation Consumer Specialist, ICC, Rm. 9A27, Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 134806 (Sub-62TA), filed September 4, 1979. Applicant: B-D-R TRANSPORT, INC., P.O. Box 1277, Vernon Drive, Brattleboro, VT 05301. Representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, D.C. 20014. *Contract carrier*, irregular routes: *Footwear*, from Wilton, ME to points in CA, for 180 days. Supporting shipper(s): G. H. Bass & Company, Wilton, ME 04294. Send protests to: Carol A. Perry, TA, ICC, P.O. Box 548, Montpelier, VT 05602.

MC 135797 (Sub-262TA), filed September 20, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). *Paper and paper products* from (1) Green Bay, WI to Lowell, AR; Jackson, TN; Kansas City, MO and (2) Lowell, AR to Jackson, TN, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Preston Sales, Route 202, New Preston, CT 06777. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 135797 (Sub-263TA), filed October 4, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul B. Bergant, Esq. (same address as applicant). *Animal feed additives* from the facilities of Anitox Corp. at Lawrenceville, GA to points in the United States (except AK and HI) for 180 days. Underlying ETA sought corresponding authority for 90 days. Supporting shipper(s): Anitox Corporation, P.O. Box 3891, Corpus Christi, TX 78404. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 135797 (Sub-264TA), filed October 10, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant, Esq. (same address as applicant). *Wooden and wire box and crate materials* from Magnolia, MS to points in the United States (except AL, AK, AR, CA, FL, HI, KY, LA, NY, OH, OK, SC, TN, TX and WI, for 180 days. Underlying ETA sought corresponding authority for 90 days. Supporting shipper(s): Great Southern Wirebound Box Co., Inc., P.O. Box 271, Magnolia, MS 39652. Send protests to: William H.

Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 135797 (Sub-265TA), filed October 10, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant, Esq., (same address as applicant). *Foodstuffs* from Hillside, NY to San Leandro, CA for 180 days. Underlying ETA sought corresponding authority for 90 days. Supporting shipper(s): Sunlight Foods, Inc., 2114 Adams Avenue, San Leandro, CA 94500. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 135797 (Sub-266TA), filed October 12, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant, Esq., (same address as applicant). *Cedar shakes and shingles* from points in WA to points in CA, IL, MN and OK for 180 days. Underlying ETA sought corresponding authority for 90 days. Supporting shipper(s): Midwest Cedar Shake Supply, Rt. 1, Box 242, Maple Plain, MN 55359. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 135046 (Sub-18TA), filed August 29, 1979. Applicant: ARLINGTON, J. WILLIAMS, INC., 1398 S. DuPont Hwy., Smyrna, DE 19977. Representative: Samuel W. Earnshaw, 833 Washington Bldg., Washington, DC 20005. *Plumbers' goods, vanities, accessories and attachments therefor and materials, supplies and equipment used in the manufacture and distribution thereof*, between facilities of Universal-Rundle Corp. and its subsidiaries at Monroe and Union Point, GA; Ottumwa, IA; Crawfordsville and Rensselaer, IN; Leominster, MA; Camden, NJ; Salem, OH, New Castle, PA and Corsicana and Hondo, TX, on the one hand, and, on the other, points on and east of the western boundary of ND, SK, NE, KS, OK, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Universal-Rundle Corp., P.O. Box 960, New Castle, PA 16103. Send protests to: ICC Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Philadelphia, PA 19106.

MC 135846 (Sub-4TA), filed September 21, 1979. Applicant: M. S. MOLITOR d.b.a. MOLITOR TRUCKING, P.O. Box 259, Boulder, MT 59632. Representative: John R. Davidson, 805 Midland Bank Bldg., Millings, MT 59101. *Malt beverages, in containers*, from Portland, OR and its commercial zone, to points in MT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Blitz Weinhard Co., 1133 West Burnside, Portland, OR 97209. Send protests to: Paul J. Labane, DS,

ICC, 2602 First Avenue North, Billings, MT 59101.

MC 135936 (Sub-24TA), filed September 5, 1979. Applicant: C & K TRANSPORT, INC., Box 205, Webster City, IA 50595. Representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, IA 50309. *Meat, meat products, and meat byproducts* from the facilities of Iowa Beef Processors, Inc. at or near Dakota City, NE, to points in IA, MN, and SD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Iowa Beef Processors, Inc., Dakota City NE 68731. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 136077 (Sub-21TA), filed September 17, 1979. Applicant: REBER CORP., 2216 Old Arch Rd., Norristown, PA 19401. Representative: Sheri B. Friedman, 1600 Land Title Bldg., Philadelphia, PA 19110. *Limestone* from the plant of White Pigment Corp. at Thomasville, West Manchester Twp. York County, PA, on the one hand, and, on the other, to points in NJ, DE and MD for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Thompson, Weinman & Co., 134 Evergreen Place, East Orange, NJ 07018. White Pigment Corp. R.D., Florence, VT 05744. Send protests to: Interstate Commerce Commission, Federal Reserve Bank Building, 101 North 7th Street Room 820, Philadelphia, PA 19106.

MC 136786 (Sub-174TA), filed August 31, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 NE 3rd Street, Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., 4601 Excelsior Blvd., Minneapolis, MN 55416. *Paint and paint products, in vehicles equipped with mechanical refrigeration* from Oak Creek, WI to points in OR and WA for 180 days. Supporting shipper(s): PPG Industries, Inc., Coatings & Resin Division, Number 1 Gateway Center, Pittsburgh, PA 15222. Send protests to: Herbert W. Allen, SC, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 136796 (Sub-6TA), filed October 10, 1979. Applicant: CHARLES OTTO, d.b.a. OTTO TRANSFER, 417 Elm St. Delano, MN 55328. Representative: John B. Van de North, Jr., Briggs and Morgan, 2200 First National Bank Bldg., St. Paul, MN 55101. *Contract carrier: irregular routes: Insulation products (except in bulk and except cellulose products)* from Mobridge, SD to points in AZ, CA, CO, ID, KS, MT, ND, NE, MN, NV, OK, OR, TX, UT, WA and WY, under a continuing contract(s) with Minnesota Diversified Products, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s):

Minnesota Diversified Products, Inc., 1901 13th St., NE, New Brighton, MN 55112. Send protests to: Judith L. Olson, TA, ICC, 414 Fed. Bldg., 110 S. 4th St., Minneapolis, MN 55401.

MC 138126 (Sub-43TA), filed September 28, 1979. Applicant: WILLIAMS REFRIGERATED EXPRESS, INC., Old Denton Rd., Federalsburg, MD 21632. Representative: Chester A. Zyblut, 1030 15th St., N.W. Suite 366, Washington, DC 20005. *Foodstuffs, in vehicles equipped with mechanical refrigeration* from the facilities of Louisville Freezer Center, Louisville, KY, and the facilities of Delaware Freezer Center, Newark, DE, to points in AL, CT, DE, DC, FL, GA, IL, IN, KY, MN, MD, MI, MS, NJ, OH, PA, RI, SC, TN, VA, WV and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Delaware Freezer Center, Louisville Freezer Center, Divisions of Omniway, 2000 S. 9th St., Louisville, KY 40408. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 138206 (Sub-10TA), filed October 1, 1979. Applicant: TRULINE CORP., 4455 S. Cameron Ave., Las Vegas, NV 89103. Representative: Robert G. Harrison, 4299 James Dr., Carson City, NV 89701. *Iron and steel items, including bars, beams, channels, pipe, tubing, and reinforcing bars*, between Los Angeles County, CA on the one hand, and points in CO on the other hand, for 180 days. Supporting shipper(s): Coutinho, Caro & Co., 2576 E. Victoria St., Compton, CA 90220. Send protests to: DS W. J. Huetig, ICC, 705 N. Plaza St., Carson City, NV 89701.

MC 138627 (Sub-79), filed August 29, 1979. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Fort Dodge, IA 50501. Representative: Arlyn L. Westergren, 7101 Mercy Rd., Suite 106, Omaha, NE 68106. *Lumber and Lumber mill products* from Rogers, AR to points in IL, IA, KS, MO, NE, SD, and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Timber Treated Products, Inc., 2535 South Eight St., Rogers, AR 72756. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 138627 (Sub-80TA), filed September 4, 1979. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Fort Dodge, IA 50501. Representative: Arlyn L. Westergren, 7101 Mercy Rd., Suite 106, Omaha, NE 68106. *Wood Shavings* from Lincoln, NE to Fort Dodge, IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Art Delp Investments, Route 3, Fort Dodge, IA 50501. Send protests to: Herbert W.

Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 138686 (Sub-11TA), filed September 4, 1979. Applicant: L.C.W. TRUCKING, INC., 119 E. Chavez, Edinburg, TX 78539. Representative: L. C. Waller, 119 E. Chavez, Edinburg, TX 78539. *Malt beverages*, from Galveston, TX to all points in NM for 180 days. Underlying ETA for 90 days filed. Supporting shipper(s): Falstaff Brewing Corp., 3301 Church St., Galveston, TX 77550. Send protests to: Opal Jones, ICC, Room 9A27 Federal Bldg., 819 Taylor Street, Fort Worth, TX 76102.

MC 139206 (Sub-61TA), filed October 5, 1979. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Dr., Maryland Heights, MO 63043. Representative: R. C. Mitchell (same address as applicant). *Contract, irregular, air conditioners, washers, dryers, air cleansers, humidifying and heating equipment; and materials, equipment and supplies used in the manufacture, distribution and repair of the above named commodities (except commodities in bulk and those requiring the use of special equipment), between the facilities of the Fedders Corporation at or near Effingham, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI), under a continuing contract or contracts with Fedders Corp., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fedders Corp., Woodbridge Ave., Edison, NJ 08817. Send protests to: P. E. Binder, TS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.*

MC 139206 (Sub-62TA), filed October 5, 1979. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Dr., Maryland Heights, MO 63043. Representative: R. C. Mitchell (same address as applicant). *Contract, irregular: Flexible metal hose and conduit, metal rods, bars, sheet and coils, and such commodities used in their manufacture, processing and distribution (except commodities in bulk and those requiring the use of special equipment), (1) between the facilities of Anaconda Brass Div. of Anaconda Industries at or near Mattoon, IL, on the one hand, and, on the other, Charlotte, NC; Cleveland, OH; Atlanta, GA, and Waterbury, CT; and (2) from Ansonia, CT to Nacogdoches, TX, under a continuing contract or contracts with Anaconda Brass Div. of Anaconda Industries, for 180 days. Supporting shipper(s): Anaconda Brass Div., 414 Meadow St., Waterbury, CT 06720. Send protests to: P. E. Binder, TS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.*

MC 139587 (Sub-22TA), filed September 18, 1979. Applicant: BROWN REFRIGERATED EXPRESS, INC., P.O. Box 603, Fort Scott, KS 66701. Representative: Wilburn L. Williamson, Suite 615, East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. *Malt beverages* from St. Louis, MO to Frontenac, KS, for 180 days, common, irregular; Supporting shipper(s): Menghini Bros. Distributors, Inc., 220 E. McKay, Frontenac, KS 66762. Send protests to: M. E. Taylor, DS, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 139917 (Sub-11TA), filed August 30, 1979. Applicant: SEARAIL INC., P.O. Box 909, Mobile, AL 36601. Representative: Geoge M. Boles, 727 Frank Nelson Building, Birmingham, AL 35203. *General commodities, in containers or trailers having an immediate prior, or subsequent movement by water, (except those of unusual value Classes A & B explosives and commodities in bulk). (2) General commodities having an immediate prior or subsequent movement by rail, (except those of unusual value, Classes A & B explosives, and commodities in bulk). Between Mobile, AL on the one hand, and on the other points in AL, MS, TN, and those in FL west of the Apalachicola River, for 180 days. Supporting shipper(s): There are 40 Supporting Shippers all of which can be examined in the Birmingham, AL field office or Washington, DC. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616-2121 Building, Birmingham, AL 35203.*

MC 140846 (Sub-15TA), filed September 20, 1979. Applicant: CENTRAL DELIVERY SERVICE OF MASSACHUSETTS, INC., 125 Magazine Street, Boston, MA 02119. Representative: Jeremy Kahn, Kahn & Kahn, 1511 K Street, NW., Washington, DC 20005. *Contract carrier; irregular route; new office furniture, fixtures, machines and office supplies, between Burlington, MA on the one hand, and, on the other, points in NH on and south of NH Highway 11. Restriction: The service authorized herein is restricted to transportation performed under a continuing contract or contracts with Boise Cascade Corporation. For 180 days. Supporting shipper(s): Boise Cascade Corp., P.O. Box 7747, Boise, ID 83807. Send protests to: John B. Thomas, D/S, ICC, 150 Causeway Street, Boston, MA 02114.*

MC 141376 (Sub-6TA), filed September 18, 1979. Applicant: CERTARO TRUCKING COMPANY, 14 Muller Road, Oakland, NJ 07436. Representative: Joseph R. Siegelbaum, Esquire, c/o Kalb, Freidman and

Siegelbaum, 17 Academy Street, Newark, NJ 07102. *Contract, irregular. Chemicals, cleaning, washing, scouring and defoaming compounds in temperature-controlled vehicles, except commodities in bulk; materials, equipment and supplies used in the manufacture and sale of the foregoing commodities, in temperature-controlled vehicles, except commodities in bulk; between Kearny, NJ; Houston, TX and Chicago, IL on the one hand, and on the other, points in CA; OR; WA; ID; and WY; between Houston, TX on the one hand, and on the other, Chicago, IL. The foregoing commodities to be performed under a continuing contract with Drew Chemical Corporation, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Drew Chemical Corporation, One Drew Chemical Plaza, Boonton, NJ 07005. Send protests to: Joel Morrows, D/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.*

MC 141516 (Sub-5TA), filed October 4, 1979. Applicant: RICHARD L. HODES, INC., P.O. Box 141, Unity, ME 04988. Representative: John C. Lightbody, 30 Exchange St., Portland, ME 04101. *Frozen potato products* from Belfast, ME to points in CA and CO. Supporting shipper(s): Penobscot Frozen Foods, Inc., Front and Federal Sts., Belfast, ME 04915. Send protests to: Donald G. Weiler, District Supervisor, ICC, 76 Pearl St., Rm. 303, Portland, ME 04101.

MC 142176 (Sub-1TA), filed September 19, 1979. Applicant: CALIFORNIA FREIGHT TRANSPORT, 4417 No. Brawley, Fresno, CA 93721. Representative: E. L. Fanucchi, 2409 Merced St., Suite 3, Fresno, CA 93721. *Contract carrier; irregular routes: Rigid Urethane Foam (not in bulk) from the facilities of United Foam Corporation, Compton, CA to points in WA and OR and points in the counties of Douglas, Carson, Storey, Washoe, NV for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): United Foam Corporation, 2626 Vista Industria, Compton, CA 90221. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.*

MC 142766 (Sub-11TA), filed September 7, 1979. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Avenue, Kearny, NJ 07032. Representative: Elizabeth Eleanor Murphy, 40 Hackensack Avenue, Kearny, NJ 07032. *Contract carrier, irregular routes for 180 days. Plastics articles, office and school supplies and equipment and materials used in their manufacture and sale between the facilities of Sterling Plastics Division of Borden Chemical located at or near Mountainside, NJ and points within the*

48 continental states. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sterling Plastics Co., 253 Sheffield Street, Mountainside, NJ 07092. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 143027 (Sub-8TA), filed October 5, 1979. Applicant: MICHAEL J. RESUDEK, d.b.a., CAPITAL AIR FREIGHT, 3533 International Lane, Madison, WI 53703. Representative: Michael S. Varda, 121 S. Pinckney St., Madison, WI 53703. *General commodities (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, articles of unusual value and commodities which because of size or weight require the use of special equipment.* Between points in Columbia and Jefferson Counties, WI, on the one hand, and on the other, O'Hare International Airport at Chicago, IL, restricted to traffic having a prior or subsequent movement by air, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ray-O-Vac, Division of ESB, Inc., 101 E. Washington Ave., Madison, WI 53703. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 143236 (Sub-38TA), filed May 31, 1979. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Avenue, Kearny, NJ 07032. Representative: Elizabeth Eleanor Murphy, 40 Hackensack Avenue, Kearny, NJ 07032. *Paints and commodities used in the manufacture and sale of (except in bulk).* Between Union, NJ and points in the state of FL. An underlying ETA seeks 90 days authority. Supporting shipper(s): International Paint Co., Morris Avenue, Union, NJ 07083. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 143236 (Sub-39TA), filed September 19, 1979. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Avenue, Kearny, NJ 07032. Representative: Elizabeth Eleanor Murphy, 40 Hackensack Avenue, Kearny, NJ 07032. *Such commodities dealt in or used by department stores between the facilities of Venture Stores located in the states of IL, IN, IA, KS, and MO and points in the U.S. in and east of the states of CO, IA, MN, NE, OK and TX for 180 days.* An underlying ETA seeks 90 days authority. Supporting shipper(s): Venture Stores, 615 Northwest Plaza, St. Ann, MO 63074. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 144117 (Sub-46TA), filed September 20, 1979. Applicant: TLC LINES, INC., 1666 Fabick Dr., Fenton, MO 63026. Representative: Warren W. Wallin, Esq., Sullivan & Associates, Inc., 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Plumbing fixtures and fittings from the plantsite of Kohler Company, Inc., Brown County, TX to points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA and WY, for 180 days.* An underlying ETA seeks 90 days authority. Supporting shipper(s): Kohler Company, Inc., P.O. Box A, Kohler, WI 53044. Send protests to: P.E. Binder, TS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 144117 (Sub-47TA), filed September 21, 1979. Applicant: TLC LINES, INC., P.O. Box 1090, Fenton, MO 63026. Representative: William D. Brejcha, Sullivan & Associates, Ltd., 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Carob mix, carob coated almonds, ambrosia mix, processed nuts and seeds, banana chips, and commodities which are otherwise exempt from economic regulation under 49 U.S.C. Section 10526(a)(6), from Dinuba, CA to points in the U.S. except AK and HI, for 180 days.* An underlying ETA seeks 90 days authority. Supporting shipper(s): Tenneco West, P.O. Box 9380, Bakersfield, CA 93389. Send protests to: P. E. Binder, TS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 144227 (Sub-4TA), filed October 2, 1979. Applicant: CARMIL, INC., Box 225, Hershey, NE 68143. Representative: Lavern R. Holdeman, Peterson, Bowman & Johans, 521 So. 14th St.; Suite 500, P.O. Box 81849, Lincoln, NE 68501. *Soybean meal from Sioux City, Des Moines and Fort Dodge, IA and points in their respective commercial zones to points in CO for 180 days.* An underlying ETA seeks 90 days authority. Supporting shipper(s): The Pillsbury Company, R. M. Bredesen, Merchandiser, Box 2908, Shawnee Mission, KS 66201. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 144377 (Sub-2TA), filed September 27, 1979. Applicant: FACTORY & STEEL TRANSPORTATION, INC., Route I, P.O. Box 74-A, Waverly, TN 37185. Representative: Andrew B. Dodson (address same as applicant). *Heating equipment, fireplaces, stoves incinerators, parts and accessories thereof & materials, equipment and supplies used in the manufacture sale & distribution of the above items (except in bulk or that require special equipment), between the facilities of Martin Industries, in AL on the one hand and on the other, all points in AL, AR, CO, CT, DC, DE, FL, GA, IL, IN, IA, KS,*

KY, LA, NC, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NM, NY, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WV, and WI, for 180 days. Supporting shipper(s): Martin Industries, P.O. Box 730, Sheffield, AL 35660. Send protests to: Glenda Kuss, TA, ICC, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 144747 (Sub-7TA), filed October 2, 1979. Applicant: INTERSTATE EQUIPMENT CO., INC., 22821 N. 81st Avenue, Peoria, AZ 85345. Representative: Phil B. Hammond, Evans, Hammond & Milliken, Suite 1705, 3003 N. Central Avenue, Phoenix, AZ 85012. *Contract, Irregular, Bottled mineral spring water, from the facilities of Poland Spring Corp. at Poland Spring, ME, to the customers of Poland Spring Corp. at Chicago, IL, Detroit, MI, Jacksonville and Miami, FL, Dallas and Houston, TX, Las Vegas, NV, Los Angeles and San Francisco, CA, Portland, OR, Seattle, WA, Denver, CO, Milwaukee, WI, St. Louis, MO and Atlanta, GA, for 180 days.* An underlying ETA seeks 90 days authority. Supporting shipper: Poland Spring Corp., 3816 S. Cinder Lane, P.O. Box 19150, Las Vegas, NV 89119. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Building, 230 N. 1st Avenue, Phoenix, AZ 85025.

MC 144756 (Sub-6TA), filed September 17, 1979. Applicant: DEDICATED TRUCKING CORP., Hamilton and Rush Roads, Chehalis, WA 98532. Representative: Henry C. Winters, 525 Evergreen Building, Renton, WA 98055. *Contract, irregular, Part (1) fireplace logs, from Stockton, CA to points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA and WY; Part (2) materials and supplies used in the manufacture of fireplace logs, from points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA and WY to Stockton, CA; Parts (1) and (2) to be performed under continuing contract(s) with Duraflame, Inc., of Stockton, CA for 180 days.* AN ETA R-6 was granted 9/17/79, expires 12/15/79. A permanent was granted (MC 144756 Sub No. 1F, but no certificate has been issued and the shipper needs the services of the carrier during the peak season. Supporting shipper(s): Duraflame, Inc., 2291 W. March Lane, Stockton, CA 95207. Send protests to: R. V. Dubay, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Portland, OR 97204.

MC 144827 (Sub-35TA), filed September 21, 1979. Applicant: DELTA MOTOR FREIGHT, INC., 2877 Farrisview, Memphis, TN 38118. Representative: R. Connor Wiggings, Jr., Suite 909, 100 N. Main Building,

Memphis, TN 38103. *Foodstuffs, except meat, meat products and meat by-products, not frozen and except commodities in bulk*, from the facilities of Vlastic Foods, Inc., at (1) Millsboro, DE to MA, CT, WV, NY, and PA and (2) Greenville, MS to CO, TX, TN, GA, and KY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Vlastic Foods, Inc., 33200 West 14 Mile Rd., W. Bloomfield, MI 48033. Send protests to: Floyd A. Johnson, Suite 2006, 100 N. Main Street, Memphis, TN 38103.

MC 144897 (Sub-6TA), filed September 7, 1979. Applicant: SUN FREIGHTWAYS, INC., P.O. Box 5386, Lubbock, TX 79417. Representative: Richard Hubbert, Sims, Kidd, Hubbert & Wilson, P.O. Box 12036, Lubbock, TX 79408. *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) from (1) Between Carlsbad, NM, and El Paso, TX, over U.S. Hwy. 62; (2) Between El Paso, TX, and Roswell, NM; from El Paso, TX to Las Cruces, NM, over IH-10; then from Las Cruces, NM, to Roswell, NM, over U.S. Hwy. 70; (3) Between El Paso, TX, and Artesia, NM; from El Paso, TX to Alamogordo, NM, over U.S. Hwy. 54; then from Alamogordo, NM to Artesia, NM over U.S. Hwy. 82; In (1) through (3) above, return over the same routes, serving all intermediate points. Supporting shipper(s): 101 supporting shippers. Send protests to: Opal Jones, TCS, I.C.C., Rm. 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 145337 (Sub-5TA), filed September 17, 1979. Applicant: P.M.E. LTD., P.O. Box 181, Group 261, R.R. 2, Winnipeg, MB, Canada R3C 2E6. Representative: Gene P. Johnson and Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108. (1) *Fruit juice and fruit juice concentrate*, and (2) *Commodities, the transportation of which is otherwise exempt from economic regulation under Subtitle IV of 49 USC 10526(a)(6)*, when moving at the same time and in the same vehicle with the commodities named in (1) above, from Dade City and Tampa, FL, to points on the International Boundary Line between the United States and Canada at points in MN and ND, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): W. A. Kyle Sales Ltd., 200-3081 Ness Avenue, Winnipeg, MB, Canada R2Y 2G3. Send protests to: H. E. Farsdale, DS, ICC, Room 268 Federal Building and U.S. Post Office, 657 2d Avenue North, Fargo, ND 58102.

MC 145337 (Sub-6TA), filed September 17, 1979. Applicant: P.M.E., LTD., Box 181, Group 261, R.R. 2, Winnipeg, MB, Canada R3C 2E6. Representative: Gene P. Johnson and James L. Mitchell, P.O. Box 2471, Fargo, ND 58108. *Activated clay*, in bags, from ports of entry on the International Boundary Line between the U.S. and Canada at points in ND and MN, to Dixon and Salinas, CA, Great Falls, MT, and Douglassville, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pembina Mountain Clay, Ltd. 945 Logan Avenue, Winnipeg, MB, Canada R3E 1P3. Send protests to: H. E. Farsdale, DS, ICC, Room 268 Federal Building and U.S. Post Office, 657 2d Avenue North, Fargo, ND 58102.

MC 145636 (Sub-12TA), filed September 4, 1979. Applicant: BOB BRINK, INC., 165 Steuben Street, Winona, MN 55987. Representative: Michael A. Thill, 128 1/2 East Third Street, Winona, MN 55987. *Specialized and custom-made lighting fixtures* from Winona, MN to points in AR, CA, CO, ID, IA, KS, MO, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Winona Lighting Studio, Inc., 3760 Fourth Street, Winona, MN 55987. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 146646 (Sub-30TA), filed September 26, 1979. Applicant: BRISTOW TRUCKING CO., INC., P.O. Box 63558, Birmingham, AL 35203. Representative: John R. Frawley, Jr., 5506 Crestwood Boulevard, Birmingham, AL 35212. *Stoneware, china and steel flatware*, between points in the United States, for 180 days. Supporting shipper(s): Wallace International, Inc., P.O. Box 22226, Birmingham, AL 35226. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35203.

MC 145997 (Sub-12TA), filed September 13, 1979. Applicant: JEM EQUIPMENT, INC., P.O. Box 396, Alma, AR 72921. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. (1) *Fencing, fencing materials, wire and wire products*, and (2) *Steel wire carriers*, between the facilities of Bekaert Steel Wire Corporation, at or near Van Buren, AR, and points in the United States, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Bekaert Steel Wire Corp., P.O. Box 668, Van Buren, AR 72956. Send protests to: William H. Land, DS, 3108 Federal Building, Little Rock, AR 72201.

MC 145997 (Sub-13TA), filed September 13, 1979. Applicant: JEM EQUIPMENT, INC., P.O. Box 396, Alma, AR 72921. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. *Such commodities as are dealt in or used by wholesale and retail discount and variety stores*, from points in IL, MA, MD, MI, NJ, NY and PA to facilities of Wal-Mart Stores, Inc., at or near Bentonville and Searcy, AR, for 180 days. Supporting shipper(s): Wal-Mart Stores, Inc., P.O. Box 116, Bentonville, AR 72712. Send protests to: William H. Land, DS, 3108 Federal Building, Little Rock, AR 72201.

MC 147076 (Sub-2TA), filed September 4, 1979. Applicant: COMMERCIAL ZONE CARTAGE, INC., 11460 Reading Road, Cincinnati, OH 45241. Representative: Jerry D. Rutledge, P.O. Box 505, West Chester, OH 45069. *Contract carrier: Irregular routes: Shoes and materials, supplies used in the manufacture and distribution of such*, between Cincinnati, OH and Dallas, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The United States Shoe Corp., 1658 Herald Avenue, Cincinnati, OH. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 147106 (Sub-2TA), filed August 7, 1979. Applicant: R. H. LUDWIG & CO., INC., 400 Jackson Park Drive, Seymour, IN 47274. Representative: R. H. Ludwig (same address as applicant). *Ironing tables, bed frames, ironing caddies, clothes racks, shopping carts, laundry carts, laundry sorters, and step stools* from the Seymour, IN vicinity to NV, WA, OR, CA, AZ, ID, UT, and CO for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Lear Siegler, Inc., 9th and Chestnut St., Seymour, IN 47274. Send protests to: Beverly J. Williams, Transportation Assistant, ICC 429 Federal Building, 46 East Ohio Street, Indianapolis, IN 46204.

MC 147536 (Sub-13TA), filed September 27, 1979. Applicant: D. L. Sitton Motor Lines, Inc., 3305 Range Line, P.O. Box 1567, Joplin, MO 64801. Representative: David L. Sitton. (same as applicant). *Furniture, Furniture parts and components and accessories, Aluminum products, Iron and steel articles, Materials and Supplies used in the manufacturing and distribution of articles dealt in by Leggett & Platt, Incorporated (except in bulk in tank vehicles)*. Between point in AZ, AR, CA, CO, IL, KY, MI, MO, OK, TX, UT and WI. (Restricted to shipments originating at or destined to the facilities of and utilized by Leggett & Platt, Incorporated.) Supporting shipper(s):

Leggett & Platt, Inc., P.O. Box 757, Carthage, MO 64638. Send protests to: Vernon Coble D/S, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

MC 147636 (Sub-4TA), filed September 6, 1979. Applicant: LARRY E. HICKOX d.b.a. LARRY E. HICKOX TRUCKING, Box 95, Casey, IL 62420. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract carrier*: irregular routes; *chemicals in packages* for the account of P.P.G. Industries, Inc., from Akron and Baberton, OH and Natrium, WV to points in AZ, CA, CO, ID, NV, NM, UT, WA, and WY for 180 days. Supporting shipper(s): P.P.G. Industries, Inc., No. 1 Gateway Center, Pittsburgh, PA 15222. Send protests to: Annie Booker, TA, ICC, 219 South Dearborn, Room 1386, Chicago, IL 60604.

MC 147656 (Sub-2TA), filed July 6, 1979. Applicant: C & V CORPORATION, 10345 Rainbow Lane, Indianapolis, IN 46236. Representative: Donald W. Smith, Suite 945, 9000 Keystone Crossing, Indianapolis, IN 46240. *Margarine*, from Indianapolis, IN to Dayton, Columbus, Bellefontaine, Cincinnati, Hamilton, Xenia and West Carrollton, OH, for 180 days. Supporting shipper: Standard Brands, Inc., Indianapolis Margarine Plant, 1102 Roosevelt Avenue, Indianapolis, IN. Send protests to: Beverly J. Williams, Transportation Assistant, ICC 46 E. Ohio St., Indianapolis, IN 46204.

MC 147667 (Sub-3TA), filed August 29, 1979. Applicant: J. H. STEWART & SON TRUCKING, 735 Laidlaw Avenue, Cincinnati, OH 45237. Representative: John L. Alden, 1396 W. Fifth Avenue, Columbus, OH 43212. *General commodities, except those of unusual value, and except dangerous explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 MCC 467, commodities requiring special equipment, commodities in bulk, and those injurious or contaminating to other lading* between Cincinnati, OH, on the one hand, and, on the other, points in IN, KY, OH for 180 days. Restricted to the transportation of shipments having a prior or subsequent movement by rail. Supporting shipper(s): There are six supporting shippers. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 147896 (Sub-4TA), filed September 20, 1979. Applicant: WESTERN SONTEX, INC., P.O. Box 667, Seal Beach, CA 90740. Representative: Miles L. Kavalier and Mandel & Kavalier, 315 South Beverly Drive, Suite 315, Beverly Hills, CA 90212. *Contract*; Irregular;

solvents and chemicals, except in bulk, (1) from Brunswick in Savannah, GA, Baton Rouge, LA, Hattiesburg, MS, Burlington and Parlin, NJ, Cleveland, OH, Clairton, PA and Hopewell, VA to the facilities of Central Solvents & Chemicals Co. in CA, OR, UT and WA and (2) from the facilities of Central Solvents & Chemical Co. in CA to the facilities of Central Solvents & Chemicals in OR, UT and WA, for 180 days. Supporting shipper(s): Central Solvents & Chemicals Co., president, 13900 Carmenita Road, Santa Fe Springs, CA 90670. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 147957 (Sub-2TA), filed September 4, 1979. Applicant: ELLIS B. STOFLE, d.b.a. STOFLE TRUCKING, P.O. Box 42, Tioga, TX 76271. Representative: Ellis B. Stofle, P.O. Box 42, Tioga, TX 76271. *Meats, meat products and meat byproducts* from San Angelo, TX to points in NY, NJ, CT, RI, MA, PA, MD, and DC for 180 days. An underlying ETA for 90 days filed. Supporting shipper(s): Texas Lamb Co., Inc., 1529 N. Bell, San Angelo, TX 76902. Send protests to: Opal Jones, Room 9A27 Federal Building, ICC, 819 Taylor Street, Fort Worth, TX 76102.

MC 147956 (Sub-1TA), filed September 11, 1979. Applicant: R. CAVALLA, d.b.a. C. F. L. TRUCKING, 4695 E. Terrace Avenue, Fresno, CA 93704. Representative: M. A. Smith, Jr., 2322 N. Maroa Avenue, Fresno, CA 93704. *Contract carrier*; irregular routes: *I. B. M. manufactured materials, (Frames and parts)*, from the plant site of The Vendo Co., Pinedale, CA, to the facilities of I. B. M., Tucson, AZ, and return of rejected or refused shipments under a continuing contract with the Vendo Co., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Vendo Co., 7209 N. Ingram Ave., Pinedale, CA 93650. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 147967 (Sub-3TA), filed September 21, 1979. Applicant: OTC TRANSPORT CORP., 2307 Oregon Street, Oshkosh, WI 54901. Representative: Norman A. Cooper, 145 W. Wisconsin Avenue, Neenah, WI 54956. *Contract carrier*; irregular routes: *Trucks, truck tractors and truck chassis*, in individual movements, in driveaway services, from Oshkosh, WI to Charleston, SC under continuing contracts with Oshkosh Truck Corporation, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Oshkosh Truck Corp., 2307 Oregon Street, Oshkosh, WI 54901. Send protests to: John E. Ryden,

DS, ICC 517 E. Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

MC 148016 (Sub-1TA), filed September 17, 1979. Applicant: McWHORTER-GRAY ENTERPRISES, INC., 1010 Highway 15 North, Ripley, MS 38663. Representative: Owen R. Gray, 1010 Highway 15 North, Ripley, MS 38663. *Bentonite, cat litter and clay products*, from Blue Mountain and Aberdeen, MS to points in the United States except AK, AZ, CA, CO, HI, ID, MT, NV, NM, OR, UT, WA, and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): International Minerals & Chemical Corp., 421 E. Hawley Street, Mundelein, IL 60060. Send protests to: Floyd A. Johnson, Suite 2006, 100 N. Main Street, Memphis, TN 38103.

MC 148036 (Sub-1TA), filed September 19, 1979. Applicant: RED WING TRANSPORTATION CORP., 3154 North Service Drive, Red Wing, MN 55066. Representative: Ronald N. Cobert, Esq., Suite 501, 1730 M Street, NW., Washington, DC 20036. *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 the facilities used by Minnesota Inter-Modal Shippers Association, Inc., at or near Minneapolis, MN, on the one hand, and, on the other, Denver, CO, Atlanta, GA, Chicago, IL, Detroit, MI, New York, NY, Dallas and Houston, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Minnesota Inter-Modal Shippers Association, Inc., General Manager, 2500 Kennedy Street Northeast, Minneapolis, MN 55413. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 148127 (Sub-1TA), filed October 5, 1979. Applicant: LINEHAUL EXPRESS CORP., P.O. Box 5078, Manchester, NH 03108. Representative: Neal R. Michaud, P.O. Box 5078, Manchester, NH 03108. *Foodstuffs and restaurant supply items*, between Manchester, NH, on the one hand, and, on the other, points in NY, NJ, IL, IN, OH, MN, VA, WV, PA, KY, and WI; and from points in the United States (except NY, NJ, IL, IN, OH, MN, VA, WV, MI, PA, KY and WI) to Manchester, NH (restricted to the transportation of traffic originating at the named origins and destined to the named destinations), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Granite State Packing Co., 63 Hancock St., Manchester, NH 03108. Kilton's

Wholesale Meat Service, 17 Cedar St., Manchester, NH 03108. Send protests to: Ross J. Seymour, DS, ICC, Room 3, 6 Loudon Road, Concord, NH 03301.

MC 148176 (Sub-1TA), filed October 10, 1979. Applicant: UBIQUITOUS DELIVERIES, INC., 130-05, 123rd Street, South Ozone Park, NY 11420.

Representative: Oswald Silvera, Esq., c/o Silvera & Brooks, Suite 1200, 350 Broadway, New York, NY 10013.

Luggage and such personal effects as are carried by airline passengers, between John F. Kennedy International Airport and LaGuardia Airport, NY, and Newark Airport, Newark, NJ, points in that part of CT on and west of US Highway 5, points in that part of NJ, in and north of Ocean, Monmouth and Mercer Counties, and points in that part of NY, in and south of Sullivan, Ulster and Dutchess Counties; for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Eastern Airlines, La Guardia Airport, Flushing, NY 11371, American Airlines Inc., LaGuardia Airport, Flushing, NY 11371. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

MC 148207 (Sub-1TA), filed September 13, 1979. Applicant: CASTLE COUNTRY TRANSPORTING, INC., P.O. Box 622, Price, UT 84532. Representative: D. Michael Jorgensen, Post Office Box 2465, Salt Lake City, UT 84110. *Mobile and modular homes between Carbon, Emery, Grand, San Juan, Garfield, Wayne, and Kane Counties, UT, on the one hand, and points in CO, ID, NM, AZ, WY, NV, OR on and east of U.S. Highway 97, and NE on and west of U.S. Highway 281, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 10 statements in support attached to this application which may be examined at the ICC in Washington, DC or copies of which may be examined in the field office named below. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Building, Salt Lake City, UT 84138.*

MC 148216 (Sub-1TA), filed September 10, 1979. Applicant: L & D TRUCK LEASING, INC., 19811 State Highway 231, Nevada, OH 44849. Representative: Richard H. Brandon, Box 97, 220 West Bridge Street, Dublin, OH 43017. *Contract carrier: Irregular routes: Prepared meats and meat products and equipment, materials and supplies used in the processing and shipping of prepared meats and meat products between the facilities of Honey Creek Provisions Co, Antrim Twp, Wyandot City, OH on the one hand, and on the other, pts in the US, except AK and HI,*

for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Honey Creek Provisions Co., P.O. Box 7, Nevada, OH 44849. Send protests to: ICC, Federal Reserve Bank Building, 101 N. 7th Street, Room 620, Philadelphia, PA 19106.

MC 148217 (Sub-1TA), filed September 28, 1979. Applicant: TIPTON TRUCKING, 1212 7th Street, Southeast, Waseca, MN 56093. Representative: John B. Van de North, Jr., c/o Briggs & Morgan, 2200 First National Bank Building, St. Paul, MN 55101. *Plastic corrugated tubing from New Richland, MN to points in ND, SD, NE, IA, WI, MO, IL, MT, WY, KS and OK, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Vinylex Corp., P.O. Box 421, New Richland, MN 56072. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.*

MC 148316 (Sub-1TA), filed October 1, 1979. Applicant: MID-WEST POOL CAR SHIPPING ASSOCIATES, INC., 1911 Nineteenth Street, P.O. Box 5686, Terminal Annex, Denver, CO 80217. Representative: Arthur J. Cerra, 2100 Ten Main Center, P.O. Box 19251, Kansas City, MO 64141. *Such commodities as are dealt in or sold by retail department and discount stores (except commodities in bulk), from the facilities of Mid-West Pool Car Shipping Assoc., Inc. at Denver, CO to points in CO, for 180 days. An underlying ETA seeking up to 90 days. Supporting shipper(s): There are 6 supporting shippers. Send protests to: District Supervisor R. L. Buchanan, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202.*

MC 148326 (Sub-1TA), filed September 20, 1979. Applicant: THIES TRANSPORTATION, INC., P.O. Box 49, Great Bend, KS 67530. Representative: John E. Jandera, 641 Harrison, Topeka, KS 66603. *Contract carrier, (1) Meats, meat products and meat by-products, dairy products and articles distributed by meat packinghouses, as described in Sections A, B and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 706 (except commodities in bulk), from facilities of Thies Packing Company, Inc. and Ohse Meat Products, Inc., in Topeka, Great Bend and Wichita, KS, to points in AL, AZ, AR, CA, CO, FL, GA, ID, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, MT, NE, NV, NM, NC, ND, OH, OK, OR, SC, SD, TN, TX, UT, WA, WI and WY. (2) Materials and Supplies used in the manufacturing and process of (1) above: From AL, AR, AZ, CA, CO, FL, GA, ID, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, MT, NE, NV, NM, NC, ND, OH,*

OK, OR, SC, SD, TN, TX, UT, WA, WI and WY, to the facilities of Thies Packing Company, Inc. and Ohse Meat Products, Inc., in Topeka, Great Bend and Wichita, KS., for 180 days; Supporting shippers: Thies Packing Co., Inc. and Ohse Meat Products, Inc., P.O. Box 49, Great Bend, KS 67530. Send protests to: M. E. Taylor, DS, ICC, 101 Litwin Building, Wichita, KS 67202.

MC 148336 (Sub-1TA), filed September 26, 1979. Applicant: RUSSELL'S TRUCKING, INC., 315 Taylor Street, Apt. No. 2, Rock Springs, WY 82901. Representative: Gary Russell (same address as applicant). (1) *Machinery, material, equipment 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 by products, and (2) 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, for 180 days. Restricted against the transportation of complete oil drilling rigs, between points in WY, CO, UT, ID and MT. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are seven (7) shippers. Their statements may be examined at the office shown below or at ICC Headquarters Office. Send protests to: Paul A. Naughton, D/S, Room 105 Federal Building, 111 South Wolcott, Casper, WY 82601.*

MC 148406 (Sub-1TA), filed October 11, 1979. Applicant: RALPH J. MARQUARDT & SONS, INC., Rural Route 1, Box 203A, Volin, SD 57072. Representative: Scott E. Daniel, 800 Nebraska Savings Building, 1623 Farnam, Omaha, NE 68102. *Contract carrier: Irregular routes: (1) Aluminum extrusions from the facilities of Alumax Extrusion, Inc., located at or near Yankton, SD to points in CO, GA, ID, IL, IN, IA, KS, MN, MO, MT, NE, NM, ND, OH, OK, OR, SD, TX, UT, WA and WY; (2) Materials, equipment and supplies utilized in the manufacture and distribution of the commodities named in (1) above, from points in CO, GA, ID, IL, IN, IA, KS, MN, MO, MT, NE, NM, ND, OH, OK, OR, SD, TX, UT, WA and WY to the facilities of Alumax Extrusion, Inc., located at or near Yankton, SD for the account of Alumax Extrusion, Inc. for 180 days. RESTRICTION: The transportation service sought herein shall be limited to the transportation service to be performed under a continuing contract or contracts with Alumax Extrusion, Inc.*

An underlying ETA seeks 90 days
authority. Supporting Shipper(s):
Alumax Extrusion, Inc., P.O. Box 681,
Yankton, SD 57078. Send protests to: J. L.
Hammond, DS, ICC, Room 455, Federal
Building, Pierre, SD 57501.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-33250 Filed 10-26-79; 8:45 am]

BILLING CODE 7035-01-M

Sunshine Act Meetings

Federal Register

Vol. 44, No. 210

Monday, October 29, 1979

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: 9:30 a.m., Tuesday, October 30, 1979.

PLACE: Room 856, 1919 M Street, NW., Washington, D.C.

STATUS: Special Open Commission Meeting.

MATTERS TO BE CONSIDERED:

Agenda, Item No., and Subject

Broadcast—1—Title: Television Programming for Children: A Report of the Childrens Television Task Force. Summary: The Commission is to consider broadcasters compliance with the 1974 *Policy Statement* concerning amount, type, and scheduling of children's programs; over-commercialization and other advertising issues; characteristics of the children's television market; policy options for children's programming; and staff recommendations.

This meeting may be continued the following workday to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 632-7260.

Issued: October 23, 1979.

[S-2102-79 Filed 10-25-79; 11:25 am]

BILLING CODE 6712-01-M

2

FEDERAL ELECTION COMMISSION.

DATE AND TIME: Thursday, November 1, 1979, at 10:00 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: Parts of this meeting will be open to the public and parts will be closed to the public.

MATTERS TO BE CONSIDERED IN THE OPEN SESSION:

Setting of dates for future meetings.

Correction and approval of minutes.
Certification of funds pursuant to 26 U.S.C. 9033: Threshold Submission—The Baker Committee.

Draft AO 1979-51: Walter A. Piorzchala, Treasurer, Edgar for Congress Committee.

DRAFT AO 1979-45: Robert Moore, Executive Director, National Republican Senatorial Committee.

1980 elections and related matters.

Appropriations and budget.

Pending legislation.

Classification actions.

Routine administrative matters.

MATTERS TO BE CLOSED TO THE PUBLIC:

Executive session for compliance and personnel.

PERSON TO CONTACT FOR INFORMATION:

Mr. Fred Eiland, Public Information Officer, telephone 202-523-4065.

Marjorie W. Emmons,

Secretary to the Commission.

[S-2103-79 Filed 10-25-79; 3:30 p.m.]

BILLING CODE 6715-01-M

3

INTER-AMERICAN FOUNDATION.

TIME AND DATE: 2:30 p.m., November 13, 1979.

PLACE: Board Room, Inter-American Foundation, 1515 Wilson Blvd., Arlington, Va. 22209.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Chairman's Report.
2. President's Report.
3. Financial Report.
4. Project Analysis.

CONTACT PERSON FOR MORE

INFORMATION: Lawrence E. Bruce, Jr., (703) 841-3812.

[S-2102-79 Filed 10-25-79; 2:45 pm]

BILLING CODE 7025-01-M

federal registers

Monday
October 29, 1979

Part II

Department of Housing and Urban Development

**Office of Assistant Secretary for
Housing—Federal Housing Commissioner**

**Schedule D; Fair Market Rents for Mobile
Home Spaces; Section 8 Existing
Housing Program**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 888

[Docket No. R-79-718]

Schedule D; Fair Market Rents for Mobile Home Spaces; Section 8 Existing Housing Program

AGENCY: Department of Housing and Urban Development (HUD).

ACTION: Publication of Fair Market Rents for Mobile Home Pads.

SUMMARY: The Department is establishing a Schedule of Fair Market Rents to be used by Public Housing Agencies (PHAs) in implementing 24 CFR Part 882, Subpart F—Special Assistance on Behalf of Mobile Home Owners. The newly established Subpart F of the Section 8 Existing Housing Regulations will permit assistance payments to be made through Public Housing Agencies (PHAs) to assist lower-income mobile home owners in paying the rents for the spaces on which their mobile homes are located.

DATE: Comments due November 13, 1979.

EFFECTIVE DATE: December 4, 1979.

ADDRESS: Comments should be sent to the Rules Docket Clerk, Office of General Counsel, Room 5218, 451 Seventh Street SW., Washington, D.C. 20410. A copy of each comment will be available for public inspection at this address during regular business hours. Copies of comments by PHAs should be submitted concurrently to the Economic and Market Analysis Division in the appropriate HUD Field Office.

FOR FURTHER INFORMATION CONTACT: Miss Patricia Arnaudo, Director, Existing Housing Division, Room 6234, (202) 426-0910.

SUPPLEMENTARY INFORMATION: This rule proposes to establish an initial Schedule of Fair Market Rents (FMRs) to be used by PHAs in making assistance payments available to mobile home owners in paying the rents for the spaces on which their mobile homes are located. The Department will soon publish at Part 882, Subpart F, a final rule which will permit such assistance payments. In response to the proposed rule published for comment on May 11, 1979, HUD received and considered 53 comments.

Derivation of Initial Fair Market Rent Schedule for Mobile Home Spaces

This initial FMR Schedule was developed based on median site rent for Mobile Homes in each Standard Metropolitan Statistical Area (SMSA) and in the non-metropolitan portions of each state. These median site rent costs were derived from market surveys conducted by the Economic and Market Analysis Division in each HUD Field Office. The published FMRs reflect the average rents currently being charged for single-wide and double-wide Mobile Home Spaces, excluding utilities.

Annual Revision of Fair Market Rent Schedule for Mobile Home Spaces

After publication of the Final Rule for this initial schedule, the Department will update the Fair Market Rents for Mobile Home Spaces on an annual basis at the same time it publishes the FMRs for the Section 8 Existing Housing Program.

Invitation for Comment

Interested persons are invited to participate in the making of this rule by submitting written comments, suggestions or data. Proposals for revision of the published rent schedules should be specific as to geographic area (county or SMSA) and to dollar amounts and should be supported by appropriate cost data.

The reason for a limited comment period is to permit PHAs to implement Subpart F—Special Assistance on Behalf of Mobile Home Owners before Congress adjourns. This will allow PHAs to provide housing assistance to eligible families in areas where there is no alternative to mobile home owners.

All comments received will be considered and if, as a result of those comments, the Department determines that further revision of these rents is appropriate, the effective date of these rents will be deferred and notice of the deferral will be published in the **Federal Register**. If, however, the Department determines that there is not a need for change in these rents, the rents will become effective without further notice 20 days after the close of the comment period.

NEPA

HUD has made a Finding of Inapplicability regarding the National Environment Policy Act of 1969 in accordance with HUD procedures. A copy of this Finding of Inapplicability is available for public inspection during regular business hours at the Office of the Rules Docket Clerk, at the address specified above.

Accordingly, the new Schedule D of 24 CFR Part 888 (Fair Market Rents for Mobile Home Spaces) is:

- (1) Published for public notice and comment as set forth above;
- (2) Published to become effective on December 4, 1979, unless notice is otherwise published by HUD on or before that date.

Authority: Section 7(d), Department of HUD Act (42 U.S.C. 3535(d)).

Issued at Washington, D.C., September 19, 1979.

Lawrence B. Simons,
Assistant Secretary for Housing, Federal Housing Commissioner.

Attachment 1.—Section 8 Existing Fair Market Rents for Mobile Homes for SMSAS

	Single Wide Space	Double Wide Space
Abilene, TX.....	42	47
Akron, OH.....	75	75
Albany, GA.....	40	42
Albany-Schenectady-Troy, NY.....	90	90
Albuquerque, NM.....	73	88
Alexandria, LA.....	55	65
Allentown-Bethlehem-Easton, PA-NJ.....	78	70
Altoona, PA.....	62	62
Amarillo, TX.....	73	78
Anaheim-Santa Ana-Garden Grove, CA.....	128	170
Anchorage, AK.....	145	145
Anderson, IN.....	43	43
Ann Arbor, MI.....	101	108
Anniston, AL.....	51	55
Appleton-Oshkosh, WI.....	75	80
Asheville, NC.....	55	65
Atlanta, GA.....	63	68
Atlantic City, NJ.....	107	107
Augusta, GA-SC.....	58	60
Austin, TX.....	68	80
Bakersfield, CA.....	80	120
Baltimore, MD.....	121	121
Baton Rouge, LA.....	65	75
Battle Creek, MI.....	65	75
Bay City, MI.....	76	79
Beaumont-Port Arthur-Orange, TX.....	70	80
Billings, MT.....	95	105
Biloxi-Gulfport, MS.....	65	75
Binghamton, NY-PA.....	62	62
Birmingham, AL.....	70	76
Bismarck, ND.....	90	100
Bloomington, IN.....	40	40
Bloomington-Normal, IL.....	78	78
Boise City, ID.....	70	79
Boston, MA.....	85	90
Bradenton, FL.....	85	85
Bridgeport, CT.....	105	105
Bristol, CT.....	•••••	•••••
Brockton, MA.....	85	85
Brownsville-Harlingen-San Benito, TX.....	55	65
Bryan-College Station, TX.....	68	75
Buffalo, NY.....	80	80
Burlington, NC.....	55	65
Caguas.....	•••••	•••••
Canton, OH.....	55	55
Cedar Rapids, IA.....	78	80
Champaign-Urbana-Rantoul, IL.....	64	64
Charleston, SC.....	55	55
Charleston, WV.....	65	65
Charlotte-Gastonia, NC.....	55	65
Chattanooga, TN-GA.....	55	40
Chicago, IL.....	140	150
Cincinnati, OH-KY-IN.....	75	78
Clarksville-Hopkinsville, TN-KY.....	55	60
Cleveland, OH.....	80	80
Colorado Springs, CO.....	80	90
Columbia, MO.....	60	65
Columbia, SC.....	50	55
Columbus, GA-AL.....	64	70
Columbus, OH.....	70	80
Corpus Christi, TX.....	58	75
Dallas-Fort Worth, TX.....	60	75
Danbury, CT.....	80	80
Davenport-Rock Island-Moline, IA-IL.....	85	90
Dayton, OH.....	55	55

Attachment 1.—Section 8 Existing Fair Market Rents for Mobile Homes for SMSAS—Continued

	Single Wide	Double Wide
	Space	Space
Daytona Beach, FL	75	75
Decatur, IL	85	85
Denver-Boulder, CO	110	125
Des Moines, IA	78	78
Detroit, MI	98	106
Dubuque, IA	70	80
Duluth-Superior, MN-WI	58	62
Eau Claire, WI	71	76
El Paso, TX	77	87
Elkhart, IN	56	56
Elmira, NY	65	65
Erie, PA	62	62
Eugene-Springfield, OR	95	97
Evansville, IN-KY	50	54
Fall River, MA-RI	58	58
Fargo-Moorhead, ND-MN	80	90
Fayetteville, NC	55	65
Fayetteville-Springdale, AR	46	48
Fitchburg-Leominster, MA	70	70
Flint, MI	92	92
Florence, AL	55	60
Fort Collins, CO	75	85
Fort Lauderdale-Hollywood, FL	125	125
Fort Myers-Cape Coral, FL	80	80
Fort Smith, AR-OK	27	29
Fort Wayne, IN	46	61
Fresno, CA	120	135
Gadsden, AL	51	55
Gainesville, FL	60	60
Galveston-Texas City, TX	80	90
Gary-Hammond-East Chicago, IN	67	77
Grand Forks, ND-MN	78	85
Grand Rapids, MI	70	74
Great Falls, MT	80	90
Greeley, CO	75	85
Green Bay, WI	78	78
Greensboro, Winston-Salem, High Point, NC	55	65
Greenville-Spartanburg, SC	50	50
Hamilton-Middletown, OH	68	62
Harrisburg, PA	60	60
Hartford, CT	98	98
Honolulu, HI	***	***
Houston, TX	72	82
Huntington-Ashland, WV-KY-OH	60	60
Huntsville, AL	70	78
Indianapolis, IN	59	68
Jackson, MI	75	75
Jackson, MS	70	85
Jacksonville, FL	55	65
Janesville-Beloit WI	78	78
Jersey City, NJ	135	135
Johnson City-Kingsport-Bristol, TN-VA	60	60
Johnstown, PA	62	62
Kalamazoo-Portage, MI	79	82
Kankakee, IL	62	62
Kansas City, MO-KS	66	80
Kenosha, WI	78	88
Killeen-Temple, TX	70	75
Knoxville, TN	50	50
Kokomo, IN	56	61
La Crosse, WI	67	72
Lafayette, LA	60	70
Lafayette-West Lafayette, IN	51	74
Lake Charles, LA	68	70
Lakeland-Winter Haven, FL	60	60
Lancaster, PA	65	65
Lansing-East Lansing, MI	88	101
Laredo, TX	50	60
Las Vegas, NV	125	140
Lawrence, KS	56	61
Lawrence-Haverhill, MA-NH	***	***
Lawton, OK	54	60
Lewiston-Auburn, ME	58	58
Lexington-Fayette, KY	66	78
Lima, OH	70	70
Lincoln, NE	74	78
Little Rock-North Little Rock, AR	39	41
Long Branch-Asbury Park, NJ	126	127
Longview-Marshall, TX	65	72
Lorain-Elyria, OH	85	85
Los Angeles-Long Beach, CA	95	155
Louisville, KY-IN	57	62
Lowell, MA-NH	***	***
Lubbock, TX	72	75
Lynchburg, VA	55	55
Macon, GA	41	44
Madison, WI	109	114
Manchester, NH	67	80
Mansfield, OH	65	65

Attachment 1.—Section 8 Existing Fair Market Rents for Mobile Homes for SMSAS—Continued

	Single Wide	Double Wide
	Space	Space
Mayaguez	***	***
McAllen-Pharr-Edinburg, TX	64	75
Melbourn-Titusville-Cocoa, FL	70	70
Memphis, TN-AR-MS	65	65
Meriden, CT	78	78
Miami, FL	100	100
Midland, TX	75	80
Milwaukee, WI	85	90
Minneapolis-St. Paul, MN-WI	90	90
Mobile, AL	56	61
Modesto, CA	125	135
Monroe, LA	55	65
Montgomery, AL	56	60
Muncie, IN	42	47
Muskegon-Norton Shores-Muskegon Heights, MI	70	71
Nashua, NH	90	90
Nashville-Davidson, TN	65	75
Nassau-Suffolk, NY	***	***
New Bedford, MA	79	79
New Britain, CT	90	90
New Brunswick-Perth Amboy-Sayreville, NJ	163	164
New Haven-West Haven, CT	82	82
New London-Norwich, CT-RI	78	78
New Orleans, LA	68	78
New York City, NY-NJ	***	***
Newark, NJ	***	***
Newport News-Hampton, VA	72	72
Norfolk-Virginia Beach-Portsmouth, VA-NC	86	86
Northeast, PA	55	55
Norwalk, CT	***	***
Odessa, TX	75	80
Oklahoma City, OK	56	62
Omaha, NE-IA	65	75
Orlando, FL	70	70
Owensboro, KY	61	71
Oxnard-Simi Valley-Ventura, CA	105	180
Panama City, FL	60	60
Parkersburg-Marietta, WV-OH	60	60
Pascagoula-Moss Point, MS	55	65
Paterson-Clifton-Passaic, NJ	145	146
Pensacola, FL	60	60
Peoria, IL	115	125
Petersburg-Colonial Heights-Hopewell, VA	66	66
Philadelphia, PA-NJ	85	85
Phoenix, AZ	75	90
Pine Bluff, AR	22	24
Pittsburgh, PA	60	60
Pittsfield, MA	85	85
Ponce	***	***
Portland, ME	91	105
Portland, OR-WA	110	122
Poughkeepsie, NY	***	***
Providence-Warwick-Pawtucket, RI-MA	78	78
Provo-Orem, UT	75	85
Pueblo, CO	75	85
Racine, WI	79	84
Raleigh-Durham, NC	55	65
Rapid City, SD	75	85
Reading, PA	65	65
Reno, NV	115	135
Richland-Kennewick-Pasco, WA	95	95
Richmond, VA	85	85
Riverside-San Bernardino-Ontario, CA	80	125
Roanoke, VA	60	60
Rochester, MN	77	77
Rochester, NY	90	90
Rockford, IL	113	120
Sacramento, CA	98	117
Saginaw, MI	80	80
St. Cloud, MN	70	70
St. Joseph, MO	61	67
St. Louis, MO-IL	65	75
Salem, OR	95	97
Salinas-Seaside-Monterey, CA	120	150
Salt Lake City-Ogden, UT	85	95
San Angelo, TX	65	70
San Antonio, TX	55	65
San Diego, CA	120	150
San Francisco-Oakland, CA	125	180
San Jose, CA	125	185
San Juan	***	***
Santa Barbara-Santa Maria-Lompoc, CA	100	150
Santa Cruz, CA	120	150
Santa Rosa, CA	120	145
Sarasota, FL	80	80
Savannah, GA	50	55
Seattle-Everett, WA	90	125
Sherman-Denison, TX	60	70

Attachment 1.—Section 8 Existing Fair Market Rents for Mobile Homes for SMSAS—Continued

	Single Wide	Double Wide
	Space	Space
Shreveport, LA	60	70
Sioux City, IA-NE	67	67
Sioux Falls, SD	75	85
South Bend, IN	61	65
Spokane, WA	75	85
Springfield, IL	75	80
Springfield, MO	46	49
Springfield, OH	57	67
Springfield-Chicopee-Holyoke, MA-CT	68	68
Stamford, CT	***	***
Steubenville-Weirton, OH-WV	52	52
Stockton, CA	125	135
Syracuse, NY	75	75
Tacoma, WA	80	95
Tallahassee, FL	55	55
Tampa-St. Petersburg, FL	80	80
Terre Haute, IN	40	49
Texarkana, TX-AR	75	85
Toledo, OH-MI	85	115
Topeka, KS	55	60
Trenton, NJ	108	108
Tucson, AZ	55	75
Tulsa, OK	60	65
Tuscaloosa, AL	66	72
Tyler, TX	60	63
Utica-Rome, NY	70	70
Vallejo-Fairfield-Napa, CA	115	130
Vineland-Millville-Bridgeton, NJ	95	95
Waco, TX	62	70
Washington, DC-MD-VA	110	110
Waterbury, CT	***	***
Waterloo-Cedar Falls, IA	70	80
West Palm Beach-Boca Raton, FL	100	100
Wheeling, WV-OH	55	55
Wichita, KS	61	66
Wichita Falls, TX	45	50
Williamsport, PA	50	50
Wilmington, DE-NJ-MD	80	80
Wilmington, NC	55	65
Worcester, MA	60	60
Yakima, WA	75	80
York, PA	65	65
Youngstown, Warren, OH	65	65

Note.—*** Indicates data are currently not available

Attachment 2.—Section 8 Existing Fair Market Rents for Mobile Homes for the Non-Metropolitan Portions of States

State	Single Wide	Double Wide
	Space	Space
Alabama	49	53
Alaska	130	130
Arizona	55	70
Arkansas	29	32
California	85	110
Connecticut	83	83
Delaware	50	50
Florida	60	60
Georgia	45	45
Idaho	65	65
Illinois	70	75
Indiana	37	49
Iowa	60	65
Kansas	54	60
Kentucky	51	57
Louisiana	55	65
Maine	75	85
Maryland	85	85
Massachusetts	90	90
Michigan	75	83
Minnesota	55	55
Mississippi	55	65
Missouri	43	48
Nebraska	56	67
Nevada	60	70
New Hampshire	62	75
New Jersey	70	70
New Mexico	60	68
New York	80	80
North Carolina	40	50
North Dakota	65	75
Ohio	50	50
Oklahoma	52	58
Oregon	80	85

Attachment 2.—Section 8 Existing Fair Market Rents for Mobile Homes for the Non-Metropolitan Portions of States—Continued

State	Single Wide Space	Double Wide Space
Pennsylvania	50	50
Rhode Island	75	75
South Carolina	45	45
South Dakota	55	65
Tennessee	45	45
Texas	48	58
Vermont	70	80
Virginia	62	62
Washington	70	80
West Virginia	60	60
Wisconsin	60	65

Note.—The non-metropolitan portions of Colorado, Montana, Utah, and Wyoming are delineated by areas to show differences caused by energy impact:

	Single Wide Space	Double Wide Space
COLORADO—		
Eastern Slope (includes counties): Alamosa, Baca, Bent, Cheyenne, Conejos, Costilla, Crowley, Elbert, Huerfano, Kiowa, Kit Carson, Las Animas, Lincoln, Logan, Mineral, Morgan, Otero, Phillips, Prowers, Rio Grande, Saquache, Sedgwick, Yuma, Washington		
	65	75
Western Slope (includes counties): Archuleta, Chaffee, Clear Creek, Custer, Delta, Dolores, Fremont, Grand Gunnison, Hinsdale, Jackson, Lake, Laplata, Mesa, Montezuma, Montrose, Ouray, Park, San Juan, San Miguel		
	75	85
Mountain/Energy (includes counties): Eagle, Garfield, Moffat, Pitkin, Rio Blanco, Routt, Summit		
	120	135
MONTANA—		
Mountain/Energy (includes counties): Big Horn, Carbon, Custer, Dawson, Musselshell, Powder River, Rosebud, Treasure, Beaverhead, Broadwater, Deer Lodge, Flathead, Gallatin, Granite, Jefferson, Lake, Lewis and Clark, Lincoln, Madison, Meagher, Mineral, Missoula, Park, Powell, Ravalli, Sanders, Silver Bow, Yellowstone National Park		
	75	85
Plains (includes counties): Blaine, Carter, Chouteau, Daniels, Fallon, Fergus, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Liberty, McCone, Petroleum, Phillips, Pondera, Prairie, Richland, Roosevelt, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux		
	55	65
UTAH—		
Energy Area (includes counties): Carbon, Emery, Grand Vintah		
	75	85
Non-Metro (includes counties): Beaver, Box Elder, Cache, Daggett, Duchesne, Garfield, Iron, Suab, Kane, Millard, Morgan, Piute, Rich, San Juan, Sanpete, Sevier, Summit, Utah, Wasatch, Washington, Wayne		
	55	65
WYOMING—		
Energy Impact (includes counties): Campell, Carbon, Converse, Fremont, Natrona, Sheridan, Sweetwater		
	125	135
Non-Metro (includes counties): Albany, Big Horn, Crook, Goshen, Hot Springs, Johnson, Laramie, Lincoln, Niobrara, Park, Platte, Sublette, Teton, Unita, Washakie, Weston		
	75	90

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Part III

Environmental Protection Agency

**Textile Mills Point Source Category
Effluent Limitations Guidelines,
Pretreatment Standards, and New Source
Performance Standards; Proposed
Regulations**

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 410

[FRL 1291-1]

Textile Mills Point Source Category Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed regulation.

SUMMARY: EPA proposes regulations to limit the discharge of effluents and the introduction of pollutants into publicly owned treatment works from facilities that produce intermediate and finished textile products from various types of fiber, yarn, or fabric. The purpose of these regulations is to provide effluent limitations guidelines for "best available technology" and "best conventional technology," and to establish new source performance standards and pretreatment standards, under Sections 301, 304, 306, and 307 of the Clean Water Act.

The SUPPLEMENTARY INFORMATION section of this preamble describes the legal authority and background, technical and economic bases, and other aspects of the proposed regulations. It also presents a summary of comments on the draft technical development document, which was circulated during November 1978, and solicits comments on specific areas of interest.

Many abbreviations and acronyms are used throughout this notice to avoid excessive narrative; a list of these and their definitions is set forth in Appendix A. Definitions of various terms, possibly unfamiliar to some readers, also are provided in that appendix.

Support for these proposed regulations is in three major documents available from EPA. Analytical methods are discussed in *Sampling and Analysis, Procedures for Screening of Industrial Effluents for Toxic Pollutants*. EPA's technical conclusions are detailed in the *Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Textile Mills Point Source Category*. The Agency's economic analysis is found in *Economic Impact Analysis of Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Textile Mills Point Source Category*.

DATES: A period of sixty days from the date of publication in the Federal

Register will be allowed for submission of comments on this proposal. Comments by December 28, 1979.

ADDRESS: Send comments to: James R. Berlow, Effluent Guidelines Division, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. Attention: EGD Docket Clerk, Textile, (WH-552). A copy of the supporting information and all public comments submitted in response to this proposal will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (Rear) PM-213. (EPA Library), 401 M Street SW., Washington, D.C. 20460. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Technical information and copies of technical documents may be obtained from James R. Berlow at the address listed above after November 16, 1979 or call (202) 426-2554. The economic analysis may be obtained from Ms. Jean Noroian, Water Economics Branch (WH-586), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, Tel. (202) 426-2617, after November 23, 1979.

SUPPLEMENTARY INFORMATION:

Organization of This Notice.

- I. Legal Authority
- II. Background
 - A. The Clean Water Act
 - B. Prior EPA Regulations
 - C. Overview of the Industry
- III. Scope of This Rulemaking and Summary of Methodology
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- V. Sampling and Analytical Program
- VI. Industry Subcategorization
- VII. Available Wastewater Control and Treatment Technology
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- X. New Source Performance Standards
- XI. Pretreatment Standards for Existing Sources
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 - XIII. Regulated Pollutants
 - XIV. Pollutants and Subcategories not Regulated
 - A. Pollutants Excluded
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 - XV. Monitoring Requirements
 - XVI. Costs, Effluent Reduction Benefits, and Economic Impacts
 - XVII. Non-Water Quality Aspects of Pollution Control
 - XVIII. Best Management Practices
 - XIX. Upset and Bypass Provisions
 - XX. Variances and Modifications
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- XXII. Small Business Administration Financial Assistance
- XXIII. Summary of Public Participation
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Appendices

- A. Abbreviations, Acronyms and Other Terms Used in this Notice
- B. Toxic Pollutants Detected in Treated Effluents Above the Nominal Detection Limit
- C. Toxic Pollutants Not Detected in Treated Effluents
- D. Toxic Pollutants Detected at Only One Plant and at Less than the Nominal Detection Limit in the Treated Effluent
- E. Toxic Pollutants Detected in Treated Effluents at or Below the Nominal Detection Limit

I. Legal Authority

The regulations described in this notice are proposed under authority of Sections 301, 304, 306, 307, 308, and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1251 et seq., as amended by the Clean Water Act of 1977, Pub. L. 92-517) (the "Act"). These regulations are also proposed in compliance with the Settlement Agreement in *Natural Resources Defense Council, Inc. v. Train*, 8 ERC 2120 (D.D.C. 1976), modified 12 ERC 1833 (D.D.C. 1979).

II. Background

A. The Clean Water Act. The Federal Water Pollution Control Act Amendments of 1972 established a comprehensive program to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters," (Section 101(a)). By July 1, 1977, existing industrial dischargers were required to achieve "effluent limitations requiring the application of the best practicable control technology currently available (BPT)," (Section 301(b)(1)(A)). By July 1, 1983, these dischargers were required to achieve "effluent limitations requiring the application of the best available technology economically achievable (BAT), which will result in reasonable further progress toward the national goal of eliminating the discharge of pollutants," (Section 301(b)(2)(A)). New industrial direct dischargers were required to comply with section 306, new source performance standards (NSPS), based on best available demonstrated technology. New and existing dischargers to publicly-owned treatment works (POTWs) were subject to pretreatment standards under sections 307(b) and (c) of the Act. While the requirements for direct dischargers were to be incorporated into National Pollutant Discharge Elimination System (NPDES) permits issued under section 402 of the Act, pretreatment standards

were made enforceable directly against dischargers to POTWs (indirect dischargers).

Although section 402(a)(1) of the 1972 Act authorized the setting of requirements for direct dischargers on a case-by-case basis in the absence of regulations, Congress intended that, for the most part, control requirements would be based on regulations promulgated by the Administrator of EPA. Section 304(b) of the Act required the Administrator to promulgate regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of BPT and BAT. Moreover, Sections 304(c) and 306 of the Act required promulgation of regulations for NSPS, and Sections 304(f), 307(b), and 307(c) required promulgation of regulations for pretreatment standards. In addition to these regulations for designated industry categories, Section 307(a) of the Act required the Administrator to promulgate effluent standards applicable to all dischargers of toxic pollutants. Finally, Section 501(a) of the Act authorized the Administrator to prescribe any additional regulations "necessary to carry out his functions" under the Act.

The Agency was unable to promulgate many of these toxic pollutant regulations and guidelines within the time periods stated in the Act. In 1976, EPA was sued by several environmental groups and, in settlement of this lawsuit, EPA and the plaintiffs executed a "Settlement Agreement," which was approved by the Court. This Agreement required EPA to develop a program and adhere to a schedule for promulgating, for 21 major industries, BAT effluent limitations guidelines, pretreatment standards, and new source performance standards for 65 "priority" pollutants and classes of pollutants. (See *Natural Resources Defense Council, Inc. v. Train*, 8 ERC 2120 (D.D.C. 1976), modified 12 ERC 1833 (D.D.C. 1979).

On December 27, 1977, the President signed into law the Clean Water Act of 1977. Although this law makes several important changes in the federal water pollution control program, its most significant feature is its incorporation into the Act of many of the basic elements of the Settlement Agreement program for toxic pollution control. Sections 301(b)(2)(A) and (b)(2)(C) of the Act now require the achievement by July 1, 1984, of effluent limitations requiring application of BAT for "toxic" pollutants, including the 65 "priority" pollutants and classes of pollutants which Congress declared "toxic" under section 307(a) of the Act. Likewise,

EPA's programs for new source performance standards and pretreatment standards are now aimed principally at toxic pollutant controls. Moreover, to strengthen the toxics control program, Congress added a new section 304(e) to the Act, authorizing the Administrator to prescribe what have been termed "best management practices (BMPs)" to prevent the release of toxic pollutants from plant-site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage associated with, or ancillary to, the manufacturing or treatment process.

In keeping with its emphasis on toxic pollutants, the Clean Water Act of 1977 also revised the control program for non-toxic pollutants. Instead of BAT for "conventional" pollutants identified under Section 304(a)(4) (including biological oxygen demand, suspended solids, fecal coliform and pH), the new Section 301(b)(2)(E) requires achievement by July 1, 1984, of "effluent limitations requiring the application of the best conventional pollutant control technology" (BCT). The factors considered in assessing BCT include the reasonableness of the relationship between the costs of attaining a reduction in effluents and the effluent reduction benefits derived, and the comparison of the cost and level of reduction for an industrial discharge with the cost and level of reduction of similar parameters for a typical POTW (Section 304(b)(4)(B)). For non-toxic, nonconventional pollutants, Sections 301(b)(2)(A) and (b)(2)(F) require achievement of BAT effluent limitations within three years after their establishment, but not later than July 1, 1987.

The purpose of these regulations is to provide effluent limitations guidelines for BAT and BCT and to establish NSPS and pretreatment standards for existing and new sources (PSES, PSNS) under Sections 301, 304, 306, and 307 of the Clean Water Act.

B. Prior EPA Regulations. EPA promulgated BPT, BAT, NSPS, and pretreatment standards for new sources (PSMS) for the Textile Mills Point Source Category on July 5, 1974, (39 FR 24736; 40 CFR Part 410, Subparts A-G). The BAT regulations were challenged, and on January 3, 1975, the Fourth Circuit of the United States Court of Appeals ordered EPA to reconsider BAT in light of technological and economic data being developed by the textile industry. The order resulted in an EPA grant (No. R-804329) to cooperatively develop this data. EPA promulgated pretreatment standards for existing

sources (PSES) on May 26, 1977, (42 FR 26979; 40 CFR Part 410, Subparts A-G).

The regulations proposed in this notice include BCT and revised BAT regulations and supersede prior NSPS, PSNS, and PSES regulations.

C. Overview of the Industry. The U.S. textile industry is covered by two of the twenty major groups of manufacturing industries in the U.S. Department of Commerce, Bureau of the Census Standard Industrial Classification (SIC). They are Textile Mill Products, Major Group 22, and Apparel and other Textile Products, Major Group 23. The Textile Mill Products group includes 30 separate industries that manufacture approximately 90 classes of products. The Apparel and Other Textile Products group includes 33 separate industries that manufacture some 70 classes of products. That part of the industry covered by this proposed regulation is Major Group 22; Major Group 23 has been recommended for exclusion from regulation based on Paragraph (a)(iii) of the Revised Settlement Agreement (see Pollutants and Subcategories Not Regulated).

The Textile Mills Point Source Category covers facilities principally engaged in receiving and preparing fibers; transforming these materials into yarn, thread, or webbing; converting the yarn and web into fabric or related products; and finishing these materials at various stages of the processing. Many produce a final consumer product such as thread, yarn, bolt fabric, hosiery, towels, sheets, carpet, etc., while the rest produce a transitional product for use by other establishments in Major Groups 22 and 23. There are approximately 7,200 textile mills in the U.S., of which approximately 2,000 have a process-related wastewater discharge. Between 1,100 and 1,200 have a significant amount of discharge and are considered to be the most important for the purposes of this proposed regulation. Nearly 80 percent of the facilities that have a process-related discharge are located in the Mid-Atlantic and Southern regions of the country. The remaining 20 percent are distributed about equally between the New England region and the North Central and Western regions. Some industry segments, particularly yarn manufacturing, weaving, and carpet manufacturing, are heavily concentrated in a few southeastern states.

While the industry traditionally has consisted of a large number of small, family-owned, closely-held, highly-specialized facilities, the industry today also includes many large, publicly-owned, diversified corporations. Approximately 34 percent of the plants

currently represent 80 percent of the industry shipments. The establishments in the New England area tend to be older structurally while the establishments in the Southern states tend to be fairly modern. However, it is common for older facilities in the industry to install modern equipment or modern facilities to install well-functioning old equipment. While many of the subcategories in the industry have implemented unique technological advances, the general cause for change has been a shift to producing man-made fibers.

During the past ten years, the industry has maintained a steady rate of sales growth that has averaged approximately seven percent annually. In spite of this growth, the industry consistently ranks among the lowest in profitability, with the industry's after tax annual returns on sales averaging 2.3 percent, 40 to 50 percent less than the average for all manufacturing industries. Reasons for the low levels of profitability include the inability to adapt quickly to consumer preference changes, excess capacity and production resulting in price-cutting competition, and, most importantly, increased competition from imported fabric and consumer apparel. Capital expenditures traditionally have been below the industry's levels of depreciation. In the past two years, these expenditures have increased; however, because of the industry's weak profit performance, expectations are that future funds for such expenditures will be more difficult to obtain. The industry's continued viability has depended on its expenditures for improvement in productivity.

The future of the industry depends upon several factors. Among these, a major concern is the growth of textile imports in U.S. markets. In recent years, the growth rates of imports have exceeded the growth rates of domestic products. Thus, the industry's market share has decreased. Other major factors affecting the industry's future performance include proposed cotton dust and noise regulations of the Occupational Safety and Health Administration (OSHA) and increases in the costs of energy, raw materials, and labor. The Agency expects six percent fewer plants in 1984 than existed in 1978. EPA does not expect the opening of any new Wool Scouring Facilities, and expects the opening or construction of small plants in other subcategories to be unlikely. The Agency anticipates that any new plants will likely be integrated facilities.

Production in the industry ranges from less than 1,000 pounds of finished

product per day to over 700,000 pounds per day, with a majority of the plants processing less than 50,000 pounds of product per day. Estimated total industry production is 45 million pounds per day, or approximately 14 billion pounds annually. The value of the products produced is over 40 billion dollars annually, and the industry employs nearly one million people.

Many of the facilities are integrated and perform dry, low water use, and major wet-processing operations. Principal dry operations include spinning, tufting, knitting, and weaving. Principal low water use operations include slashing, web formation (nonwoven manufacturing only), bonding, adhesive processing, coating, and functional finishing. Major wet operations include scouring, carbonizing, fulling, desizing, mercerizing, bleaching, dyeing, and printing. Detailed descriptions of the processing operations and products are provided in Section III of the Development Document.

Water is essential to textile processing and is used in significant amounts in most wet-processing operations. Water usage rate (gal/lb of product) varies substantially among the subcategories (see Industry Subcategorization) and facilities within each subcategory. The typical water usage rates (median values) for the subcategories range from 1.1 gallons per pound of product to 34.1 gallons per pound of product, with an average for all subcategories (typical values) of approximately 12 gallons per pound of product.

Wastewater discharge from the wet-processing plants in the industry ranges from a few thousand gallons per day to over 7 million gallons per day. Among the wet-processing subcategories, the typical (median) discharge ranges from approximately 50,000 gallons per day to over 500,000 gallons per day. The average plant discharge (wet processing only) is approximately 820,000 gallons per day for direct dischargers and 380,000 gallons per day for indirect dischargers. Estimated total wastewater discharge is 525 million gallons per day; over 150 billion gallons annually. Approximately 80 percent of the facilities are indirect dischargers and discharge wastewater to POTW: the remaining treat their wastewater on-site before discharging the effluent to a receiving water body. A small number of facilities recycle their treated effluent.

The wastewater characteristics vary substantially from subcategory to subcategory (see Development Document, Section V), but in general, the wastes are complex mixtures of

natural and synthetic organic materials and inorganic chemicals. The wastes are high in BOD₅ and COD, with the typical concentrations for the various subcategories ranging from 170 to 2,270 mg/l for BOD₅ and from 550 to 7,030 mg/l for COD. TSS values are typically one-third of the BOD₅ values, and color and oil and grease are problems in some subcategories. Toxic pollutants are likely to be present, although at generally low concentrations.

The most significant pollutants and pollutant parameters in terms of occurrence and concentration include: (1) 17 organic and 11 metallic toxic pollutants and cyanide (see Appendix B); (2) conventional pollutants designated in the Act (BOD₅, TSS, oil and grease, and pH); and (3) nonconventional pollutants (COD and color).

III. Scope of This Rulemaking and Summary of Methodology

These proposed regulations significantly expand the water pollution control requirements for the textile industry. In EPA's initial (June 1974) rulemaking, emphasis was placed on the achievement of BPT, BAT, and NSPS based on control of familiar (i.e., "classical") pollutants. In 1977, EPA proposed PSES based on compliance with general prohibitive waste provisions. By contrast, in this round of rulemaking, EPA's efforts are directed toward instituting BCT and BAT effluent limitations, new source performance standards, and pretreatment standards for existing and new sources, that will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants ("classical" and toxic).

In general, BCT represents the best control technology for conventional pollutants that is reasonable in cost and effluent reduction benefits. It replaces BAT for conventional pollutants. BAT represents, at a minimum, the best economically achievable performance in any industrial category or subcategory, and, as a result of the Clean Water Act of 1977, emphasis has shifted from control of "classical" pollutants to control of a lengthy list of toxic substances. New source performance standards represent the best available demonstrated technology for control of all pollutants, and pretreatment standards for existing and new sources represent the best economically achievable performance for control of pollutants that pass through, interfere with, or are otherwise incompatible with the operation of POTWs, including management of sludge.

In the 1977 legislation, Congress recognized that it was dealing with areas of scientific uncertainty when it declared the 65 "priority" pollutants and classes of pollutants "toxic" under Section 307(a) of the Act. The "priority" pollutants have been relatively unknown outside of the scientific community, and those engaged in wastewater sampling and control have had little experience dealing with these pollutants. In addition, these pollutants often appear and have toxic effects at concentrations which severely tax current analytical techniques. Even though Congress was aware of the state-of-the-art difficulties and expense of "toxics" control and detection, it directed EPA to act quickly and decisively to detect, measure, and regulate these substances. Thus, with the passage of the 1977 legislation, the Nation's water pollution control program was thrust toward the frontiers of science.

EPA's implementation of the Act required a complex development program, described in this section and subsequent sections of this notice. Initially, because in many cases no public or private agency had done so, EPA and its laboratories and consultants had to develop analytical methods for toxic pollutant detection and measurement, which are discussed under sampling and analytical program. EPA then gathered technical and financial data about the industry, which are summarized under Data Gathering Efforts. With these data, the Agency proceeded to develop these proposed regulations.

First, EPA studied the textile industry to determine whether differences in raw materials, final products manufacturing processes, equipment, age and size of manufacturing facilities, water use, wastewater constituents, or other factors required the development of separate effluent limitations and standards of performance for different segments of the industry. This study required the identification of raw waste and treated effluent characteristics, including: (1) The sources and volume of water used, the manufacturing processes employed, and the sources of pollutants and wastewaters within the plant, and (2) the constituents of wastewaters, including toxic pollutants. (See Industry Subcategorization.) EPA then identified the constituents of wastewaters which should be considered for effluent limitations guidelines and standards of performance, and statistically analyzed raw waste constituents, as discussed in detail in Section V of the Development Document.

Next, EPA identified several distinct control and treatment technologies, including both in-plant and end-of-process technologies, which are in use or capable of being used to control or treat textile industry wastewater. The Agency compiled and analyzed historical and newly generated data on the effluent quality resulting from the application of these technologies. The long-term performance, operational limitations, and reliability of each of the treatment and control technologies were also identified. In addition, EPA considered the non-water environmental impacts of these technologies, including effects on air quality, solid waste generation, and energy requirements.

The Agency then estimated the costs of each control and treatment technology for the various industry subcategories from unit cost curves developed by standard engineering analysis as applied to the specific textile wastewater characteristics. EPA derived unit process costs from model plant characteristics (production and flow) applied to each treatment process unit cost curve (i.e., activated sludge, chemical coagulation/sedimentation, dissolved air flotation, multi-media filtration, activated carbon adsorption, and ozonation). These unit process costs were combined to yield total cost at each treatment level. After confirming the reasonableness of this methodology by comparing EPA cost estimates to treatment system costs supplied by the industry, the Agency evaluated the economic impacts of these costs. Costs and economic impacts are discussed in detail under the various technology options, and in the section of this notice entitled Costs, Effluent Reduction Benefits, and Economic Impacts.

Upon consideration of these factors, as more fully described below, EPA identified various control and treatment technologies as BCT, BAT, NSPS, PSES, and PSNS. The proposed regulations, however, do not require the installation of any particular technology. Rather, they require achievement of effluent limitations representative of the proper application of these technologies or equivalent technologies. A plant's existing controls should be fully evaluated, and existing treatment systems fully optimized, before commitment to any new or additional end-of-pipe treatment technology.

The effluent limitations for BCT, BAT and NSPS are expressed as mass limitations (lbs/1000 lbs of finished product) and are calculated by multiplying three values: (1) Effluent concentration determined from analysis of control technology performance data;

(2) typical wastewater flow for each subcategory; and (3) a process or treatment variability factor. This basic calculation was performed for each regulated pollutant or pollutant parameter for each subcategory of the industry. Effluent limitations for PSES and PSNS are expressed as allowable concentrations in milligrams per liter (mg/l). Mass limitations are also provided as guidance for POTWs that may wish to impose them along with, or instead of, the concentration limitations.

IV. Data Gathering Efforts

The data gathering efforts involved several distinct, detailed activities which are summarized here. All aspects of the program are described in detail in Section III of the Development Document and Section I of the Economic Impact Analysis.

In general, the program involved: (1) Review and use of existing information in the administrative record; (2) distribution and evaluation of detailed industry surveys; (3) collection of historical wastewater data; (4) plant visits and meetings with industry trade associations and other representatives of the industry; and (5) review of the available literature.

The administrative record for technical information included the original Development Document (EPA-440/1-74-022-a, June 1974) and its appendices, and the November 1976, Draft Development Document for Pretreatment Standards (EPA Contract No. 68-01-3289, Task Order 6) and its appendices. The latter document and appendices were especially useful because they provided a considerable amount of timely data about the industry. The administrative record for economic information included the Economic Analysis of Proposed Effluent Guidelines (EPA 230/1-73-028, September 1973) and the Economic Analysis of Pretreatment Standards for the Textile Industry (EPA 440/1-77-009, July 1977) prepared in conjunction with the pretreatment standards.

The industry survey for technical information was conducted during the first half of 1977. The survey involved the following phases of activity: (1) Developing a master list of textile mills; (2) contacting mills on the master list by letter to outline the purpose and intent of the survey; (3) contacting mills on the master list by telephone in order to assess the value of available wastewater information and to gather basic facility information; (4) distributing detailed survey questionnaires; and (5) retrieving and analyzing the questionnaires. The original master list included

approximately 2,600 facilities. Following the telephone survey, the list was reduced to 1,973 facilities by removing 627 entries that were found to be offices, services, dry-processing operations, or facilities that were no longer in the business of manufacturing textiles. Of the remaining facilities on the list, 808 were classified as low water use processing. These were given secondary consideration in the survey, since they generate relatively small quantities of pollutants. The remaining 1,165 facilities were classified as important wet-processing plants and were given primary consideration in the survey. Detailed portfolios were distributed to approximately 550 of these facilities, based on their reporting of available wastewater characterization data during the telephone survey; 538 completed portfolios were returned to the Agency. The low-water-use processing facilities were surveyed separately and 315 detailed portfolios were received from a random distribution to approximately half of them.

Data for the economic analysis of the industry were obtained from a survey program under authority of Section 308 of the Act. Questionnaires seeking production costs, balance sheet and income data, and costs for existing pollution abatement systems were distributed to 532 facilities. Of these, 308 surveys were returned from the first mailing, with about 208 of these being from wet-processing facilities. The 224 nonrespondents were sent follow-up surveys and 95 additional responses were received; 74 were from wet-processing facilities. The economic survey data were supplemented by data from government publications, industry members and trade associations, publicly available financial studies and surveys, and visits to 15 plants.

Wastewater characterization data were obtained, when available, directly from the textile facilities as part of the industry survey, from EPA regional offices and state water pollution control agencies, and, for indirect dischargers, from POTWs. The data collected provide very good characterization of the raw wastes and treated effluents for the various subcategories of the industry.

EPA conducted approximately 100 plant visits during the development of the technical information leading to these regulations to obtain information on plant operations or to collect wastewater samples. EPA held numerous meetings with committees and individuals of trade associations representing segments of the industry

and suppliers of dyes and chemicals used by the industry.

Literature information was an important aid in nearly all phases of the technical and economic studies. Over 240 articles, documents, and publications were consulted in developing the technical information and 41 were consulted in developing the economic analysis.

An additional very significant source of data was the findings of the EPA/ Industry Pilot Plant Research Project. A grant (No. R-804329) for the project was awarded to the American Textile Manufacturers Institute (ATMI), the Northern Textile Association (NTA), and the Carpet and Rug Institute (CRI) on January 26, 1976; the EPA Office of Research and Development and the Effluent Guidelines Division cooperated in directing the work. As part of the study, two mobile pilot plants were constructed, each containing the following treatment technologies: chemical coagulation/clarification; multi-media filtration; activated carbon adsorption; and ozonation. The units visited a total of 19 textile facilities, representing six of the nine major subcategories (Wool Scouring, Wool Finishing, Woven Fabric Finishing, Knit Fabric Finishing, Carpet Finishing, and Stock and Yarn Finishing), from May 1977 to October 1978. The units tested the various pilot scale treatment technologies for effectiveness in removing the BPT regulated pollutants (BOD₅, COD, TSS, phenol, total chromium, sulfide, color, oil and grease, and pH) from the biologically treated and clarified wastewaters at these facilities. During the initial month of a visit, the best candidate treatment modes were established; during the subsequent two weeks, the effectiveness of these modes was monitored. Bench scale dissolved air flotation (DAF) and powdered activated carbon treatment (PACT) studies also were performed on the waste from some study sites. Details of the research project and findings will be available from the Office of Research and Development after the final report is completed. Summaries of the findings are available in Section VII of the Development Document.

Samples for determination of toxic pollutants were collected and analyzed at each of the 19 sites during the initial phase of the study. Samples of the flow into and out of the candidate mode technologies were collected and analyzed for toxic pollutants at 10 of 19 sites during the pilot plant visits; the sampling periods ranged from one to ten days. (See Sampling and Analytical Program.)

V. Sampling and Analytical Program

As Congress recognized in enacting the Clean Water Act of 1977, the state-of-the-art ability to monitor and detect toxic pollutants is limited. Most of the toxic pollutants were relatively unknown until only a few years ago, and only on rare occasions has EPA regulated, or has industry monitored or even developed methods to monitor for these pollutants. As a result, analytical methods for many toxic pollutants under Section 304(h) of the Act have not yet been promulgated. Moreover, state-of-the-art techniques involve the use of expensive, sophisticated equipment, with costs ranging as high as \$200,000 per unit.

When faced with these problems, EPA scientists, including staff of the Environmental Research Laboratory in Athens, Georgia and staff of the Environmental Monitoring and Support Laboratory in Cincinnati, Ohio, conducted a literature search and initiated a laboratory program to develop analytical and sampling protocols. The result was the establishment of a comprehensive set of procedures entitled, *Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants*, (EPA, Cincinnati, Ohio, April 1977).

Because Section 304(h) methods were available for most toxic metals, pesticides, cyanide, and phenol, the analytical effort focused on developing methods for sampling and analyzing organic toxic pollutants. The three basic analytical approaches considered were infrared spectroscopy, gas chromatography (GC) with multiple detectors, and gas chromatography/mass spectrometry (GC/MS). In selecting among these alternatives, EPA considered sensitivity, laboratory availability, costs, applicability to diverse waste streams from numerous industries, and capability for implementation within the statutory and court-ordered time constraints of EPA's program.

The Agency concluded that infrared spectroscopy was not sufficiently sensitive or specific for application in water, and that GC with multiple detectors without mass spectroscopy would require multiple runs incompatible with time constraints and would possibly eliminate detection of certain toxic pollutants. EPA chose GC/MS because it could identify a wide variety of pollutants in many different matrices and do so in the presence of interfering compounds and within the time constraints of the program. In EPA's judgment, GC/MS and the other

analytical methods for toxics used in this rulemaking represent the best state-of-the-art methods for toxic pollutants analyses available at the time of this study.

As the state-of-the-art matures, EPA intends to refine the sampling and analytical protocols to keep pace with technology advancements. However, limited resources prevent EPA from reworking completed sampling and analyses to keep up with the evolution of analytical methods. As a result, the analytical techniques used in some rulemakings may differ slightly from those used in others. In each case, however, the analytical methods used represent the best state-of-the-art available for a given industry study. One of the goals of EPA's analytical program is the promulgation of additional Section 304(h) analytical methods for toxic pollutants, scheduled for calendar year 1979.

The field sampling program in this study differed from the one plant per subcategory screening phase and five plants per subcategory verification phase recommended in the protocol. The number of plants sampled per subcategory was varied to match each subcategory's share of the water pollution problem. Since the textile dyeing and finishing segments of the industry consist of facilities with significant differences in production processes, equipment, raw materials, finishes, dyes, and auxiliary chemicals, the screening sampling phase was expanded and the verification phase reduced. Thirty-nine plants were sampled during the screening phase and 22 plants were sampled during the verification phase including 11 plants which had previously been screened. The sampling involved 50 separate plants (39 direct dischargers, 9 indirect dischargers, 1 recycle plant, and 1 plant that practices land application) and a total of 327 samples (28 source water, 64 raw wastewater, 90 biological treatment effluent, 38 physical/chemical treatment effluent, and 107 waste treatment from the EPA/Industry Pilot Plant Research Project) were collected.

The primary objective of the field sampling program was to produce composite samples of wastewater, from which concentrations of toxic pollutants could be ascertained. Presampling plant visits were generally made to assess the value of a particular plant to the sampling program and to make the arrangements necessary for successful, time-efficient sampling. The sampling period varied from eight hours to over ten days, but in most cases the sampling was conducted over a 24-hour period.

Raw wastewater samples were taken either before treatment or after minimal preliminary treatment (e.g., screening), depending upon the accessibility of the wastewater stream. Treated effluent samples were taken either following pretreatment (usually indirect dischargers) or after biological and/or physical/chemical treatment (direct dischargers). Pilot plant waste treatment samples were collected into and out of pilot-scale treatment units housed in one of two mobile pilot plants. (See Data Gathering Efforts.) Source water samples were collected from supplies within the processing facilities to determine the presence of toxic pollutants prior to contamination by textile processes.

Samples were collected by grab and composite sampling techniques. Automatic samplers were used to collect raw wastewater and effluent samples for analysis of conventional, nonconventional, nonvolatile organics, and metallic pollutants of pollutant parameters. Grab sampling techniques were used to collect samples for oil and grease and volatile organic acids. Details of the sampling techniques, sample container preparation, sampling logistics, and sample shipping procedures are discussed in appendix D of the Development Document.

The analyses for the 129 toxic pollutants were performed according to groups of chemicals and associated analytical schemes. Organic toxic pollutants include 32 volatile (purgeable) and 82 nonvolatile pollutants. The nonvolatile pollutants include 47 base-neutrals, 11 acid extractables, and 24 pesticides. Inorganic toxic pollutants include 13 heavy metals, cyanide, and asbestos. Two pollutants were not analyzed for: 2,3,7,8-tetrachlorodibenzo-a-dioxin (TCDD) and asbestos. TCDD was omitted because of its extreme toxicity and the health hazards involved in preparing standard solutions and because it was not expected to be present. Asbestos was omitted because of the presence of other fibrous material in textile wastewaters, which made identification extremely difficult. Endrin aldehyde was not analyzed for during the initial screening phase because pure endrin aldehyde could not be obtained in time to prepare the required standard solutions.

The primary analytical method used to identify volatile, base-neutral, and acid organics was gas chromatography (GC) with confirmation and quantification on all samples by mass spectrometry (MS). GC was employed for analysis of pesticides with limited MS confirmation. The Agency analyzed

the toxic heavy metals by atomic adsorption spectrophotometry (AAS), with flame or graphite furnace atomization following appropriate digestion of the sample, and by the inductively coupled argon plasma (ICAP) excitation technique. Cyanide and total phenols were measured by conventional wet chemistry techniques as outlined in "Standard Methods for the Examination of Water and Wastewater, 14th Edition." Analyses for conventional pollutants (BOD₅, TSS, oil and grease, and pH), and nonconventional pollutants (COD, sulfide, and color) were accomplished using "Methods for Chemical Analysis of Water and Wastes" (EPA 625/6-74-003) and amendments. A detailed discussion of the analytical procedures employed for all determinations is provided in Appendix D of the Development Document.

VI. Industry Subcategorization

In developing these regulations, it was necessary to determine whether different effluent limitations and standards of performance were appropriate for different groups of plants (subcategories) within the industry. The factors considered in identifying these subcategories included: Raw materials used; products; manufacturing processes employed; size and age of manufacturing facility and equipment; waste characteristics; water pollution control technology; treatment costs; energy requirements; and solid waste generation and disposal requirements. Similarity of financial characteristics was considered in the economic analysis. On the basis of these factors, the industry was divided into nine general subcategories, and two of these were each divided into three subdivisions. (The July 4, 1974, regulations were based on eight subcategories, while the May 26, 1977, regulations were based on seven subcategories.) The major factors and the rationale determining the subcategorization are set out in Section IV of the Development Document. In general, subcategorization is based on raw materials, products, and waste characteristics.

The subcategories and subdivisions of the textile industry are:

1. Wool Scouring—facilities that primarily scour natural impurities from raw wool and other animal hair fibers. Integrated mills that include wool scouring processes should calculate their discharge allowances by applying the applicable wool scouring effluent limitations to the wool scouring production and the other applicable

effluent limitations to the other kinds of production.

2. **Wool Finishing**—facilities that finish fabric that is primarily animal hair fiber (wool, or other animal hair fiber, or blends containing primarily wool or other animal hair fiber) by using any of the following operations on at least five percent of their total production: Carbonizing, fulling, bleaching, scouring (not including raw grease wool scouring), dyeing and/or application of functional finish chemicals. Facilities that primarily finish stock or yarn that is primarily animal hair fiber are included in this subcategory. Wool stock or yarn mills that do not perform carbonizing and scouring are covered under Stock and Yarn Finishing. Integrated mills that primarily finish wool fabric along with greige goods manufacturing or other finishing operations (such as yarn dyeing) are included in this subcategory and applicable wool finishing effluent limitations should be applied to the total production (excluding weaving and other dry operations, and wool scouring) to calculate discharge allowances.

3. **Low Water Use Processing**—facilities other than finishing facilities engaged only in manufacturing greige goods, laminating or coating fabrics, texturizing yarn, tufting and backing carpet, producing tire cord fabric, and similar activities in which either cleanup is the primary water use or process water requirements are small, or both.

4. **Woven Fabric Finishing**—facilities that primarily finish woven fabric, by using any of the following operations on at least five percent of their production: Desizing, scouring, bleaching, mercerizing, dyeing, printing, and/or application of functional finish chemicals. Denim finishing mills are included in this subcategory, but facilities finishing woven fabric composed primarily of wool are covered under Wool Finishing. Integrated mills that primarily finish woven fabric, along with greige goods manufacturing or other finishing operations (such as yarn dyeing), are included in this subcategory and the applicable woven fabric finishing effluent limitations should be applied to the total production (excluding weaving and other dry operations) to calculate discharge allowances.

a. **Simple Processing**—subdivision of Woven Fabric Finishing for facilities that perform fiber preparation, desizing, scouring, or functional finishing, and/or one of the following processes applied to more than five percent of total production: Bleaching, dyeing, or printing. This subdivision includes all Woven Fabric Finishing facilities that do not qualify under either the Complex

Processing or Complex Processing Plus Desizing subdivision.

b. **Complex Processing**—subdivision of Woven Fabric Finishing for facilities that perform desizing of less than 50 percent of their total production and more than one of the following, each applied to more than five percent of total production: Bleaching, dyeing, or printing. These facilities may also perform fiber preparation, scouring, mercerizing, and functional finishing.

c. **Complex Processing Plus Desizing**—subdivision of Woven Fabric Finishing for facilities that perform desizing of greater than 50 percent of their total production, and more than one of the following, each applied to more than five percent of total production: Bleaching, dyeing, or printing. These facilities may also perform fiber preparation, scouring, mercerizing, and functional finishing.

5. **Knit Fabric Finishing**—facilities that primarily finish cotton and/or synthetic fiber fabric, a majority of which is knit, by employing any of the following operations on at least five percent of their production: Scouring, bleaching, dyeing, printing, and/or application of lubricants, antistatic agents, and functional finish chemicals. Integrated mills that primarily finish knit fabric, along with greige goods manufacturing or other finishing operations such as yarn dyeing, are included in this subcategory and the applicable knit fabric finishing effluent limitations should be applied to total production (excluding knitting and other dry operations) to calculate discharge allowances.

a. **Simple Processing**—subdivision of Knit Fabric Finishing for facilities that perform fiber preparation, scouring, or functional finishing, and/or one of the following processes applied to more than five percent of total production: Bleaching, dyeing, or printing. This subdivision includes all Knit Fabric Finishing facilities that do not qualify under either the Complex Processing or Hosiery Products subdivision.

b. **Complex Processing**—subdivision of Knit Fabric Finishing for facilities that perform more than one of the following processes each applied to more than five percent of total production: Bleaching, dyeing, or printing. These facilities may also perform fiber preparation, scouring, mercerizing, and functional finishing.

c. **Hosiery Products**—subdivision of Knit Fabric Finishing for facilities that are engaged primarily in dyeing or finishing hosiery of any type.

6. **Carpet Finishing**—facilities that primarily finish carpet and other textile-based floor covering products, by employing any of the following

operations on at least five percent of their production: Scouring, bleaching, dyeing, printing, and/or application of functional finish chemicals. Facilities that only perform carpet tufting and/or backing are covered under Low Water Use Processing. Integrated mills that primarily finish carpet along with tufting or backing operations or other finishing operations (such as yarn dyeing) are included in this subcategory and the applicable carpet manufacturing effluent limitations should be applied to total production (excluding tufting, other dry processing, and backing) to calculate discharge allowances.

7. **Stock and Yarn Finishing**—facilities that primarily finish stock, yarn, or thread of cotton and/or synthetic fiber by employing any of the following operations on at least five percent of their production: Scouring, bleaching, mercerizing, dyeing, and/or application of functional finish chemicals. Facilities finishing stock, yarn, or thread principally of wool also are covered if they do not perform carbonizing. Integrated mills that primarily finish stock and yarn along with greige goods manufacturing or other finishing operations are included in this subcategory and the applicable stock and yarn finishing effluent limitations should be applied to total production (excluding knitting, weaving, and other dry operations) to calculate discharge allowances.

8. **Nonwoven Manufacturing**—facilities that primarily manufacture nonwoven textile products of wool, cotton, or synthetics, singly or as blends, by mechanical, thermal, and/or adhesive bonding procedures. (Nonwoven products produced by fulling and felting processes are covered in Felted Fabric Processing). Integrated mills that primarily manufacture nonwoven textile products along with greige goods manufacturing or other finishing operations are included in this subcategory and the applicable nonwoven manufacturing effluent limitations should be applied to total production (excluding dry web formation knitting, weaving, and other dry operations) to calculate discharge allowances.

9. **Felted Fabric Processing**—facilities that primarily manufacture nonwoven products by using fulling and felting operations to achieve fiber bonding. Integrated mills that primarily process a felted fabric, along with greige goods manufacturing or other finishing operations, are included in this subcategory and the applicable felted fabric processing effluent limitations should be applied to total production

(excluding knitting, weaving, or other dry operations) to calculate discharge allowances.

The economic structure of the industry was analyzed to determine the types of facilities represented in the above subcategories and internal subdivisions of subcategories. The principal factors considered were product ownership and extent of integration. The types of mills identified were: Commission mills, finishers of owned fabric or yarn, and integrated mills. Commission mills dye and/or finish goods owned by others on a commission basis. Finishers of owned fabric or yarn purchase greige goods for finishing. These finishers differ from the commission finishers because their revenues come from the sales of finished textile goods. Commission finisher revenues consist of commission receipts for job finishing. Integrated mills manufacture greige goods and perform finishing of these goods at the same facility. For a complete discussion on the types of facilities, see Section VI of the Economic Analysis.

VII. Available Wastewater Control and Treatment Technology

A. Status of In-Place Technology. The control measures and treatment technologies that are available for textile industry processing and waste treatment include a broad range of in-plant and process changes and end-of-pipe treatment. The in-plant control measures range from minor water conservation, such as liquid level control, to complete change of process such as continuous versus batch processing and nonaqueous versus aqueous dyeing. The treatment technologies range from no treatment to complete recycle systems, although the latter is certainly the exception rather than the rule. At most plants, programs combining elements of both control and treatment are applicable and individual mills should consider both to determine which specific combination is best suited to their particular situation.

In-plant control measures may be divided into five types as follows: (1) Water reuse; (2) water reduction; (3) chemical substitution; (4) material reclamation; and (5) process changes and new process technology.

The distinction between water reuse and water reduction is not sharply defined, but, in general, water reuse is the use of the same water more than once, while water reduction is the use of less water. These measures are the most common controls in use.

Chemical substitution is practiced to replace process chemicals having high pollutant strength or toxic properties

with others that are less polluting or more amenable to treatment.

Material reclamation measures are often implemented, but to reduce processing costs rather than pollutant loadings.

Process changes comprise a group of related measures that are used to achieve benefits in the other four control areas. They result in reductions of hydraulic and/or pollutant loadings to treatment systems while improving the quality and efficiency of the processing.

EPA evaluated all of the in-plant control technologies and process changes noted above in developing the proposed regulations. However, the Agency did not consider any specific one in establishing the effluent limitations for existing or new source dischargers. Basically, there are no specific control measures that are necessary in the industry as a whole or in one or more particular subcategories. However, this does not imply that these measures are unimportant or should be eliminated from further consideration. These measures can effect savings both in manufacturing cost and in the cost of treatment, and in the future will assume a much greater role in treatment and conservation of energy and materials.

The end-of-pipe treatment technology employed by the industry may be classified as follows: No treatment; preliminary treatment (neutralization, screening, equalization, heat exchange, disinfection, primary sedimentation, and/or flotation); biological or equivalent treatment (aerated and unaerated lagoons, biological filtration, activated sludge, and chemical coagulation/sedimentation without preceding biological treatment); and physical/chemical treatment (filtration, chemical coagulation, and/or granular or powdered activated carbon adsorption following biological treatment). Approximately 30 percent of the direct dischargers provide no treatment or only preliminary treatment. Many of these are waiting to connect to POTWs currently in the construction or design stages. Most of the direct dischargers provide biological or equivalent treatment with about two-thirds of these providing activated sludge, primarily the extended-aeration mode. Less than 10 percent of the direct dischargers provide advanced waste treatment; several recycle their treated effluent for in-plant use.

Approximately 60 percent of the indirect dischargers surveyed provide no treatment. Most of these facilities have been able to discharge to POTWs without facing specific controls, but this may change as more municipalities fully evaluate their industrial waste

contribution and assess user charges in accordance with EPA guidelines. Over 30 percent provide preliminary treatment similar to that noted above for direct dischargers. Approximately 9 percent provide biological or equivalent treatment (same as noted above for direct dischargers), with about 14 percent of these employing some type of activated sludge to some degree. Many of those employing activated sludge are former direct dischargers that have connected to a POTW. Only one indirect discharger surveyed employs physical/chemical wastewater treatment technology.

B. Control Technologies Considered. The alternative treatment technologies considered for existing direct and indirect discharge sources include various combinations of biological treatment, chemical coagulation and sedimentation, multi-media filtration, dissolved air flotation, activated carbon adsorption, and chemical oxidation with ozone (ozonation). The specific alternatives evaluated in terms of costs and reduction benefits included: (1) Screening and 24-hour extended-aeration activated sludge with solids recycle; (2) chemical coagulation and sedimentation; (3) multi-media filtration; (4) chemical coagulation, sedimentation, and multi-media filtration; (5) multi-media filtration and granular activated carbon adsorption; (6) ozonation; (7) chemical coagulation, sedimentation, and ozonation; (8) chemical coagulation, sedimentation, multi-media filtration, and ozonation; (9) chemical coagulation and dissolved air flotation (Wool Scouring only); (10) chemical coagulation, dissolved air flotation, multi-media filtration, and granular activated carbon adsorption (Wool Scouring only); and (11) chemical coagulation, dissolved air flotation, and Ozonation (Wool Scouring only). The alternatives apply differently to direct and indirect dischargers and are not universal for all subcategories (see Section VIII of the Development Document).

The alternatives considered for new sources are based on the same treatment technologies noted for existing sources plus segregation of process wastes into toxic and nontoxic waste streams. Although not specifically practiced in the industry, segregation of wastes is considered feasible and appears to be especially cost-effective for larger flows. The specific alternatives evaluated included: (1) Screening, 24-hour extended-aeration activated sludge with solids recycle; (2) screening, 24-hour extended-aeration activated sludge with solids recycle,

chemical coagulation, sedimentation, and multi-media filtration; (3) screening, equalization, multi-media filtration, and granular activated carbon adsorption of toxic stream and screening and 8-hour activated sludge with solids recycle of nontoxic stream (flows above 0.25 mgd); and screening, 24-hour extended-aeration activated sludge with solids recycle, multi-media filtration, and granular activated carbon adsorption of total waste flow (flows at or below 0.25 mgd); and (4) screening, equalization, chemical coagulation, sedimentation, multi-media filtration, and granular activated carbon adsorption of toxic stream and screening and 8-hour activated sludge with solids recycle of nontoxic stream (flows above 0.25 mgd); and screening, 24-hour extended-aeration activated sludge with solids recycle, chemical coagulation, sedimentation, multi-media filtration, and granular activated carbon adsorption of total waste flow (flows at or below 0.25 mgd). For Wool Scouring, chemical coagulation and dissolved air flotation replace multi-media filtration. The alternatives apply differently to direct and indirect dischargers since biological treatment is not used by indirect dischargers. For those waste streams that do not contain measurable amounts of the 129 toxic pollutants, screening alone is required before discharging to a POTW collection system.

None of the treatment technologies underlying the proposed regulations are considered to be innovative and, although not common, all are presently employed in the industry.

VIII. Best Available Technology Effluent Limitations

The factors considered in establishing the best available technology economically achievable (BAT) level of control include environmental considerations such as air pollution, solid waste generation, and energy consumption; the costs of applying the control; the process used; the age of process equipment and facilities; the engineering aspects of applying various types of control techniques; and process changes (Section 304(b)(2)(B)). In general, the BAT technology level represents, at a minimum, the best existing economically achievable performance of plants of shared characteristics. Where existing performance is uniformly inadequate, BAT technology may be transferred from a different subcategory or industrial category. BAT may include process changes or internal controls, even when not common industry practice.

The statutory assessment of BAT considers costs, but does not require a balancing of costs against effluent reduction benefits (see *Weyerhaeuser v. Costle*, 11 ERC 2149 (D.C. Cir. 1978)). However, in assessing the proposed BAT, the Agency has given substantial weight to the reasonableness of costs. The Agency has considered the volume and nature of discharges, the volume and nature of discharges expected after application of BAT, the general environmental effects of the pollutants, and the costs and economic impacts of the required pollution control levels.

The effluent limitations were developed for the control technology options in a building block fashion, by engineering analysis using the proper application and operation of the extended-aeration activated sludge treatment technology (BPT) as a base (BAT Option 1). The performance of additional end-of-pipe control technologies was established by engineering analysis of the application of these technologies and their performance in other related applications, including full-scale and pilot-scale units. The effluent resulting from Option 1 was subjected to the performance of suspended solids control in the form of multi-media filtration, which has been demonstrated in pilot plant studies and at full scale on the wastewater from most of the textile industry subcategories. The resulting effluent quality was the basis for BAT Option 2. The effluent resulting from Option 1 was also subjected to the performance of physical/chemical treatment in the form of coagulation/sedimentation, which has been demonstrated in pilot plant studies and at full scale on the wastewater from most of the textile industry subcategories. The resulting effluent quality was the basis for BAT Option 3. Finally, the resulting effluent from Option 3 was subjected to the performance of suspended solids control in the form of multi-media filtration, with the resulting final effluent quality serving as the basis for BAT Option 4.

All of the reductions projected by this engineering analysis for total suspended solids as an "indicator" pollutant (see REGULATED POLLUTANTS) are based on long-term performance, resulting in final effluent qualities that are considered to be long-term averages. Estimates of effluent quality variability were made to establish maximum 30-day average and maximum day mass effluent limitations (lb/1,000 lb of finished product).

Despite expanded consideration of costs, the primary determinant of BAT is

effluent reduction capability using economically achievable technology. Moreover, as a result of the Clean Water Act of 1977, the achievement of BAT has become the national means of controlling the discharge of toxic pollutants. The textile industry discharges 29 of the 129 toxic pollutants and EPA has selected, among four available control options, BAT technology that will significantly reduce their discharge. Explanation and analysis of these options follows. For more detailed discussion, see Section IX of the Development Document.

(A) Option 1—Allow a discharge based on the proper application and operation of biological treatment technology for textile wastewaters discharged to navigable waters. This option does not require in-plant controls or additional end-of-pipe treatment technology beyond BPT. The technology required by this option (BPT) is well demonstrated in the industry and would not result in additional effects on non-water environmental quality. The effluent concentrations of the 29 most significant toxic pollutants would be at or below 0.7 mg/l and the estimated total toxic pollutant contribution from the direct dischargers of 600 tons/year would be reduced approximately 50 percent (80 percent for the 17 significant organics and 35 percent for the 11 significant metallics). The COD, TSS, and oil and grease would be reduced by approximately 70, 35, and 75 percent, respectively. Nevertheless, the discharge of all pollutants (i.e., conventional, nonconventional, and toxic) would continue, with high levels of COD and color discharged at most plants. There would be no removal of cyanides. At nearly half the plants so tested with BPT technology in place, these effluents exhibited some degree of toxicity to freshwater minnows, daphnia, and/or algae.

Economic analysis indicates that this option may affect the 35 hosiery, nonwoven, and felt direct dischargers, in addition to the remaining 204 direct dischargers which are regulated under BPT limitations. Compliance with this option would require an estimated 9 of the 239 affected direct dischargers to invest a total of \$1.9 million and incur annualized costs (including operation, maintenance, interest, and depreciation) of \$876 thousand. These costs may reduce the return on sales of the three impacted subcategories from a current range of 0.8 to 3.6 percent with current BPT limitations to a range of -0.3 to 2.8 percent with this option. The Agency projects that selection of this option may result in 3 plant closings and a loss of

0.1 percent of industry employment for the 1,165 wet processing plants.

(B) Option 2—Allow a discharge based on application of BAT Option 1 plus suspended solids control by multi-media filtration. For Wool Scouring, BAT Option 2 is equal to Option 1. Option 2 incorporates the end-of-pipe addition of multi-media filtration to remove toxic pollutants contained in suspended solids.

The technology behind this option has been well demonstrated in this industry at full scale and in pilot-scale studies. Currently, at least 13 plants use some form of filtration; ten are direct dischargers and three are plants that recycle their discharge. On over half (10 of 19) of the textile plant effluents tested at pilot scale, multi-media filtration was recognized to be one of the best candidate technologies for removing classical pollutants (e.g., BOD₅, COD, TSS). Treatability data from three full-scale applications and six pilot scale investigations (a total of 47 samples) indicate estimated average effluent concentrations below 0.3 mg/l for all the 29 significant toxic pollutants except zinc. The zinc effluent level would be below 0.6 mg/l. The total toxic pollutant contribution from the direct dischargers would be reduced approximately 20 percent over Option 1 (40 percent for the 17 significant organics and 10 percent for the 11 significant metallics), achieving an overall toxic pollutant reduction of over 60 percent of the raw waste load. The COD, TSS, and oil and grease would be reduced, overall, by approximately 75, 80, and 95 percent, respectively.

Multi-media filtration can be readily added to BPT systems to improve overall system performance and dampen "peak" discharges of TSS during BPT upsets. In addition, some added protection is offered over Option 1 against intermittent discharges of high levels of toxic pollutants. However, Option 2 provides little additional reduction of metallic toxic pollutants, COD, and color over Option 1. Energy requirements will increase by an estimated 0.02 to 0.03 percent per plant for the direct dischargers, and sludge generation will increase by an estimated 150 tons/year/plant (33,000 tons/year for all existing direct dischargers).

Economic analysis indicates that compliance with this option may require an estimated 210 of the 239 affected direct dischargers to invest a total of \$41 million and incur annualized costs (including operation, maintenance, interest, and depreciation) of \$18 million. These costs may reduce the return on sales of the impacted subcategories from a current range of 0.8

to 5.9 percent with BPT to a range of -0.5 to 5.0 percent with this option. The Agency projects that selection of this option may result in 11 plant closings and a loss of 0.4 percent of industry employment for the 1,165 wet processing plants.

(C) Option 3—Allow a discharge based on application of BAT Option 1 plus chemical treatment in the form of chemical coagulation/sedimentation. For Wool Scouring, Option 3 is equal to Option 1. Option 3 incorporates the end-of-pipe addition of chemical coagulation to control organic and metallic toxic pollutants.

The technology behind this option has been demonstrated in this industry at pilot and full scale for control of conventional pollutant parameters and specific colloidal components such as latex (Carpet Mills Subcategory) and print pastes (Woven Fabric Finishing Subcategory) but not specifically for control of toxic pollutants. Currently at least eight direct discharge plants use some form of coagulation; two chemically treat raw wastes. At 6 of 13 textile plants for which the secondary effluent was tested at pilot scale, chemical coagulation was recognized as one of the best candidate technologies for removing classical pollutants (e.g., BOD₅, COD, and TSS). Treatability data from the pilot investigations (a total of 12 samples) indicate estimated average effluent concentrations of the 29 significant toxic pollutants, except 1,2,4-trichlorobenzene and zinc, at or below 0.1 mg/l. The 1,2,4-trichlorobenzene and zinc effluent levels would be at or below 0.4 and 0.2 mg/l, respectively. The total toxic pollutant contribution from the direct dischargers would be reduced approximately 50 percent over Option 1 (30 percent for the 17 significant organics and 50 percent for the 11 significant metallics), and 35 percent over Option 2 (no removal of the 17 significant organics and 40 percent for the 11 significant metallics), effecting an overall toxic pollutant reduction of over 75 percent of the raw waste load. The COD, TSS, and oil and grease would be reduced, overall, by approximately 80, 60, and 90 percent, respectively; some additional color removal over Option 2 will be recognized.

Coagulation can be readily added to BPT systems to improve overall system performance and dampen "peak" discharges of TSS during BPT upsets. Compared to Option 2, Option 3 would significantly improve the removal of metallic toxic pollutants. However, Option 3 offers no additional removal of organic toxic pollutants or COD and less removal of TSS. The technology has not

been demonstrated in all subcategories of the industry and pilot plant data have indicated that coagulation is often ineffective for Woven Fabric Finishing wastewaters. Energy requirements will increase by an estimated 0.2 to 0.5 percent per plant, and sludge generation will increase by an estimated 300 tons/year/plant (65,000 tons/year for all existing direct dischargers).

Economic analysis indicates that compliance with this option may require an estimated 210 of the 239 affected direct dischargers to invest a total of \$55 million and incur annualized costs of \$33 million. These costs may reduce return on sales for the impacted subcategories from a current range of 0.8 to 5.9 percent with BPT to a range of -3.0 to 4.6 percent with this option. The Agency projects that selection of this option may result in 24 plant closings and a loss of 1.0 percent of industry employment for the 1,165 wet processing plants.

(D) Option 4—Allow a discharge based on application of BAT Option 3 plus BAT Option 2 for all subcategories except Wool Scouring. This control option incorporates the end-of-pipe addition of chemical coagulation to control organic and metallic toxic pollutants, and multi-media filtration to control toxic pollutants associated with suspended solids. For the Wool Scouring Subcategory, this option includes chemical coagulation and dissolved air flotation.

The technology behind this option has been demonstrated at pilot and full scale for the control of conventional pollutant parameters but not specifically for control of toxic pollutants. At 6 to 13 plants for which the secondary effluent was tested at pilot scale, this control level was recognized as one of the best candidate technologies for removing classical pollutants (e.g., BOD₅, COD, and TSS). Treatability data from the pilot investigations (a total of 20 samples) indicate estimated average effluent concentrations of all 29 significant toxic pollutants except 1,2,4-trichlorobenzene, antimony, and zinc, at or below 0.08 mg/l. The 1,2,4-trichlorobenzene, antimony, and zinc effluent levels would be at or below 0.2, 0.1, and 0.2 mg/l, respectively. The total toxic pollutant contribution from the direct dischargers would be reduced approximately 55 percent over Option 1, 45 percent over Option 2, and less than 10 percent over Option 3, causing an overall toxic pollutant reduction of approximately 80 percent (90 percent for the 17 significant organics and 65 percent for the 11 significant metallics) of the raw waste load. The COD, TSS, and oil and grease would be reduced,

overall, by approximately 84 and 95 percent, respectively.

This option is compatible with existing BPT and would provide reasonably good protection against intermittent discharges of high levels of organic or metallic toxic pollutants. Overall, however, this option provides little advantage over Option 3 in terms of total toxic pollutants removal. Energy requirements will increase by an estimated 0.2 to 0.5 percent per plant (no significant increase over Option 3), and sludge generation will increase by an estimated 370 tons/year/plant (80,000 tons/year for all existing direct dischargers).

Economic analysis indicates that compliance with this option may require an estimated 217 of the 239 direct dischargers to invest a total of \$92 million and incur annualized costs of \$44 million. These costs may reduce the return on sales for the impacted subcategories from a current range of -0.9 to 5.9 percent with BPT to a range of -3.8 to 4.2 percent with this option. The Agency projects that selection of this option may result in 29 plant closings and a loss of 1.2 percent of industry employment.

(E) BAT Selection and Decision Criteria—Based on analyses of these control options, the Agency has selected Option 2 for Woven Fabric Finishing (all subdivisions), Knit Fabric Finishing (except the Hosiery Products subdivision), Carpet Finishing, Stock and Yarn Finishing, and Nonwoven Manufacturing and Option 4 for Wool Scouring, Wool Finishing, and the Hosiery Products subdivision of Knit Fabric Finishing as the basis for proposal of BAT effluent limitations. The Agency has based BAT for Felted Fabric Processing on the proper application of biological treatment in the form of extended-aeration activated sludge (Option 1). No BAT regulations are proposed for the Low Water Use Processing subcategory (See Pollutants and Subcategories Not Regulated).

Option 2 is selected because it controls the discharge of high concentrations of TSS and provides substantial reductions of toxic pollutants of concern in this industry. The costs for this control level are reasonable, and the overall economic and non-water quality impacts are within acceptable limits. The Agency rejects Option 3 because treatability data indicate that chemical coagulation is not always effective following biological treatment, especially for Woven Fabric Finishing (all subdivisions). The added benefit of chemical coagulation over filtration for the other subcategories is not significant

enough to justify the additional economic and non-water environmental impacts. The Agency also rejects Option 4 (except as noted below) because of economic and non-water environmental impacts which are not justified by the additional pollutant removal.

Option 4 is selected for Wool Scouring, Wool Finishing, and the Hosiery Products subdivision of Knit Fabric Finishing because the TSS concentrations in these subcategories remain high after BPT and are not compatible with multi-media filtration directly. The added application of chemical coagulation will control the discharge of TSS and provide substantial reduction of toxic pollutants of concern in these subcategories also.

Option 1 is selected for Felted Fabric Processing based on the Agency's determination that more advanced treatment is not economically achievable.

The Agency developed the effluent limitations in a building block fashion by engineering analysis using full-scale and pilot-scale treatability data. First, median BPT effluent concentration levels were established for the conventional and nonconventional pollutants for each subcategory. Long-term data were available from NPDES permit monitoring reports and the industry survey questionnaires. (See Section V of the Development Document.) Second, separate statistical analyses were carried out for COD, TSS, color, and total phenol at selected, well-operated textile waste treatment facilities to determine the normal and seasonal variability of the data. The median BPT effluent concentration values were adjusted by the median maximum month/average month value for each pollutant. The concentrations were converted to mass loadings (kg/kkg of finished product) by applying the median water usage values for each subcategory (as established from the data noted above) to provide the basis for the 30-day average limitations. The basis for the maximum daily limitations was application of specific factors to the 30-day average limitations. These factors are determined by dividing the median maximum day/average month values by the median maximum month/average month values.

Finally, effluent limitations based on the BAT option selected were calculated for both the 30-day average and maximum day by application of established treatment performance factors. The values established, and the variability and treatment performance factors employed, are discussed in Section IX of the Development Document.

IX. Best Conventional Pollutant Control Technology Effluent Limitations

The 1977 amendments added Section 301(b)(2)(E) to the Act, establishing "best conventional pollutant control technology" (BCT) for discharges of conventional pollutants from existing industrial point sources. Conventional pollutants are those defined in Section 304(a)(4)—BOD, TSS, fecal coliform and pH—and any additional pollutants defined by the Administrator as "conventional" (oil and grease).

BCT is not an additional limitation, but replaces BAT for the control of conventional pollutants. BCT requires that limitations for conventional pollutants be assessed in light of a new "cost-reasonableness" test, which involves a comparison of the cost and level of reduction of conventional pollutants from the discharge of POTWs to the cost and level of reduction of such pollutants from a class or category of industrial sources. As part of its review of BAT for certain "secondary" industries, the Agency promulgated methodology for this cost test. (See 44 FR 50732 (August 29, 1979)). This methodology compares subcategory removal costs (dollars per pound of pollutant, measuring from BPT to BAT) with costs experienced by POTWs.

EPA applied this methodology to the costs for removal of conventional pollutants in the textile industry and concluded that BCT limitations based upon multi-media filtration (BAT Option 2) are reasonable for larger plants in the Woven Fabric Finishing, Knit Fabric Finishing (except Hosiery Products), Carpet Finishing, Stock and Yarn Finishing, and Nonwoven Manufacturing subcategories. For larger plants in the Wool Scouring, Wool Finishing, and Hosiery Products Subdivision of Knit Fabric Finishing subcategories, BCT limitations based on chemical coagulation plus multi-media filtration (dissolved air flotation for Wool Scouring) (BAT Option 4) were found to be reasonable. Using a POTW cost of \$1.17 per pound of BOD₅ and TSS removed, production sizes equal to or greater than those noted in the following tabulation pass the BCT "cost-reasonableness" test. Smaller sizes do not pass the test. The method used in calculating BCT costs for the textile industry is fully discussed in Section X of the Development Document.

Subcategory	Production Size, kkg/yr
Wool Scouring.....	3,300
Wool Finishing.....	5,800
Woven Fabric Finishing	
Simple Processing.....	13,500
Complex Processing.....	12,200

Subcategory	Production Size, kkg/yr
Complex Processing Plus Desizing.....	9,300
Knit Fabric Finishing:	
Simple Processing.....	7,200
Complex Processing.....	11,700
Hosiery Products.....	14,100
Carpet Finishing.....	9,500
Stock and Yarn Finishing.....	16,400
Nonwoven Manufacturing.....	28,300

The Agency is therefore proposing BCT effluent limitations at the BAT Option 2 and BAT Option 4 technologies for plants with production equal to or greater than these values and at the existing BPT limitations for plants with production less than these values. BCT limitations for plants less than the above values in the Nonwoven Manufacturing Subcategory and all plants in the Felted Fabric Processing Subcategory, are based on BAT Option 1, and BCT effluent limitations for plants in the Low Water Use Processing Subcategory are based on existing BPT limitations for all production sizes.

X. New Source Performance Standards

The basis for new source performance standards (NSPS) under Section 306 of the Act is the best available demonstrated technology. New plants have the opportunity to design the best and most efficient textile processing and wastewater treatment facilities, so Congress directed EPA to consider the best demonstrated process changes, in-plant controls, and end-of-pipe treatment technologies that reduce pollution to the maximum extent feasible. New sources are encouraged to reduce the use and/or discharge of both water and toxic pollutants by application of in-plant control measures, but it is expected that many of the toxic pollutants present in the discharges from the industry today will also be present in the discharges from new sources. To control these and the conventional pollutants, the Agency has selected NSPS from three options. Explanation and discussion of these options follows. For more detailed discussion, see Section XI of the Development Document.

(A) Option 1—Require performance standards based on the same technology proposed for BAT Option 1, which is biological treatment.

This option also encourages full application of appropriate in-plant control measures and pretreatment, which will maximize the performance of the extended-aeration activated sludge treatment technology. As a result, the most significant toxic pollutants would be reduced by approximately 50 percent.

This technology is well demonstrated and would not change the rate of entry

of new plants into the industry or slow the rate of industry growth. (See Option 1, BAT Effluent Limitations.)

(B) Option 2—Require performance standards based on NSPS Option 1 plus chemical coagulation and multi-media filtration (dissolved air flotation for Wool Scouring). This option is equivalent to BAT Option 4 and is fully discussed in that section. The technology, based on a typical plant with an 0.82 mgd wastewater discharge, will generate approximately 1,400 tons of sludge (including biological) per year per new source and energy requirement would be 0.8 to 1.4 percent of facility total.

Economic analysis indicates that this option may reduce the rate of entry into the Felted Fabric Processing Subcategory and, consequently, slow the rate of industry growth. Return on sales for these mills may be reduced from a projected range of 3.3 to 7.4 percent with current NSPS to a range of 1.8 to 6.7 percent with this option. EPA does not anticipate that this option will seriously affect production, employment, local communities, or balance of trade for the other subcategories in the industry.

(C) Option 3—Require performance standards based upon treatment of segregated toxic waste streams and other process-related and nonprocess-related waste streams. The segregated toxic streams are treated in a train comprising screening, equalization, chemical coagulation/sedimentation, multi-media filtration, and granular activated carbon adsorption. For Wool Scouring, multi-media filtration is replaced by dissolved air flotation. The remaining waste streams are treated by conventional 8-hour activated sludge with prior screening and return of biomass from a secondary clarifier. For total mill flows of 0.25 mgd and less, the toxic waste streams are not segregated, and the total flow is treated by 24-hour extended-aeration activated sludge followed by chemical coagulation, sedimentation, multi-media filtration or dissolved air flotation, and carbon adsorption.

The technology behind this option has been demonstrated in this industry at pilot scale for control of conventional and nonconventional pollutant parameters but not specifically for control of toxic pollutants. Currently, only three textile facilities are known to have technology of this nature in place; one is a direct discharger and two recycle their treated effluent back to the processing facilities. The total toxic pollutant contribution from each new source would be reduced approximately 25 percent over Option 1 (33 percent for the 17 significant organics and 25

percent for the 11 significant metallics). No additional reduction would be recognized over Option 2, effecting an overall reduction of toxic pollutants of 60 percent of the raw waste load.

This technology has not been significantly demonstrated in the textile industry, and the segregation of wastes may not be feasible for all subcategories or processes within the subcategories. Based on a typical plant with an 0.82 mgd wastewater discharge, approximately 790 tons of sludge per year per new source will be generated, and energy requirements will be 1.3 to 2.0 percent of facility total.

Economic analysis indicates that this option may reduce the rate of entry into the Felted Fabric Processing Subcategory and, consequently, slow the rate of industry growth. Return on sales for these mills may be reduced from a projected range of 3.3 to 7.4 percent with current NSPS to a range of 1.4 to 6.5 percent with this option. EPA does not anticipate that this option will seriously affect production, employment, local communities, or balance of trade for the other subcategories in the industry.

(D) NSPS Selection and Decision Criteria—EPA has selected Option 2 as the basis for proposed NSPS for all subcategories except Low Water Use Processing because it provides a significant reduction in toxic pollutants of concern with technology that has been demonstrated at full scale on the waste from this industry. The Agency rejects Option 1 because it is not entirely consistent with the basis for NSPS except for Low Water Use Processing, which has only small amounts of toxic pollutants present. It does not represent the best available demonstrated technology and does not reduce pollution to the maximum extent feasible. The Agency rejects Option 3 because the overall feasibility of activated carbon for the removal of specific toxic pollutants has not been sufficiently demonstrated in this industry or in other industries where it may be transferable to this industry. The benefits of segregation of the toxic waste stream for direct dischargers are dependent on the size of the facility (flow rate); however, the Agency does feel that segregation would be a worthwhile, cost-effective consideration for anyone trying to comply with the proposed NSPS effluent limitations.

XI. Pretreatment Standards for Existing Sources

Section 307(b) of the Act requires EPA to promulgate pretreatment standards for existing sources (PSES), which must be achieved within three years of promulgation. PSES are designed to

prevent the discharge of pollutants that pass through, interfere with, or are otherwise incompatible with the operation of POTWs. The Clean Water Act of 1977 adds a new dimension by requiring pretreatment for pollutants, such as heavy metals, that limit POTW sludge management alternatives, including the beneficial use of sludges on agricultural lands. The legislative history of the 1977 Act indicates that pretreatment standards are to be technology-based, analogous to the best available technology for removal of toxic pollutants. The general pretreatment regulations (40 CFR Part 403), which served as the framework for these proposed pretreatment regulations for the textile industry, can be found at 43 FR 27736 (June 26, 1978). Based on these requirements, EPA considered three options for selection of PSES. For detailed discussion of the options available, see Section XII of the Development Document.

(A) Option 1—Require pretreatment standards based on screening, equalization, and/or neutralization as necessary for compliance with prohibitive waste provisions. This option is considered the current level of pretreatment in the industry and would not result in added costs or added economic impact. However, many POTWs will continue to receive significant concentrations of COD, cyanides, and organic and/or metallic toxic pollutants, some of which may regularly or intermittently pass through, interfere with the operation, or contaminate sludges. Total concentration of the 29 observed toxic pollutants would be approximately 5 mg/l, and it is estimated that a total of 1,120 tons of toxic pollutants (38 percent significant organics, 58 percent significant metallics, and 4 percent others) would be discharged per year to POTWs by selecting this option.

(B) Option 2—Require pretreatment standards based on PSES Option 1 plus chemical treatment in the form of chemical coagulation/sedimentation. This option includes the preliminary measures of Option 1 plus the end-of-pipe addition of chemical coagulation to control organic and metallic toxic pollutants. For Wool Scouring, chemical coagulation is followed by dissolved air flotation.

The chemical coagulation technology has been discussed under BAT Option 3 and the discussion on treatability there is applicable here. Based on that information, it is estimated that the average effluent concentrations of all 29 significant toxic pollutants would be at or below 0.3 mg/l. The total toxic

pollutant contribution from the indirect dischargers would be reduced approximately 50 percent over Option 1 (36 percent for the 17 significant organics and 55 percent for the 11 significant metallics). This amounts to a reduction of 560 tons per year of toxic pollutants, which is approximately 32 percent of the toxic pollutants being discharged by both direct and indirect dischargers under present regulations. The technology has been demonstrated on biologically treated textile wastewaters (see BAT Option 3) and will provide protection against the discharge of high levels of COD and color to POTWs. In addition, it will protect POTW sludges from toxic pollutant contamination. Energy requirements will increase by an estimated 0.2 to 0.5 percent per plant, and an estimated 400 tons/year/plant of industrial sludge (approximately 43,000 tons/year for all affected indirect dischargers) will be generated.

Economic analysis indicates that compliance with this option would require an estimated 107 of the 926 affected indirect dischargers to invest a total of \$38 million and to incur annualized costs of \$19 million. These costs may reduce the return on sales of the affected mills from a current range of -1.6 to 4.1 percent with current PSES to a range of -11.8 to 3.7 percent with this option. The Agency projects that selection of this option may result in 20 plant closings and a loss of 0.7 percent of industry employment for the 1,165 wet processing plants.

(C) Option 3—Require pretreatment standards based on PSES Option 2 plus suspended solids control by multi-media filtration. This option includes the preliminary measures of Option 1, the chemical treatment of Option 2, plus the end-of-pipe addition of multi-media filtration to control organic and metallic toxic pollutants. For Wool Scouring, Option 3 is equal to Option 2.

The combination of chemical coagulation/sedimentation and multi-media filtration technology has been discussed under BAT Option 4; the treatability data discussed there are applicable here and were used to estimate pollutant removals. Based on these data, it is estimated that the average effluent concentrations of the 29 significant toxic pollutants would be at or below 0.2 mg/l. The total toxic pollutant contribution from the indirect dischargers would be reduced approximately 60 percent over Option 1 (64 percent for the 17 significant organics and 55 percent for the 11 significant metallics) and 21 percent over Option 2 (44 percent for the 17

organics and no removal of the 11 significant metallics), causing an overall toxic pollutant reduction of over 60 percent of the raw waste load. This amounts to a total reduction of 680 tons per year of toxic pollutants, which is approximately 40 percent of the toxic pollutants being discharged by both direct and indirect dischargers under present regulations. This technology further increases protection against the discharge of high levels of COD and color and reduces the possibility of contamination of POTW sludges. Energy requirements will be approximately the same as Option 2, but an estimated 48 additional tons/year/plant of industrial sludge (approximately 48,000 tons/year for all affected indirect dischargers) will be generated.

Economic analysis indicates that compliance with this option would require an estimated 107 of the 926 affected indirect dischargers to invest a total of \$55 million and incur annualized costs of \$24 million. These costs may reduce the return on sales of the affected mills from a current range of -1.6 to 4.1 percent with current PSES to a range of -12.6 to 3.7 percent with this option. The Agency projects that selection of this option may result in the closing of 20 plants and a loss of 0.7 percent of industry employment at 1,165 wet processing plants.

(D) PSES Selection and Decision Criteria—Based on analysis of these control options, the Agency has selected Option 2 as the basis for proposal of PSES for all subcategories except Low Water Use Processing. This option is selected because it ensures the removal of approximately 36 percent of the organic and 55 percent of the metallic toxic pollutants and allows POTWs more flexibility in sludge disposal. It further protects against the discharge of high levels of COD and color that often pass through POTWs unaffected. Total toxic pollutant removal is analogous to that provided the wastewaters from direct dischargers by employing the recommended BAT. Option 1 is rejected because it provides no control of toxic pollutants or protection against the contamination of POTW sludge. It is selected for Low Water Use Processing because of the small amounts of toxic pollutants present. Option 3 is rejected because the addition of multi-media filtration provides no additional reduction of metallic toxic pollutants, which are the pollutants of most significance for textile industry indirect dischargers.

XII. Pretreatment Standards for New Sources

Section 307(c) of the Act requires EPA to promulgate pretreatment standards for new sources (PSNS) at the same time that it promulgates NSPS. New indirect dischargers, like new direct dischargers, have the opportunity to incorporate the best available demonstrated technologies including process changes, in-plant control measures, and end-of-pipe treatment, and to use plant site selection to ensure adequate treatment system installation. The Agency considered three options for selection of PSNS. For a detailed discussion of the options available, see Section XIII of the Development Document.

(A) Option 1—Require pretreatment standards based on PSES Option 1 (screening, equalization, and/or neutralization as necessary for compliance with prohibitive waste provisions), which is fully discussed in that section. Based on a typical plant with a wastewater discharge of 0.38 mgd, it is estimated that 6.6 pounds/day of toxic pollutants (2.5 pounds/day of the 17 significant organics and 3.8 pounds/day of the 11 significant metallics) will be discharged to POTWs for each new source if this option is selected.

No additional cost or economic impact will result from selection of this option.

(B) Option 2—Require pretreatment standards based on treatment of segregated toxic waste streams and other process-related and nonprocess-related waste streams. The segregated toxic streams are treated in a train comprising PSES Option 3 (screening, equalization, and/or neutralization as necessary for compliance with prohibitive waste provisions plus chemical coagulation/sedimentation and multi-media filtration or dissolved air flotation), while the other waste streams are controlled according to Option 1 (screening, equalization, and/or neutralization). The average effluent concentrations of the 29 observed toxic pollutants would be at or below 0.2 mg/l, and the total toxic pollutant contribution from each new source would be reduced approximately 60 percent over Option 1 (60 percent for the 17 significant organics and 50 percent for the 11 significant metallics).

The technology behind this option has been demonstrated on biologically treated wastewaters in the textile industry, but not specifically on raw wastewaters. Each plant must identify its toxic waste streams for segregation since the generation of toxic pollutants by any one process may vary. Use of PSES Option 3 treatment on the higher

concentrations of toxic pollutants associated with a segregated waste stream will improve the effectiveness of the technology as compared with combined wastes. Energy requirements would be 0.2 to 0.5 percent of facility total and approximately 430 tons of sludge per year per new source would be generated.

Economic analysis indicates that this option may slightly slow the rate of entry into the Stock and Yarn Finishing Subcategory, but not significantly slow the rate of industry growth. Return on sales for these plants may be reduced from a projected range of 2.7 to 8.5 percent with current PSNS to a range of 1.9 to 7.1 percent with this option. EPA does not anticipate that this option will seriously affect production, employment, local communities, or balance of trade for the other subcategories in the industry.

(C) Option 3—Require performance standards based on Option 2 plus the addition of activated carbon adsorption to the treatment train applied to the toxic stream.

The combination chemical coagulation/sedimentation, multi-media filtration (dissolved air flotation for Wool Scouring), and activated carbon adsorption technology has been demonstrated at pilot scale for treatment of biologically treated textile wastewater but has not been demonstrated on raw wastewaters (see NSPS Option 3). No full scale treatability data are available that demonstrate the effectiveness of activated carbon for the control of specific toxic pollutants. Based on the biologically treated effluent treatability data, it is estimated that the total toxic pollutant contribution from each new indirect discharge source would be reduced approximately 14 percent over Option 2 (40 percent for the 17 significant organics and none for the 11 significant metallics) and 62 percent over Option 1 (76 percent for the 17 significant organics and 50 percent for the 11 significant metallics) if this option is selected. In addition, the technology further increases protection against the discharge of high levels of COD and color and reduces potential contamination of POTW sludges.

This technology offers little additional control of toxic pollutants, especially the 11 significant metallics. Sludge generation would be essentially the same as Option 2, but energy requirements would increase to 0.8 to 1.6 percent of facility usage.

Economic analysis indicates that this option may significantly reduce the rate of entry into the Stock and Yarn Finishing Subcategory and,

consequently, slow the rate of industry growth. Return on sales for these plants may be reduced from a projected range of 2.7 to 8.5 percent with current PSNS to a range of 1.2 to 6.8 percent with this option. EPA does not anticipate that this option will seriously affect production, employment, local communities, or balance of trade for the other subcategories in the industry.

(D) PSNS Selection and Decision Criteria—Based on analysis of these control options, the Agency has selected Option 2 as the basis for PSNS for all subcategories except Low Water Use Processing. The option was selected because it ensures the removal of approximately 60 percent of the significant organics and 50 percent of the significant metallic toxic pollutants and allows POTWs more flexibility in sludge disposal. It further protects against the discharge of high levels of COD and color that often pass through POTWs unaffected. Option 1 is rejected because it provides no control of toxic pollutants or protection against the contamination of POTW sludge. Option 3 is rejected because the addition of activated carbon adsorption only adds 14 percent to the total reduction of toxic pollutants over Option 2 and provides no additional reduction of metallic toxic pollutants. For Low Water Use, Option 1 is selected because of the small amount of toxic pollutants present.

XIII. Regulated Pollutants

The basis on which the controlled pollutants were selected is set out in Section VI of the Development Document. Summary information is provided about their general nature, common industrial use, use in the textile industry, and detection frequency and concentration levels. Some of these pollutants are designated toxic under Section 307(a) of the Act, and no evidence has been found to warrant removal of any pollutant from the toxics list.

(A) BCT—The pollutants controlled by this regulation include the statutory conventional pollutants, BOD₅, TSS, and pH.

(B) BAT and NSPS—

(1) Nonconventional pollutants—Color, as measured by the ADMI procedure, and COD are the only nonconventional pollutants limited by BAT and NSPS.

(2) Toxic pollutants—The toxic pollutants expressly controlled for direct dischargers in each subcategory are, "total phenol," as measured by the 4AAP method, and the following metals: Total chromium, total copper, and total zinc. These pollutants are subject to numerical limitations expressed in

kilograms per thousand kilograms of product (lbs/1000 lbs).

(3) Indicator pollutants—The difficulties of analyses for other toxic pollutants have prompted EPA to propose a new method of regulating certain toxic pollutants. Because historical data are limited and inexpensive analytical methods are not well developed for toxic pollutants, EPA is proposing numerical limitations on an "indicator" pollutant, TSS. The data available to EPA generally show that when this "indicator" pollutant is controlled, the concentrations of toxic pollutants are significantly lower than when TSS is present in high concentrations. While the relationships between TSS and toxic pollutants are not quantifiable on a one-to-one basis, control of an "indicator" will reasonably assure control of toxics with properties responsive to similar treatment mechanisms.

EPA's consideration of "indicator" limitations was brought to the attention of Congress during the formative stages of the Clean Water Act of 1977. At that time, EPA was examining several techniques to alleviate the difficulties of lengthy and expensive analytical procedures. The proposed alternative "indicator" limitations serve that purpose. This method of toxics regulation obviates the difficulties, high costs, and delays of monitoring and analyses that would result from limitations solely on the toxic pollutants.

Appendix B is a list of toxic pollutants that were found in treated effluents at concentrations above the nominal analytical detection limits. EPA concludes that these pollutants will be effectively controlled by limitation of TSS as an "indicator" pollutant even though the toxics are not expressly regulated by numerical limitations.

Many of the toxic pollutants, such as pentachlorophenol and 2,4,6-trichlorophenol, are adsorbable on suspended solids and will be controlled by TSS as an indicator.

In the future, EPA anticipates that when adequate data are available to set alternate limitations on additional specific toxic pollutants or to limit a few statistically supported "surrogate" pollutants it will be possible to cease relying on nonconventional or conventional pollutants, such as TSS, as "indicators" and only control conventional pollutants through BCT limitations.

When limitations on indicator pollutants are violated, additional monitoring may be required. The provisions of such monitoring requirements will be specified in each permit and may include analysis for

some or all of the toxic pollutants or the use of biomonitoring techniques. The additional monitoring is designed to determine the cause of the violation, necessary corrective measures, and the identity and quantity of toxic pollutants discharged. Each violation will be evaluated on a case-by-case basis by the permitting authority to determine whether or not the additional monitoring contained in the permit is required in that particular case.

Section IX of the Development document presents additional discussion about the use of "indicator" pollutants for predicting the control of toxic pollutants.

The "indicator" pollutant TSS is classified as a "conventional" pollutant under Section 304(a)(4) of the Act. Because control of this "indicator" conventional pollutant is necessary to control the toxic pollutants of concern in this industry, EPA is establishing BAT limitations on this basis. It is the Agency's position that when control of conventional pollutants is necessary to control toxics, BAT limitations may be established for conventional pollutants without regard to the BCT cost test.

(C) PSES and PSNS—The pollutants controlled by proposed PSES and PSNS are total chromium, total copper, and total zinc. The limitations are expressed as maximum monthly and maximum daily concentrations (milligrams per liter). Mass limitations are provided as guidance for POTWs that may wish to impose them along with, or instead of, the concentration limitations.

XIV. Pollutants and Subcategories Not Regulated

The Settlement Agreement contained provisions authorizing the exclusion from regulation, in certain instances, of toxic pollutants and industry subcategories. These provisions have been rewritten in a Revised Settlement Agreement which was recently approved by the District Court for the District of Columbia on March 9, 1979.

A. *Pollutants Excluded.* Paragraph 8(a)(iii) of the Revised Settlement Agreement allows the Administrator to exclude from regulation toxic pollutants not detectable by Section 304(h) analytical methods or other state-of-the-art methods. The toxic pollutants not detected and, therefore, excluded from regulation are listed in Appendix C to this notice.

Paragraph 8(a)(iii) of the Revised Settlement Agreement also allows the Administrator to exclude from regulation toxic pollutants detected in the effluent from a small number of sources and uniquely related to those sources. Appendix D lists the toxic

pollutants that were detected in the raw or treated wastewaters of only one mill, which are uniquely related to those mills where detected, and which, therefore, are excluded from regulation.

Paragraph 8(a)(iii) of the Revised Settlement Agreement also allows the Administrator to exclude from regulation toxic pollutants detected in only trace amounts not likely to cause toxic effects. Appendix E is a list of toxic pollutants found in trace amounts (at or below the limit of analytical detection and quantification) which are not likely to cause toxic effects, and which, therefore, are excluded from regulation.

The limitations in this regulation have been developed to cover the general case for this industry category. In specific cases, it may be necessary for the NPDES permitting authority to establish permit limits on toxic pollutants which are not subject to limitation in this regulation (see Relationship to NPDES Permits).

B. *Subcategories Excluded.* While the Settlement Agreement required EPA to regulate the entire textile industry listed under the U.S. Department of Commerce, Bureau of the Census Standard Industrial Classification (SIC) code numbers 22 and 23, Paragraph 8(a)(iv) of the Revised Settlement Agreement authorizes EPA to exclude portions of the industry from regulation. Plants in the Apparel and Other Finished Products Made from Fabrics and Similar Materials Category (SIC 23) are engaged primarily in cutting up and assembling finished fabric into apparel and other products. EPA surveyed a limited number of plants and queried trade associations, and found that plants in this subcategory are predominantly dry operations. No plant generates or discharges a significant quantity of process-related wastewater.

Within the Textile Mill Products Category (SIC 22), group or industry numbers 221, 222, 223, 224, 2253, 2271, 2281, 2282, and 2283 are greige mills that are included in the Low Water Use Processing Subcategory. This subcategory was surveyed (see Data Gathering Efforts) and raw and treated effluent samples were collected and analyzed for toxic pollutants at a limited number of mills. It was found that process-related wastewater discharges are generally low in volume and contain only small concentrations of toxic pollutants. While up to 200 mills may discharge process wastewater, typical flows amount to only 3,000 to 4,000 gallons per day. Typical concentrations range from less than 0.05 mg/l for 6 measured organic toxic pollutants to about 0.1 mg/l for 10 metallic toxic

pollutants. At these levels, the total daily discharge of any toxic pollutant from all 200 mills would be less than one pound.

Also surveyed were the Padding and Upholstery Filling Industry (SIC 2293) and the Cordage and Twine industry (SIC 2298). Mills in both of these industry groups were found not to generate process-related wastewater. All other facilities covered by SIC 22 are either dry operations and are known not to generate process-related wastewater or are covered in one of the major textile industry subcategories.

The Agency has concluded that plants in the Apparel Category (SIC 23) and facilities in Padding and Upholstery Filling (SIC 2293) and Cordage and Twine (SIC 2298) industries of the Textile Mills Category (SIC 22) should be excluded from regulation because they do not generate process-related wastewater. Facilities in Subcategory 3 (Low Water Use Processing) should be excluded from BAT regulation under Paragraph 8(a)(iv) of the Revised Settlement Agreement because they do not discharge significant quantities of process wastewater or toxic pollutants.

XV. Monitoring Requirements

The Agency intends to establish a regulation requiring permittees and to conduct additional monitoring when they violate permit limitations on "indicator" pollutants. The provisions of such monitoring requirements will be specified for each permittee and may include analysis for some or all of the toxic pollutants or the use of biomonitoring techniques. The additional monitoring is designed to determine the cause of the violation, necessary corrective measures, and the identity and quantity of toxic pollutants discharged. Each violation will be evaluated on a case-by-case basis by the permitting authority to determine whether or not the additional monitoring contained in the permit is necessary. A more lengthy discussion of this requirement appears at 44 FR 34407, June 14, 1979. The Agency intends to amend 40 CFR Part 403, General Pretreatment Regulations. The Part 403 amendment will require that parameters limited by the pretreatment standards be monitored at indirect discharging plants.

XVI. Costs, Effluent Reduction Benefits, and Economic Impacts

Executive Order 12044 requires EPA and other agencies to perform Regulatory Analyses of certain regulations. (See 43 FR 12661 (March 23, 1978)). EPA's proposed regulations for implementing Executive Order 12044

require a Regulatory Analysis for major significant regulations involving annualized compliance costs of more than \$100 million or meeting other specified criteria. (See 43 FR 29891 (July 11, 1978)). Where these criteria are met, the proposed regulations require EPA to prepare a formal Regulatory Analysis, including an economic impact analysis and an evaluation of alternatives such as: (1) Alternative types of regulations, (2) alternative stringency levels, (3) alternative timing, and (4) alternative methods of ensuring compliance.

The proposed regulations for the textile industry do not meet the proposed criteria for a formal Regulatory Analysis. Nonetheless, this proposed rulemaking satisfies the formal regulatory analysis requirements. While the Clean Water Act does not permit consideration of alternative timing or alternative methods of ensuring compliance, EPA has considered alternative stringency levels and alternative types of regulations, as discussed above. Moreover, the Agency has performed a detailed analysis of the economic impact of these proposed regulations.

EPA's economic impact assessment is set forth in *Economic Impact Analysis of Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Textile Mills Point Source Category*, October 1979, EPA 440/2-79-020. This report details the investment and annualized costs for the industry as a whole and for model plants covered by the proposed textile mills regulations. The data underlying the analysis were obtained from the Development Document, publicly available financial studies and surveys, and the results of EPA's economic survey program described under Data Gathering Efforts. The report assesses the impact of compliance costs in terms of plant closures, production changes, price changes, employment changes, local community impacts, and balance of trade effects.

The methodology used in the economic analysis employs basic capital budgeting techniques to determine whether or not facilities will continue operation following imposition of pollution control requirements, and to evaluate reductions in profitability. The Agency developed model plants which represent production type (i.e., wool scouring, wool finishing, woven fabric finishing, etc.), ownership of goods processed (commission or own fabric), complexity of operation (nonintegrated or integrated), discharge status (direct or indirect), and production size.

The decision criteria for plant closures are based on net present value analysis (NPV) and cash flow analysis. Cash flow analysis measures the total annual expenditures and total revenues, the difference being the "net cash flow." Under NPV analysis, the net cash flows for each year (over the life of an investment) are discounted at the industry cost of capital. Plants are projected to close or refrain from entry if both the NPV and the sum of the NPV and annual cash flow are negative. Where best estimates were not available, EPA made conservative assumptions which may tend to project more closures than might actually occur.

The Agency projects that compliance with the proposed effluent limitations may require 321 of the 1,165 wet-processing plants to make pollution control expenditures. The Agency further estimates that the remaining plants will be able to meet the proposed limitations without additional expenditure.

The Agency estimates that the total investment costs for all the proposed regulations will approximate \$86 million, and that associated annualized costs (including interest, depreciation, operation, and maintenance) will equal \$40 million. The Agency's analysis projects no increases in the price of textile goods. Though this assumption represents the worst case and some price increases may be possible, the highly competitive nature of the industry and import pressure make price pass-through abilities small. As a result, profitability may decline for most of the 321 plants.

Further, EPA projects that the proposed regulations may result in closure of as many as 39 of 321 affected plants, which could cause 6,310 job losses (1.5 percent of the industry employment) and displace 1.4 percent of industry production. Some of the plants that may close are located in small towns and, therefore, several communities may be affected. However, excess capacity in the industry may allow the remaining plants to absorb some production and employment losses due to the projected closures, with the remainder of the production losses being absorbed by increased imports. Balance of trade may be affected as a result. EPA does not expect the proposed regulations to seriously affect the rate of entry into the industry, nor slow considerably the rate of industry growth. In the past, the industry has sustained its viability through improvements in productivity. Diversion of capital funds from this purpose could accelerate the industry's decline. The costs, effluent

reduction benefits, and economic impacts for each proposed regulation are summarized below.

(A) BAT—There are approximately 239 plants that discharge wastewater to the Nation's waters and are thus subject to proposed BAT limitations. EPA estimates that 25 of these plants are meeting the proposed limitations with BPT technology or more advanced technology. The following estimated costs and impacts assume 214 plants have insufficient treatment in place to meet the proposed BAT requirements.

EPA estimates that compliance with proposed BAT limitations may require 214 of the 239 direct dischargers to invest a total of \$48 million, assuming BPT is already in place. This investment will range from a low of 1.5 percent of the current book value of fixed assets to a high of 142 percent per discharger. Annualized costs for the 214 direct dischargers may equal a total of \$21 million, ranging from a low of 0.1 percent to a high of 7.3 percent of sales per discharger. Current return on sales may fall from a range of -0.9 to 5.9 percent with current BPT compliance to a range of -3.8 to 5.0 percent with proposed BAT compliance. The BAT requirements may cause 19 plant closures and the unemployment of approximately 3,401 persons (0.8 percent of industry wet processing employment), and the displacement of 1.1 percent of industry production. These closures may affect the local communities in which the mills are located because alternative employment may not be available. The Agency does anticipate that some employment and production may be absorbed by the remaining domestic textile mills. In view of this, the Agency does not expect the proposed BAT regulations to seriously affect the balance of trade.

Achievement of proposed BAT effluent limitations will remove approximately 635 additional tons per year of toxic pollutants including 490 tons of organic and 145 tons of metallic toxic pollutants.

(B) NSPS—EPA estimates that NSPS investment costs will range between 3.1 and 16.8 percent of the book value of fixed assets of a new textile mill, depending upon plant size and production process. NSPS annualized costs are expected to range between 0.9 and 4.4 percent of total sales. The Agency expects that return on sales will range between 1.8 and 6.7 percent with proposed NSPS compliance, instead of 3.3 to 7.4 percent with current NSPS compliance. These reduced profits may inhibit the rate of entry into the Felted Fabric Processing Subcategory and consequently slow the rate of industry

growth. EPA does not anticipate that the proposed NSPS regulations will seriously affect production, employment, local communities, or balance of trade for the other subcategories in the industry.

(C) PSES—There are approximately 926 plants that discharge process-related wastewater to POTWs and are thus subject to the proposed PSES regulations. The Agency estimates that 819 of these plants will be able to meet the proposed limitations without new expenditures for pollution control. This estimate is based on analysis of the metals data for the plants sampled during the field sampling program and on the pretreatment technology presently in place. From analysis of the metals data, it was established that approximately 80 percent of the plants sampled had raw waste concentrations of total chromium, total copper, and total zinc, below the levels proposed for regulation. By applying this percentage to the total indirect discharger population and including plants that have technology in-place to control these metals to the proposed limitation, it was estimated that only 107 indirect dischargers will need to make pollution control expenditures.

EPA estimates that the total investment costs for these plants to comply with the proposed PSES regulations will be approximately \$38 million. This investment will range from a low of 2.0 percent of current book value of fixed assets to a high of 211 percent per discharger. PSES annualized costs may equal \$19 million and range from a low of 0.2 percent of sales to a high of 15.8 percent per discharger. Current return on sales may fall from a range of -1.6 to 4.1 percent with current PSES compliance to a range of -11.8 to 3.7 percent with proposed PSES compliance. Compliance may result in the closure of as many as 20 plants, causing the unemployment of approximately 2,909 persons (0.7 percent of industry employment) and displacement of 0.6 percent of industry production. These closures may affect the local communities in which the mills are located and to some extent affect certain regions of the United States (e.g. the Southern and New England areas). It is possible that some employment and production loss may be absorbed by the remaining mills, but the Agency does expect the proposed PSES regulations to affect the balance of trade.

Achievement of proposed PSES regulations is expected to remove 360 tons per year of chromium, copper and zinc from municipal sludges or approximately 55 percent of the total

burden of toxic metals generated by those plants discharging to POTW. In addition, the majority of the other heavy metals (nickel, lead) and 200 tons of insoluble toxic organic compounds will also be removed from POTW sludges.

(D) PSNS—EPA estimates that PSNS investment costs will range between 1.2 and 12.6 percent of the book value of fixed assets of a new textile mill. PSNS annualized costs are expected to range between 0.4 and 3.0 percent of total sales. The Agency projects that return on sales may range between 1.9 and 7.1 percent with proposed PSNS compliance, instead of 2.7 to 8.5 percent with current PSNS compliance. These reduced profits may slightly reduce the rate of entry into the Stock and Yarn Finishing Subcategory, but will not significantly slow the rate of industry growth. EPA does not anticipate that the proposed PSNS regulations will seriously affect prices, production, employment, local communities, or balance of trade for the other subcategories in the industry.

XVII. Nonwater Quality Aspects of Pollution Control

The elimination or reduction of one form of pollution may aggravate other environmental problems. Therefore, Sections 304(b) and 306 of the Act require EPA to consider the non-water quality environmental impacts (including energy requirements) of certain regulations. In compliance with these provisions, EPA has considered the effect of these regulations on air pollution, solid waste generation, and energy consumption. While it is difficult to balance pollution problems against each other and against energy use, EPA is proposing regulations that it believes best serve often competing national goals.

The following are the non-water quality environmental impacts associated with the proposed regulations:

(A) Air Pollution—Imposition of BAT, BCT, NSPS, PSES, and PSNS are not anticipated to result in any additional air pollution from the textile industry. It is possible that some plants may choose to incinerate waste treatment sludges, but this is doubtful since there are more economical alternatives for disposal.

(B) Solid Waste—A study by EPA's Office of Solid Waste Management (1976) estimated that the textile industry generated 1,760,000 metric tons of solid wastes (wet basis) in 1974. These wastes were comprised of innocuous process-related materials such as dirt, vegetable matter, fiber, flock, yarn, fabric, etc. (8.5 percent); potentially hazardous dye and chemical containers

with residual dyestuff and chemicals (0.5 percent); and potentially hazardous wastewater treatment sludges (91 percent). The study projected that in 1977 the industry would generate 1,940,000 metric tons of solid wastes with essentially the same percent distribution.

The sludges contain heavy metals, including arsenic, cadmium, chromium, cobalt, copper, lead, mercury, nickel, and zinc, and chlorinated organics such as trichlorobenzene, polyvinyl chloride, and perchloroethylene. Current sludge management practices in the industry include: Storing or retaining sludge in disposal ponds or in the bottom of ponds or lagoons that are used for aeration; dumping sludge on land generally off the plant site; spreading sludge on land for fertilizer value, again generally off the plant site; and sending sludge to general purpose landfills.

EPA estimates that the proposed BAT and PSES limitations will contribute an additional 40,000 and 365,000 metric tons of sludge per year, respectively. These sludges will contain higher concentrations of toxic metals and organic toxic pollutants, which will limit disposal options. However, implementation of the proposed PSES will result in POTW sludges having commensurately lesser quantities and concentrations of toxic pollutants. POTW sludges will become more amenable to a wider range of disposal alternatives, possibly including beneficial use on agricultural lands. Many POTWs currently receive textile industry wastewaters with little or no pretreatment. Under these conditions, sludge characteristics can limit sludge disposal alternatives available to these POTWs. Moreover, disposal of these vastly greater quantities of adulterated POTW sludges is significantly more difficult and costly than disposal of smaller quantities of wastes generated at individual plant sites.

Regulations proposed by EPA under Section 3001 of the Resource Conservation and Recovery Act (RCRA) list textile industry solid wastes as "hazardous" (43 FR 58946, 58959 (December 18, 1978)). These wastes, primarily the sludges from wastewater treatment, will be subject to handling, transportation, storage, and disposal requirements, under sections 3002-3004 of RCRA. EPA's proposed generator standards would require generators of textile industry wastes (dye and chemical containers and sludges) to meet containerization, labeling, and reporting requirements, and, if they dispose of wastes off-site, to prepare a manifest that will track the movement of

the wastes from the generator's premises to a permitted off-site treatment, storage, or disposal facility. (See 43 FR 58946, 58979 (December 18, 1978)). The proposed transporter regulations would require transporters of textile industry wastes to comply with the manifest and assure that the wastes are delivered to a permitted facility. (See 43 FR 18506 (April 28, 1978)). Finally, the proposed treater, storer, and disposer standards would establish technical design and performance standards for textile waste storage facilities, and for landfills, basins, surface impoundments, incinerators, and other facilities where such wastes would be treated or disposed, as well as security, contingency plan, employee training, record keeping, reporting, inspection, monitoring, and financial liability requirements for all such facilities. (See 43 FR 58946, 58982 (December 18, 1978)).

EPA's Office of Solid Waste is preparing a pilot analysis of the solid waste management and disposal costs required for the textile industry to comply with RCRA. The costs of compliance with proposed RCRA regulations were not specifically included in the economic impact analysis for these proposed regulations. However, EPA considered estimated RCRA compliance costs when it selected the technology options for these proposed regulations.

(C) Energy Requirements—EPA estimates that the achievement of proposed BAT, BCT, PSES, and PSNS will each increase electrical energy consumption by approximately 0.2 to 0.5 percent of present facility use for all subcategories. Proposed NSPS will increase consumption by approximately 0.8 to 1.4 percent.

XVIII. Best Management Practices

Section 304(e) of the Clean Water Act authorizes the Administrator to prescribe what have been termed "best management practices (BMPs)" described under Authority and Background. EPA intends to develop BMPs which are: (1) Generic in nature and applicable to all industrial sites; (2) specific in nature and applicable to a specified industrial category; and (3) guidance to permit authorities in establishing BMPs required by unique circumstances at a given plant.

The Agency anticipates regulation of generic BMPs in the textile industry. The primary area of concern is the potential for leaks and spills from on-site storage of processing chemicals. Those plants which purchase and store liquid chemicals in bulk may be required to

provide protective measures to contain leaks and spills such as dikes and curbs.

XIX. Upset and Bypass Provisions

An issue of recurrent concern has been whether industry guidelines should include provisions authorizing noncompliance with effluent limitations during periods of "upset" or "bypass." An upset, sometimes called an "excursion," is unintentional noncompliance occurring for reasons beyond the reasonable control of the permittee. An upset provision is necessary, it has been argued, because such upsets will inevitably occur due to limitations in control technology. Because technology-based limitations are to require only what technology can achieve, it is claimed that liability for such situations is improper. When confronted with this issue, courts have divided on the question of whether an explicit upset or excursion exemption is necessary or whether upset or excursion incidents may be handled through EPA's exercise of enforcement discretion. (Compare *Marathon Oil Company v. EPA*, 564 F.2c 1253 (9th Cir. 1977) with *Weyerhaeuser v. Costle*, 11 ERC 2149 (D.C. Cir. 1978), and see *American Petroleum Institute v. EPA*, 540 F.2d 1023 (10th Cir. 1976); *CPC International, Inc. v. Train*, 540 F.2d 973 (4th Cir. 1976)).

While an upset is an unintentional episode during which effluent limits are exceeded, a bypass is an act of intentional noncompliance during which wastewater treatment facilities are circumvented in emergency situations. Bypass provisions have, in the past, been included in NPDES permits.

EPA has determined that both upset and bypass provisions should be included in NPDES permits, and has recently promulgated NPDES regulations which include upset and bypass permit provisions. (See 44 FR 32854 (June 7, 1979)). The upset provision establishes an upset as an affirmative defense to prosecution for violation of technology-based effluent limitations. The bypass provision authorizes bypassing to prevent loss of life, personal injury, or severe property damage. Consequently, although permittees in the textile industry will be entitled to upset and bypass provisions in NPDES permits, these proposed regulations do not specifically address these issues.

XX. Variances and modification

Upon the promulgation of these regulations, the numerical effluent limitations for the appropriate subcategory must be applied in all federal and state NPDES permits issued to textile industry direct dischargers. In addition, on promulgation, the

pretreatment limitations are directly applicable to indirect dischargers.

For the BCT effluent limitations, the only exception to the binding limitations is EPA's "fundamentally different factors" variance. (See *E. I. duPont de Nemours and Co. v. Train*, 430 U.S. 112 (1977)). This variance recognizes factors concerning a particular discharger which are fundamentally different from the factors considered in this rulemaking. Although this variance clause was set forth in EPA's 1973-1976 industry regulations, it now will be included in the NPDES regulations and not the specific textile industry regulations. (See 44 FR 32854, 32950 (June 7, 1979) for the text and explanation of the "fundamentally different factors" variance.)

The BAT limitations in these regulations also are subject to EPA's "fundamentally different factors" variance. In addition, BAT limitations for non-toxic pollutants are subject to modifications under Section 301(c) and 301(g) of the Act. Under Section 301(1) of the Act, these statutory modifications are not applicable to "toxic" pollutants. Likewise limitations on conventional and nonconventional pollutants used as "indicators" for toxic pollutants are not subject to Section 301(c) or Section 301(g) modifications, unless the discharger demonstrates that a waste stream does not contain any of the toxic pollutants for which the "indicator" was designed to demonstrate removal.

Pretreatment standards for existing sources are subject to the "fundamentally different factors" variance and credits for pollutants removed by POTWs. (See 40 CFR 403.7, 403.13; 43 FR 27736 (June 26, 1978)). Pretreatment standards for new sources are subject only to credit provision in 40 CFR 403.7. New source performance standard are not subject to EPA's "fundamentally different factors" variance or any statutory or regulatory modifications. (See *duPont v. Train*, *supra*.)

XXI. Relationship to NPDES Permits

The BAT, BCT, and NSPS limitations in these regulations will be applied to individual textile plants through NPDES permits issued by EPA or approved state agencies, under Section 402 of the Act. The preceding section of this preamble discusses the binding effect of these regulations on NPDES permits, except to the extent that variances and modifications are expressly authorized. This section describes several other aspects of the interaction of these regulation and NPDES permits.

First, one matter that has been subject to different judicial views is the scope of

NPDES permit proceedings in the absence of effluent limitations guidelines and standards. Under currently applicable EPA regulations, states and EPA Regions issuing NPDES permits prior to promulgation of these regulations must include a "reopener clause," providing for permits to be modified to incorporate these regulations when they are promulgated. (See 43 FR 22159 (May 23, 1978)). To avoid cumbersome modification procedures, EPA has adopted a policy of issuing short-term permits only after promulgation of these and other BAT regulations. The Agency has published rules designed to encourage states to do the same. (See 43 FR 58066 (December 11, 1978)). However, in the event that EPA finds it necessary to issue long-term permits prior to promulgation of BAT regulations, EPA and states will follow essentially the same procedures used in many cases of issuing initial permit. The appropriate technology levels and limitations will be assessed by the permit issuer on a case-by-case basis and on consideration of the statutory factors. (See *U.S. Steel Corp. v. Train*, 556 F.2d 822, 844, 854 (7th Cir. 1977)). In these situations, EPA documents and draft documents (including these proposed regulations and supporting documents) are relevant evidence, but not binding, in documents) are relevant evidence, but not binding, in NPDES permit proceedings. (See 44 FR 32854 (June 7, 1979)).

Another noteworthy topic is the effect of these regulations on the powers of NPDES permit-issuing authorities. The promulgation of these regulations does not restrict the power of any permit-issuing authority to act on these or any other EPA regulations, guidelines, or policy, in any manner consistent with law. For example, the fact that these regulations do not control a particular pollutant does not preclude the permit issuer from limiting such pollutant on a case-by-case basis, when necessary to carry out the purposes of the Act. In addition, to the extent that state water quality standards or other provisions of state or Federal law require limitations (or require more stringent limitations on covered pollutants), such limitations must be applied by the permit-issuing authority.

One additional topic that warrants discussion is the operation of EPA's NPDES enforcement program, many aspects of which have been considered in developing these regulations. The Agency wishes to emphasize that, although the Clean Water Act is a strict liability statute, the initiation of enforcement proceedings by EPA is

discretionary. EPA has exercised and intends to exercise that discretion in a manner that recognizes and promotes good faith compliance efforts and conserves enforcement resources for those who fail to make good faith efforts to comply with the Act.

XXII. Small Business Administration Financial Assistance

There are two SBA programs that may be important sources of funding for the Textiles Industry Point Source Category. They are the SBA's Economic Injury Loan Program and Pollution Control Financing Guarantees.

Section 8 of the FWPCA authorizes the SBA through its Economic Injury Loan Program, to make loans to assist any small business concern in effecting additions to or alterations in equipment, facilities, or methods of operation in order to meet water pollution control requirements under the Federal Water Pollution Control Act if the concern is likely to suffer a substantial economic injury without such assistance. This program is open to small business firms as defined by the Small Business Administration. Loans can be made either directly by SBA or through a bank using an SBA guarantee. The interest on direct loans depends on the cost of money to the federal government and is currently set at 7 $\frac{3}{8}$ percent. Loan repayment periods may extend up to thirty years depending on the ability of the firm to repay the loan and the useful life of the equipment. SBA loans made through banks are at somewhat higher interest rates.

Firms in the Textiles Industry Point Source Category may be eligible for direct or indirect SBA loans. For further details on this Federal loan program write or telephone any of the following individuals at EPA Headquarters or in the ten EPA Regional offices:

- Coordinator—Mr. Sheldon Sacks, Environmental Protection Agency, Financial Assistance Coordinator, Office of Analysis and Evaluation (WH-586), 401 M Street SW., Washington, D.C. 20460, Telephone: (202) 755-3624.
- Region I—Mr. Ted Landry or Gerald DeGaetno, Environmental Protection Agency, J. F. Kennedy Federal Office Building, Room 2203, Boston, Massachusetts 02203, Telephone: (617) 223-5061.
- Region II—Mr. Kenneth Eng, Chief, Air and Environmental Applications Section, Environmental Protection Agency, 26 Federal Plaza, New York, New York 10007, Telephone: (212) 264-4711.
- Region III—Mr. Chuck Sapp, Environmental Protection Agency, Curtis Building, 3EN40, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106, Telephone: (215) 597-9433.

- Region IV—Mr. John Hurlbaeus, Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30308, Telephone: (404) 881-4793.
- Region V—Mr. Chester Marcyn, Contingency, Plan Coordinator, Surveillance and Analysis Branch, Enforcement Division, Environmental Protection Agency, 536 South Clark Street, Chicago, Illinois 60605, AC (213) 353-2316.
- Region VI—Ms. Jan Horn, Attorney, Water Enforcement Division, Water Program Branch, Environmental Protection Agency, 1st International Building, 1201 Elm Street, Dallas, Texas 75270, Telephone: (214) 767-2760.
- Region VII—Mr. Donald Sandifer, Sanitary Engineer, Water Division, Engineering Branch, Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106, Telephone: (816) 374-2725.
- Region VIII—Mr. Gerald Burke, Sanitary Engineer, Office of Grants, Water Division, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80203, Telephone: (303) 837-3961.
- Region IX—Mr. Stan Leibowitz or Ray Seid, Permits Branch, Enforcement Division, Environmental Protection Agency, 215 Fremont Street, San Francisco, California 94111, Telephone: (415) 556-3450.
- Region X—Mr. Dan Bodien, Special Technical Advisor, Enforcement Division, Environmental Protection Agency, 1200 6th Avenue, Seattle, Washington 98101, Telephone: (206) 442-1270.
- Headquarters—Mr. Donnel Nantkes, Legal Counsel, Grants Contracts and General Administration Division, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, Telephone: (202) 426-8830.

Interested persons may also contact the Assistant Regional Administrators for Finance and Investment in the Small Business Administration Regional offices for more details on federal loan assistance programs. For further information, write or telephone any of the following individuals:

- Region I—Mr. Russell Berry, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 60 Battery March, 10th Floor, Boston, Massachusetts 02203, Telephone: (617) 223-3891.
- Region II—Mr. John Axiotakis, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 26 Federal Plaza, New York, New York 10007, Telephone: (212) 264-1452.
- Region III—Mr. David Malone, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 231 St. Asapas Road, West Lobby, Suite 646, Bala Cynwyd, Pennsylvania 19004, Telephone: (215) 596-5908.
- Region IV—Mr. Merritt Scoggins, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 1401 Peachtree Street, NE., Atlanta, Georgia 30309, Telephone: (404) 881-2009.
- Region V—Mr. Larry Cherry, Assistant Regional Administrator for Finance and

Investment, Small Business Administration, 219 South Dearborn Street, Chicago, Illinois 60604, Telephone: (312) 353-4533.

Region VI—Mr. Donald Beaver, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 1720 Regal Row, Suite 230, Dallas, Texas 75202, Telephone: (214) 749-1265.

Region VII—Mr. Richard Whitley, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 911 Walnut Street, 23rd Floor, Kansas City, Missouri 64106, Telephone: (816) 374-3927.

Region VIII—Mr. James Chuculate, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 1405 Curtis Street, Executive Tower Building—22nd Floor, Denver, Colorado 80202, Telephone: (303) 327-3988.

Region IX—Mr. Charles Hertzberg, Assistant Regional Administrator for Finance and Investment, Small Business Administration, 450 Golden Gate Avenue, San Francisco, California 94102, Telephone: (415) 556-7782.

Region X—Mr. Jack Welles, Regional Administrator for Finance and Investment, Small Business Administration, 710 2d Avenue, Dexter Horton Bldg., 5th floor, Seattle, Washington 98104, Telephone: (206) 399-5679.

In addition to the Economic Injury Loan Program, the Small Business Investment Act, as amended by Pub. L. 94-305, authorizes SBA to guarantee the payments on qualified contracts entered into by eligible small businesses to acquire needed pollution facilities when the financing is provided through taxable and tax-exempt revenue or pollution control bonds. This program is open to all eligible small businesses. Bond financing with SBA's guarantee of the payments makes available long term (20-25 years), low interest (usually 5 to 7 percent) financing to small businesses on the same basis as that available to larger national or international companies. For further details on this program write to the SBA, Pollution Control Financing Division, Office of Special Guarantees, 1815 North Lynn St., Magazine Bldg., Rosslyn, VA 22209, (703) 235-2900.

XXIII. Summary of Public Participation

During June of 1978, the Agency circulated a draft technical contractor's report entitled "Second Interim Report, Textile Industry BATEA-NSPS-PSES-PSNS Study" to a number of interested parties, including the American Textile Manufacturers Institute (ATMI), the Northern Textile Association (NTA), Carpet and Rug Institute (CRI), various member firms of these groups, state water pollution control agencies, and some municipal authorities for public comment. In November of 1978, the Agency circulated a draft version of the technical contractor's report entitled "Technical Study Report, BATEA-

NSPS-PSES-PSNS" to a similar group, again for public comment. The Agency accepted written comments on the draft reports through early December of 1978, and a meeting was held in Washington, D.C., on December 12, 1978, for public presentation and discussion of comments on the final report. Neither document included recommendations for effluent limitations guidelines, new source performance standards, or pretreatment standards, but rather presented a technical basis for the currently proposed regulations. A summary of the comments received to date is presented here.

1. Comment: Several commenters were concerned about the methodology used to establish the significance of toxic pollutants associated with the industry's wastewaters.

Response: The classification of toxic pollutants is based on an extensive evaluation of the analytical results obtained throughout the study, on information provided by special task groups of the American Textile Manufacturers Institute (ATMI) and the Dyes Environmental and Toxicology Organization (DETO), and, to a much lesser extent, on questionnaire information. The questionnaire information was used to gain insight from knowledgeable industry personnel about the use and possible presence of the toxic pollutants in textile processing. The analytical results from the field sampling program and information supplied by special task groups of ATMI and the Ecology Committee of DETO were used to classify each of the 129 toxic pollutants into one of five groups. Group 1 includes those pollutants detected frequently in raw wastewaters and at least once in effluents from secondary treatment at concentrations of 10 $\mu\text{g/l}$ or greater. The 10 $\mu\text{g/l}$ level was selected as an interim limit for the textile industry and allowed the Agency to focus on those pollutants that can cause the most serious problems. Group 2A includes those pollutants detected in the raw wastewater or effluents from secondary treatment at two mills or more, but at less than 10 $\mu\text{g/l}$ in the treated effluents. Group 2B includes those pollutants detected in the raw wastewater or treated effluent at only one mill and at less than 10 $\mu\text{g/l}$ in the treated effluent or those established as potentially present in textile effluents by ATMI or DETO. Group 2C includes those pollutants not detected in the field sampling program but suggested as possibly present as an intermediate or contaminant in some textile chemicals by ATMI, DETO, or by information provided on the questionnaires. Group 3

includes those pollutants that were not detected in the field sampling program and were not suggested as possibly present by ATMI, DETO, or by information provided on the questionnaires.

2. Comment: Several commenters were concerned that the variability in the wastewater characteristics among plants within subcategories will cause difficulty in establishing meaningful costs and treatment effectiveness.

Response: Variability in wastewater characteristics exists and is reflected in the expanded subcategorization of the industry. The Agency has used a comprehensive model plant approach to estimate costs and selected median waste characteristics and water usage values as typical for each subcategory. Median values provide the best possible estimates of the wastewater characteristics for each subcategory on the whole. Maximum or minimum values are unsatisfactory, and average values are not typical because they are distorted by unusually high or low values at individual plants. From two to four model plants, representing various production levels, were selected for each subcategory, and treatment costs were determined using treatment effectiveness values established during the EPA/Industry Pilot Plant Studies and from long-term performance data provided from the industry questionnaires and from plant visits.

3. Comment: One comment dealt with the classification of water-jet weaving in the framework of the subcategorization. Specifically, there was concern whether this operation would be classified as a low water use processing operation or as a separate subcategory.

Response: Water-jet weaving was considered as part of the Low Water Use Processing Subcategory, and one plant using such equipment was sampled during the screening phase to examine the significance of this operation. Few toxic pollutants were detected and conventional pollutant levels were low, so the Agency has recommended that this operation be excluded from the BAT and pretreatment regulations based on Paragraph 8(a) (iv) of the Revised Settlement Agreement (see Pollutants and Subcategories Not Regulated).

4. Comment: There was considerable concern by several commenters that "commission finishing" is no longer considered as a subcategory of the industry.

Response: The term "commission finisher" refers to a textile facility that finishes material (i.e., fabric, yarn, carpet) owned by others. Such facilities were investigated during the study and

no significant differences were recognized in their wastewater characteristics or processing that are not addressed by the internal subdivisions of the various subcategories. However, the Agency is presently involved in a cooperative program with the industry to develop additional information about commission finishers. If it is determined from the results of this program that commission finishers have not been correctly addressed, appropriate adjustments will be made and the regulations changed.

5. Comment: One commenter suggested that the Agency consider allowing the industry to establish a correlation between COD and toxic pollutants to ease the possible costly burden of routinely monitoring for all toxic pollutants.

Response: EPA recognizes the difficulty and expense associated with monitoring for the toxic pollutants, and has proposed a new method that uses "indicator" pollutants to regulate certain toxic pollutants. The "indicator" pollutant proposed for the textile industry is TSS. The data available to EPA generally show that when this "indicator" pollutant is controlled, the concentrations of toxic pollutants are significantly lower than when TSS is present in high concentrations. For a more complete discussion of the indicator pollutant approach, see the Regulated Pollutants section of this Preamble.

6. Comment: It was suggested by representatives of the industry that the effect of the discharge of toxic pollutants or environment and health be given more consideration in establishing limitations.

Response: The proposed effluent limitations are based on application of available technology to reduce or remove pollutants classified as conventional, nonconventional, or toxic that may enter the Nation's receiving water bodies directly or through POTWs. While the list of toxic pollutants was established on the basis of potential toxicity, carcinogenicity, mutagenicity, or teratogenicity, there is no Congressional intent in the Clean Water Act to evaluate environmental and health effects in establishing effluent limitations. The limitations are technology-driven and based solely on technological and economic considerations.

7. Comment: There was a general comment that data are lacking to effectively recommend activated carbon adsorption as a viable treatment alternative for textile industry wastewaters. It was also suggested that

powdered activated carbon treatment (PACT) be given more consideration.

Response: The Agency has obtained data on the effectiveness of activated carbon adsorption from the EPA/Industry Pilot Plant Research Project, from one full-scale facility that treats waste from a woven fabric finishing plant, and from other industries in which the data are transferable to the textile industry. The pilot plant activated carbon adsorption treatment mode was tested on the secondary effluent at 10 textile plants; over 100 composite samples (generally 24-hr) were collected and analyzed to evaluate the effectiveness of the mode. In addition, a total of 25 separate composite samples were collected at eight of the ten plants to evaluate the effectiveness of carbon adsorption in removing toxic pollutants. While there are data available, the Agency has not considered activated carbon adsorption as a control option in proposing effluent limitations because of its high cost and operational difficulties. Activated carbon does remain an effective alternative for some mills to meet the proposed BAT and NSPS effluent limitations.

Powdered activated carbon treatment is employed full-scale in at least one textile plant and was investigated in laboratory bench-scale studies as part of the EPA/Industry Pilot Plant Research Project. It was considered as a possible alternative and the full-scale plant was sampled during the verification phase. Performance data obtained were inconclusive because operation of the process is still in the development phase. The Agency is seeking more information on the performance of the PACT process and is currently supporting a joint PACT research effort between the Office of Research and Development (ORD) and ATMI at two textile plants. The Agency also requests that anyone in the industry with data or experience with the PACT system bring the information to its attention.

8. Comment: There were several comments to the effect that the operation and performance of the BPT technology at many facilities is inadequate, and that the true ability of the BPT technology in controlling the toxic pollutants was not fully evaluated by EPA.

Response: The Agency recognizes that there may be problems with the operation and design of some plants employing the BPT technology and has attempted to take this into account when evaluating the performance of these systems. The Agency has reevaluated these data and also requests that all plants with the BPT technology in place provide additional

data and information regarding the adequacy of the operation and performance of these systems. The current proposed BAT standards will require that some plants make improvements in design and operation of their present biological treatment systems before incorporating the BAT treatment technology. These steps, along with the integration of manufacturing operations with treatment operations and in-plant control measures such as water reduction, chemical substitution, and effective scheduling, should be investigated before additional treatment is installed.

9. Comment: There was general concern by the industry that the cost estimates for the various alternatives are too low and in need of being updated. There were several specific comments on inadequacies of the model plant approach and in the assumptions used in developing cost estimates. It was suggested that the basis for a technology and performance of the technology be expanded to include: (1) Degree of treatment and selection of unit processes, (2) quantities of pollutants to be removed, and (3) loading rates expected. It was generally felt that flow rate alone, or what appears to be flow rate alone in the approach used by the Agency, is inadequate.

Response: For all cost estimates, an attempt was made to achieve accuracy in magnitude, based on typical raw waste and BPT effluent wastewater characteristics. It was necessary to make assumptions in developing the costs in order to maintain consistency and obtain a valid comparison among the alternative technologies and subcategories. The Agency understands that certain assumptions are not ideal for all cases, and may appear high or low in specific comparisons, but maintains that the approach and assumptions used allow a workable methodology and provide useful, meaningful costs that are comparable to the economic profile of the industry. The Agency has done the best it could with the information available but is seeking to better estimate treatment costs, especially with regard to site-specific considerations, and plans to evaluate data currently being obtained from the EPA/Industry Pilot Plant Research Project. In addition, the Agency welcomes additional full-scale cost data and solicits available information from the industry. EPA will consider this new information before making the regulations final.

Many of the initial assumptions made in estimating the effectiveness of several treatment technologies were based on

theoretical consideration without the benefit of the findings from the EPA/Industry Pilot Plant Research Project. The Agency has planned, since the beginning of the BAT Revision Study, to use these findings and has done so in developing the proposed regulations. Consequently, many of the specific comments on treatment effectiveness are no longer applicable.

The specific requirements of the Resource Conservation and Recovery Act (RCRA) have only just recently been proposed and the Agency has not yet determined the quantitative effect on the textile industry of complying with the requirements. An effort is under way to do this and findings will be included as best as possible in the final regulations. The Agency expects much more information to be available before promulgation of these regulations. The Agency invites the industry to provide comments and data on sludge characteristics, disposal practices, disposal costs, and concerns associated with compliance with RCRA.

10. Comment: Several commenters questioned whether the treatment alternatives for new sources would produce the results expected by the Agency. They suggested that the eight-hour biological treatment aeration detention time is too low, and that costs be adjusted to reflect a longer detention time.

Response: For new sources, the Agency has proposed the segregation of waste streams containing significant toxic chemicals from the mill's domestic and non-toxic process wastes. The eight-hour aeration time proposed is only for treatment of the more easily biodegraded pollutants that will be present in the domestic and non-toxic pollutant stream. The toxic waste stream, including wastes which biodegrade slowly, will be treated using advanced technology. New sources will be able to incorporate these steps in new construction without the problems that would be experienced at existing plants.

The Agency also circulated a preliminary draft economic contractor's report entitled, "Economic Impact Analysis of Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Textile Mills Industry Point Source Category", dated January 1979, to the American Textile Manufacturers Institute (ATMI) who in turn distributed it to a number of other interested individuals, and to other industry trade associations and individuals. This document did not include recommendations for effluent limitations guidelines, new source performance standards, or pretreatment

standards, but rather presented preliminary economic impacts for all the proposed effluent treatment alternatives. A summary of comments received to date is presented below.

1. Comment: While the necessity for using "model plants" was not questioned, one comment stated that the model plant approach generally understates treatment costs and that this approach poses accuracy problems when "synthesizing" data for individual plants.

Response: The use of individual plant analyses would have the advantage of depicting the industry with more accuracy than does the use of model plants. However, sufficient data to analyze every plant are not available. Furthermore, the depiction would be static in nature. Assessing pollution control impacts under the net present value (NPV) approach involves projecting the profile of the industry into the future. This requires the incorporation of a number of parameters to include price and cost increases, growth rates, and proposed control costs. The development of these parameters is feasible only at some level of aggregation; in this case, model plants. The development of model plant pollution control treatment costs utilize similar estimating procedures as would be used for an actual plant. Certain basic assumptions depicting the specific conditions and requirements associated with each model are determined and these are believed to be representative of actual plants associated with the models. A detailed explanation of the development of controls costing procedures is presented in the Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards, and Pretreatment Standards for the Textile Industry Point Source Category.

2. Comment: One comment received concerned the inclusion of other regulatory costs (cotton dust controls, toxics, noise abatement) and the impact of these on the BATEA closure decision.

Response: Other regulatory costs included in this impact analyses were those represented in the baseline models as having been already incurred by the industry prior to or during the baseline year (1977). Given the preliminary development stage of many regulatory requirements, costs are impossible to forecast. The economic impact report for proposal describes these various other regulatory requirements that have been assessed.

3. Comment: Several comments were received regarding clarification of the technical aspects of the impact methodology. These included such

issues as: (a) The origin of future cash flows; (b) the assumed growth and inflation rates; (c) the suggestion to forecast individual items in the cash flow and compute these on year-by-year basis; (d) the liquidation value for the terminal year and its difference from the current salvage value; (e) the terminal year liquidation value and inclusion of the salvage value of pollution control facilities; and (f) the justification for use of 21 years in the net present value (NPV) analysis instead of a shorter period.

Response: These comments are answered in summary here. Detailed discussions of these topics are presented in the economic impact analysis and in the appropriate sections of this notice.

(a) Origin of future cash flows: Future cash flows are calculated based on projections of the models' future after-tax profits and depreciations.

(b) Growth and inflation rates: An inflation rate of 6 percent was incorporated into the net present value analysis, this corresponds with the rate utilized in a Staff Report prepared by the Council on Wage and Price Stability entitled, "A Study of the Textile and Apparel Industries," July 1978. Growth in the industry has been generally projected to be between 2 and 3 percent over the next ten years. However, the rate has not been translated into individual subcategory rates and no increases have been applied to the model plants. Any increases associated with wet processors can be expected to be absorbed by increases in utilization rates and new source plants. Consequently, growth rates appropriate for each of the model plants would be minor and would have only minor effects on profitability.

(c) Forecasting items of cash flow: One of the key steps in developing the financial analysis of the model plants was to project the profitability over the life of the plants. These projections, along with the depreciation estimates, determined the cash flows. Although listing individual items in the cash flow might be appropriate for an individual plant in the industry, it is not appropriate for model plants which were developed to represent a number of plants of different ages with a wide variety of individual requirements.

(d) Difference between liquidation value and salvage value: In this study, the salvage value of a plant is synonymous with its liquidation value. Implicit within the model plant concept is that the annual reinvestment will be such that the salvage value of fixed assets will remain at the same level (adjusted for inflation) throughout the period of consideration.

(e) Salvage value of pollution control facilities: The terminal year liquidation value represents the salvage value of the plant assuming the plant will not continue to be used for textiles manufacturing. This plus the fact that most pollution controls tend to reflect relatively fixed, site specific structures make it unlikely that pollution control facilities would have any appreciable liquidation value in the terminal year.

(f) Discount period of NPV analysis: The NPV concept is based on an examination of cash flows over the expected life time of proposed investments. The 21 year time frame was selected since it coincides with the expected life of dyeing and finishing equipment as shown in Department of Treasury, *The Textile Industry*, 1976. It was assumed that this time horizon would be appropriate for existing plants as well as new sources. While individual firms will be making decisions in the short term, the industry as a composite will be making decisions in the long term.

4. Comment: There were several comments provided concerning the severity of specific impacts depicted in the economic report. These comments concerned price impacts, supply and demand analysis, production impacts, employment impacts, and various financial and other impacts. The bases for these comments were the conclusions of the impact analysis presented in the preliminary report.

Response: The Agency has refined the economic analysis presented in the preliminary report. The preliminary impacts assumed all 1,165 wet processors would need to invest in, and operate, pollution control facilities. This estimate has been revised to 319 plants, based on an estimated 846 plants with sufficient treatment currently in place. The Agency has considered the potential economic impacts of each regulatory option evaluated in its decision criteria as described in Sections VIII, X, XI, XII of this notice. Because of economic impacts projected for the Felted Fabric Processing Subcategory under BAT Option 4, Option 1 limitations are proposed for this subcategory. EPA believes that the options selected for the proposed regulations are economically achievable.

XXIV. Solicitation of Comments

EPA invites and encourages public participation in this rulemaking. The Agency asks that any deficiencies in the record of this proposal be pointed to with specificity and that suggested revisions or corrections be supported by data.

EPA is particularly interested in receiving additional comments and information in connection with the following:

(1) The Agency is reviewing the sampling and analytical methods used to determine the presence and magnitude of toxic pollutants, and solicits comments on the data produced by these methods, and the methods themselves.

(2) In order to provide a more extensive data base for this rulemaking, EPA requests that textile facilities voluntarily sample and analyze for the toxic, conventional, and nonconventional pollutants proposed for regulation. Samples should be taken, at a minimum, from intake water, raw wastewater, and pretreated or final effluent where treatment is in place. Voluntary sampling and analyses must be conducted by the same methods used by EPA and, therefore, plants that intend to participate in this effort should contact James R. Berlow (see ADDRESS at beginning of preamble) for further assistance. Sampling and analysis protocols and a list of laboratories capable of performing the analyses will be made available to plants wishing to participate in this program.

(3) In recognition of the limits of available data on some toxic pollutants, the Agency is proposing "indicator" limitations on total suspended solids. EPA requests the submission of data that either support or refute its belief that when TSS is removed to low concentrations, the concentrations of toxic pollutants are substantially less than when the concentrations of the "indicator" pollutant is high. Under the "indicator" strategy, "indicator" pollutants will be treated as toxic pollutants for all purposes. Effluent limitations will be established for them at BAT levels; "indicator" conventionals will not have to pass the BCT cost-comparison test normally required for conventional pollutants, and "indicator" nonconventional pollutants will not be subject to modifications under Sections 301(c) and 301(g) unless a permittee can show that the waste stream does not contain any of the toxic pollutants for which the "indicator" was designed to demonstrate removal. EPA requests comments on this approach.

(4) EPA has noted some anomalies or potentially erroneous data points for conventional, nonconventional and toxic pollutants, and requests that plants review all data submitted to the Agency, including data for flow and production, to insure their accuracy. In addition, EPA has had difficulty in obtaining data for plants in the Low Water Use Processing, Nonwoven

Manufacturing, and Felted Fabric Processing Subcategories, and requests that these plants submit available data including production, wastewater flow, pollutant parameters, and concentrations.

(5) Characterization of the nature and amount of sludges generated by textile waste treatment plants and the costs of sludge handling and disposal are important to these regulations and regulations being developed by EPA's Office of Solid Waste, under authority of the Resource Conservation and Recovery Act (RCRA). The Agency solicits additional data concerning the quantities, pollutant content, and handling and disposal costs for all solid wastes.

(6) Possible underestimation of control technology costs was a significant issue raised during the public comment meeting. In order to perform a meaningful comparison of EPA cost data and industry cost data, EPA requests detailed information on salient design and operating characteristics; actual installed cost (not estimates of replacement costs) for each unit treatment operation or piece of equipment (e.g., screens, clarifiers, aeration equipment, etc.); the date of installation and the amount of installation labor provided by plant personnel; and the actual cost for operation and maintenance broken down into units of usage and cost for energy (kilowatt hours or equivalent), chemicals, and labor (work-years or equivalent).

(7) EPA's economic impact analysis indicated that up to 39 plant closings may result from the proposed regulations. The closure candidates occur among small- and medium-sized plants and are concentrated among Wool Scouring, Wool Finishers, and Stock and Yarn producers, although other subcategories may be affected as well. The Agency is concerned about the closures. Before promulgating the regulations, EPA intends to further study the conditions that lead to closures. During this assessment, the Agency plans to consider whether alternative levels of control are appropriate for regulating segments of the textile industry. EPA solicits comments that could provide the Agency more understanding of the problems some small- and medium-sized plants face in complying without proposed standards. EPA welcomes suggestions on alternative control technologies that the Agency should consider prior to promulgating these regulations.

(8) EPA has obtained from the industry a substantial data base for the control and treatment technologies

which serve as the basis for the proposed regulations. Plants that have not submitted data, or that have compiled more recent data or engineering studies are requested to forward these data to EPA. These data should be individual data points, not averages or other summary data, including flow, production, and all pollutant parameters for which analyses were run. Please submit any qualifications to the data, such as descriptions of facility design, operating procedures, and upset problems during specified periods.

(9) EPA requests that POTWs which receive wastewaters from textile plants submit data which would document the occurrence of interference with collection system and treatment plant operations, permit violations, sludge disposal difficulties, or other incidents attributable to the pollutants contained in POTW's influent.

Dated: October 16, 1979.

Douglas M. Costle,
Administrator.

Appendix A—Abbreviations, Acronyms, and Other Terms Used in this Notice

Act—The Clean Water Act.

Agency—The U.S. Environmental Protection Agency.

BAT—The best available technology economically achievable, applicable to effluent limitations to be achieved by July 1, 1984, for industrial discharges to surface waters, as defined by Section 304(b) (2) (B) of the Act.

BCT—The best conventional pollutant control technology, applicable to discharges of conventional pollutants from existing industrial point sources, as defined by Section 304(b) (4) of the Act.

BMP—Best management practices, as defined by Section 304(e) of the Act.

BPT—The best practicable control technology currently available, applicable to effluent limitations to be achieved by July 1, 1977, for industrial discharges to surface waters, as defined by Section 304(b) (1) of the Act.

Classical Pollutants—A general term used to refer to the pollutants of primary concern before the "conventional, nonconventional, and toxic pollutant" designations set forth in the Act as amended.

Clean Water Act—The Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1251 et seq.), as amended by the Clean Water Act of 1977 (Pub. L. 95-217).

Conventional Pollutants—Constituents of wastewater as determined by

Section 304(a) (4) of the Act, including, but not limited to, pollutants classified as biological oxygen demand, suspended solids, oil and grease, fecal coliform, and pH.

Development Document—Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards, and Pretreatment Standards for the Textile Mills Point Source Category, prepared by the Effluent Guidelines Division of EPA.

Direct Discharger—An industrial discharger that introduces wastewater to a receiving body of water or land, with or without treatment by the discharger.

Economic Analysis—Economic Impact Analysis of Proposed Effluent Limitations Guidelines, New Source Performance Standards, and Pretreatment Standards for the Textile Mills Point Source Category, prepared by the Office of Analysis and Evaluation of EPA.

Effluent Limitation—A maximum amount per unit of production (or other unit) of each specific constituent of the effluent that is subject to limitation from an existing point source.

Federal Water Pollution Control Act Amendments of 1972—Pub. L. 92-500, which provides the legal authority for current EPA water pollution abatement projects, regulations, and policies. The Federal Water Pollution Control Act was amended further in 1977 in legislation referred to as The Clean Water Act.

Indicator Pollutants—A group of pollutants, including, but not limited to, BOD₅, COD, and TSS, which can serve as a basis for limitations on toxic pollutants, which in themselves are very difficult to monitor and expensive to analyze.

Indirect Discharger—An industrial discharger that introduces waste water to a publicly-owned collection system.

In-plant Control Technologies—Controls or measures applied within the manufacturing process to reduce or eliminate pollutant and hydraulic loadings of raw wastewater. Typical in-plant control measures include chemical substitution, material reclamation, water reuse, water reduction, and process changes.

Internal Subcategorization—Divisions within a subcategory to group facilities that, while producing related products from similar raw materials, have differing raw waste characteristics due to the complexity of manufacturing processes employed.

New Source—Industrial facilities from which there is, or may be, a discharge

of pollutants, and whose construction is begun after the publication of the proposed regulations.

Nonconventional Pollutants—

Parameters selected for use in developing effluent limitation guidelines and new source performance standards which have not been previously designated as either conventional pollutants or toxic pollutants.

Non-Water Environmental Quality Impact—

Deleterious aspects of control and treatment technologies applicable to point source category wastes, including, but not limited to, air pollution, noise, radiation, sludge and solid waste generation, and energy usage.

NPDES—National Pollutant Discharge Elimination System, a Federal program requiring industry and municipalities to obtain permits to discharge plant effluents to the nations water courses, under Section 402 of the Act.

NSPS—New source performance standards, applicable to industrial facilities whose construction is begun after the publication of the proposed regulations, as defined by Section 306 of the Act.

Performance Standards—A maximum weight discharged per unit of production for each constituent that is subject to limitations. Performance standards are applicable to new sources, as opposed to existing sources, which are subject to effluent limitations.

Point Source Category—A collection of industrial sources with similar function or product, established by Section 306(b)(1)(A) of the Federal Water Pollution Control Act, as amended for the purpose of establishing Federal standards for the disposal of wastewater.

Pollutant Loading—Ratio of the total daily mass discharge of a particular pollutant to the total daily wet production of a mill expressed in terms of (kg pollutant)/(kkg wet production).

POTW—Publicly owned treatment works, facilities that collect, treat, or otherwise dispose of wastewaters, owned and operated by a village, town, county, authority, or other public agency.

Pretreatment Standard—Industrial wastewater effluent quality required for discharge to a publicly-owned treatment works.

PSES—Pretreatment standards for existing sources of indirect discharges, under Section 307(b) of the Act.

PSNS—Pretreatment standards for new sources of indirect discharges, under Section 307 (b) and (c) of the Act.

RCRA—Resource Conservation and Recovery Act (Pub. L. 94-580) of 1976, Amendments to Solid Waste Disposal Act.

Revised Settlement Agreement—A rewritten form of the Settlement Agreement which described provisions authorizing the exclusion from regulation, in certain instances, of toxic pollutants and industry subcategories.

Settlement Agreement—Agreement entered into by EPA with the Natural Resources Defense Council and other environmental groups and approved by the U.S. District Court for the District of Columbia on June 7, 1976. One of the principal provisions of the Settlement Agreement was to direct EPA to consider an extended list of 65 classes of pollutants in 21 industrial categories, including Textile Mills, in the development of effluent limitations guidelines and new source performance standards.

SIC—Standard Industrial Classification, a numerical categorization scheme used by the U.S. Department of Commerce to denote segments of industry.

Toxic Pollutants—All compounds specifically named or referred to in the Settlement Agreement, as well as recommended specific compounds representative of the nonspecific or ambiguous groups or compounds named in the agreement. This list of pollutants was developed based on the use of criteria such as known occurrence in point source effluents, in the aquatic environment, in fish, in drinking water, and through evaluations of carcinogenicity, other chronic toxicity, bioaccumulation, and persistence.

Water Use—Ratio of the spent water from a manufacturing operation to the total wet production by the mill, expressed in terms of (liters of wastewater/day)/(kilogram of wet production/day).

Appendix B—Toxic Pollutants Detected in Treated Effluent Above the Nominal Detection Limit

acrylonitrile
benzene
1,2,4-trichlorobenzene
2,4,6-trichlorophenol
parachlorometacresol
chloroform
1,2-dichlorobenzene
ethylbenzene
trichlorofluoromethane
naphthalene
N-nitrosodi-n-propylamine
pentachlorophenol
phenol
(a) 4-AAP

(b) GC/MS
bis(2-ethylhexyl) phthalate
tetrachloroethylene
toluene
trichloroethylene
antimony
arsenic
cadmium
chromium
copper
cyanide
lead
mercury
nickel
selenium
silver
zinc

Appendix C—Toxic Pollutants not Detected in Treated Effluents

benzidine
3,3-dichlorobenzidine
methyl bromide
2,4-dinitrophenol
N-nitrosodimethylamine
phenanthrene
carbon tetrachloride
1,1,2-trichloroethane
chloroethane
4-chlorophenyl phenyl ether
dichlorodifluoromethane
isophorone
nitrobenzene
4,6-dinitro-o-cresol
acenaphthylene
aldrin
chlordan
4,4'-DDE
4,4'-DDD
alpha-endosulfan
beta-endosulfan
endosulfan sulfate
endrin
endrin aldehyde
heptachlor
heptachlor epoxide
alpha-BHC
beta-BHC
gamma-BHC (lindane)
delta-BHC
toxaphene
acrolein
hexachloroethane
1,1,2,2-tetrachloroethane
bis (chloromethyl) ether
bis(2-chloroethyl) ether
2-chloroethyl vinyl ether
1,3-dichlorobenzene
1,2-trans-dichloroethylene
1,3-dichloropropylene
2,4-dinitrotoluene
fluoranthene
4-bromophenyl phenyl ether
bis (2-chloroisopropyl) ether
bis (2-chloroethoxy) methane
bromoform
chlorodibromomethane
hexachlorobutadiene
hexachlorocyclopentadiene

di-n-octyl phthalate
 1,2-benzanthracene
 benzo(a)pyrene
 chrysene
 1,12-benzoperylene
 1,2,5,6-dibenzanthracene
 indeno (1,2,3-cd)pyrene
 PCB-1242
 PCB-1254
 PCB-1221
 PCB-1232
 PCB-1248
 PCB-1260
 PCB-1016
 asbestos
 2,3,7,8-tetrachlorodibenzo-p-dioxin
 (TCDD)

Appendix D—Toxic Pollutants Detected at Only One Plant and at Less Than the Nominal Detection Limit in the Treated Effluent

1,2-dichloroethane
 1,1-dichloroethane
 2-chloronaphthalene
 2-chlorophenol
 1,1-dichloroethylene
 1,2-dichloropropane
 2,4-dimethylphenol
 2,6-dinitrotoluene
 1,2-diphenylhydrazine
 Methyl chloride
 dichlorobromomethane
 2-nitrophenol
 4-nitrophenol
 3,4-benzofluoranthene
 11,12-benzofluoranthene
 fluorene
 vinyl chloride
 dieldrin
 4,4'-DDT
 beryllium

Appendix E—Toxic Pollutants Detected in Treated Effluents at or Below the Nominal Detection Limit

acenaphthene
 chlorobenzene
 hexachlorobenzene
 1,1,1-trichloroethane
 1,4-dichlorobenzene
 2,4-dichlorophenol
 Methylene chloride
 N-nitrosodiphenylamine
 butyl benzyl phthalate
 di-n-butyl phthalate
 diethyl phthalate
 dimethyl phthalate
 anthracene
 pyrene
 thallium

It is proposed to amend Title 40 by revising Part 410 to read as follows:

PART 410—TEXTILE MILLS POINT SOURCE CATEGORY

General Provisions

Sec.
 410.10 Applicability.

Sec.
 410.11 General definitions.
 Subpart A—Wool Scouring Subcategory
 410.20 Applicability; description of the Wool Scouring Subcategory.
 410.21 Specialized definitions.
 410.23 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
 410.24 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
 410.25 New source performance standards (NSPS).
 410.26 Pretreatment standards for existing sources (PSES).
 410.27 Pretreatment standards for new sources (PSNS).

Subpart B—Wool Finishing Subcategory

410.30 Applicability; description of the Wool Finishing Subcategory.
 410.31 Specialized definitions.
 410.33 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
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Subpart C—Low Water Use Processing Subcategory

410.40 Applicability; description of the Low Water Use Processing Subcategory.
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 410.45 New source performance standards (NSPS).
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Subpart D—Woven Fabric Finishing Subcategory

410.50 Applicability; description of the Woven Fabric Finishing Subcategory.
 410.51 Specialized definitions.
 410.53 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
 410.54 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
 410.55 New source performance standards (NSPS).
 410.56 Pretreatment standards for existing sources (PSES).
 410.57 Pretreatment standards for new sources (PSNS).

Subpart E—Knit Fabric Finishing Subcategory

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 410.60 Applicability; description of the Knit Fabric Finishing Subcategory.
 410.61 Specialized definitions.
 410.63 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
 410.64 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
 410.65 New source performance standards (NSPS).
 410.66 Pretreatment standards for existing sources (PSES).
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Subpart F—Carpet Finishing Subcategory

410.70 Applicability; description of the Carpet Finishing Subcategory.
 410.71 Specialized definitions.
 410.73 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
 410.74 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
 410.75 New source performance standards (NSPS).
 410.76 Pretreatment standards for existing sources (PSES).
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Subpart G—Stock & Yarn Finishing Subcategory

410.80 Applicability; description of the Stock & Yarn Finishing Subcategory.
 410.81 Specialized definitions.
 410.83 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
 410.84 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
 410.85 New source performance standards (NSPS).
 410.86 Pretreatment standards for existing sources (PSES).
 410.87 Pretreatment standards for new sources (PSNS).

Subpart H—Nonwoven Manufacturing Subcategory

410.90 Applicability; description of the Nonwoven Manufacturing Subcategory.
 410.91 Specialized definitions.
 410.93 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
 410.94 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

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 410.95 New source performance standards (NSPS).
 410.96 Pretreatment standards for existing sources (PSES).
 410.97 Pretreatment standards for new sources (PSNS).

Subpart I—Felted Fabric Processing Subcategory

- 410.100 Applicability; description of the Felted Fabric Subcategory.
 410.101 Specialized definitions.
 410.103 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
 410.104 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
 410.105 New source performance standards (NSPS).
 410.106 Pretreatment standards for existing sources (PSES).
 410.107 Pretreatment standards for new sources (PSNS).

Authority: Sections 301, 304(b), (c), (e), and (g), 306(b) and (c), 307(b) and (c), and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, as amended by the Clean Water Act of 1977) (the "Act"); 33 United States C. 1311, 1314(b), (c), (e), and (g), 1316(b) and (c), 1317(b) and (c), and 1361; 86 Stat. 816, Pub. L. 92-500; 91 Stat. 1567, Pub. L. 95-217.

General Provisions

§ 410.10 Applicability.

This part applies to any textile mill which discharges or may discharge pollutants to waters of the United States or which introduces or may introduce pollutants into a publicly owned treatment works.

§ 410.11 General definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this part:
 "Color" means that color as measured by the modified tristimulus method as developed by the American Dye Manufacturers Institute (ADMI) and described in the Proceedings of the 28th Industrial Waste Conference, Purdue University.

Subpart A—Wool Scouring Subcategory

§ 410.20 Applicability; description of the Wool Scouring Subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that scour natural impurities from raw wool and other animal hair fibers as the majority

of their processing. Integrated mills that perform wool scouring and other finishing should apply the applicable wool scouring effluent limitations to the wool scouring production and the other finishing production to applicable effluent limitations covering that production in order to calculate discharge allowances.

§ 410.21 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this subpart:

(a) "Raw grease wool" means the raw wool as obtained from the sheep, with all natural and acquired impurities such as grease, soluble salts (suint), and dirt.

§ 410.23 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application of the best conventional pollutant control technology (BCT):

Subpart A (less than 3,300 kkg/yr total production)		
BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of raw grease wool		
BOD5.....	10.6	5.3
TSS.....	32.2	16.1
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart A (3,300 kkg/yr total production or greater)		
BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of raw grease wool		
BOD5.....	1.5	0.9
TSS.....	10.9	6.3
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.24 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30-.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the

degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT):

BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of raw grease wool		
COD.....	36.3	24.6
TSS.....	10.9	6.3
Total Phenol.....	0.002	0.001
Total Chromium.....	0.01	0.006
Total Copper.....	0.01	0.006
Total Zinc.....	0.02	0.01
Color (ADMI units) ..	2400	1500

§ 410.25 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart A		
NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of raw grease wool		
BOD5.....	1.5	0.9
COD.....	36.3	24.6
TSS.....	10.9	6.3
Total Phenol.....	0.002	0.001
Total Chromium.....	0.01	0.006
Total Copper.....	0.01	0.006
Total Zinc.....	0.02	0.01
Color (ADMI units) ..	2400	1500
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.26 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart A		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart A		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of raw grease wool		
Total chromium	0.01	0.006
Total copper	0.01	0.006
Total zinc	0.02	0.012

§ 410.27 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources (PSNS):

Subpart A		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart A		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of raw grease wool		
Total chromium	0.01	0.006
Total copper	0.01	0.006
Total zinc	0.02	0.012

Subpart B—Wool Finishing Subcategory

§ 410.30 Applicability; description of the Wool Finishing Subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that finish fabric, a majority of which is wool, other animal hair fiber, or blends containing primarily wool or other animal hair fiber, by employing any of the following processing operations on at least five percent of their total production: Carbonizing, fulling, bleaching, scouring (not including raw grease wool scouring), dyeing and/or application of functional finish chemicals. Facilities that primarily finish stock or yarn of wool, other animal hair fiber, or blends containing primarily wool or other animal hair fiber and that perform carbonizing, are included in this subpart. Wool stock or yarn mills that do not perform carbonizing and scouring are covered under Stock & Yarn Finishing. Integrated mills that finish a majority of wool fabric along with greige goods manufacturing or other finishing operations such as yarn dyeing are included in this subpart and total production (excluding weaving and other dry operations) should be applied to the applicable effluent limitations to calculate discharge allowances.

§ 410.31 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this subpart:

(a) "Product" means the final material produced or processed by the mill.

§ 410.33 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30–125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application of the best conventional pollutant control technology (BCT):

Subpart B (less than 5,800 kkg/yr total production)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD ₅	22.4	11.2
TSS	35.2	17.6
pH	Within the range of 6.0 to 9.0 at all times	

Subpart B (5,800 kkg/yr total production or greater)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD ₅	15.4	8.9
TSS	11.0	6.4
pH	Within the range of 6.0 to 9.0 at all times	

§ 410.34 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30–125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT):

Subpart B		
BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
COD	82.4	56.2
TSS	11.0	6.4
Total phenol	0.032	0.018
Total chromium	0.26	0.14
Total copper	0.26	0.14
Total zinc	0.52	0.28
Color (ADMI units) ..	190	120

§ 410.35 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart B		
NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD5.....	15.4	8.9
COD.....	82.4	56.2
TSS.....	11.0	6.4
Total phenol.....	0.032	0.018
Total chromium.....	0.26	0.14
Total copper.....	0.26	0.14
Total zinc.....	0.52	0.28
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.36 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart B		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart B		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
Total chromium.....	0.26	0.14
Total copper.....	0.26	0.14
Total zinc.....	0.52	0.28

§ 410.37 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources (PSNS):

Subpart B		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart B		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
Total chromium.....	0.26	0.14
Total copper.....	0.26	0.14
Total zinc.....	0.52	0.28

Subpart C—Low Water Use Processing Subcategory

§ 410.40 Applicability; description of the Low Water Use Processing Subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities other than finishing facilities engaged only in manufacturing greige goods, laminating or coating fabrics, texturizing yarn, tufting and backing carpet, producing tire cord fabric, and similar activities in which either cleanup is the primary water use or process water requirements are small, or both.

§ 410.41 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this subpart:

(a) "Product" means the final material produced or processed by the mill.

§ 410.43 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application of the best conventional pollutant control technology (BCT):

Subpart C		
BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD5.....	1.4	0.7
TSS.....	1.4	0.7
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.45 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart C		
NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD5.....	1.4	0.7
COD.....	2.8	1.4
TSS.....	1.4	0.7
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.46 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403.

§ 410.47 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403.

Subpart D—Woven Fabric Finishing Subcategory

§ 410.50 Applicability; description of the Woven Fabric Finishing Subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that primarily finish fabric, a majority of which is woven, by employing any of the following processing operations on at least five percent of their production: Desizing, scouring, bleaching, mercerizing, dyeing, printing, and/or application of functional finish chemicals. Denim finishing mills are included in this subpart, but facilities finishing woven fabric composed primarily of wool are covered under Wool Finishing. Integrated mills that

finish a majority of woven fabric along with greige goods manufacturing or other finishing operations such as yarn dyeing are included in this subpart and total production (excluding weaving and other dry operations) should be applied to the applicable effluent limitations to calculate discharge allowances.

§ 410.51 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definitions apply to this subpart:

(a) "Product" means the final material produced or processed by the mill.

(b) "Simple Processing" means the internal subdivision of Woven Fabric Finishing for facilities that perform fiber preparations, desizing, scouring, or functional finishing, and/or one of the following processes applied to more than five percent of total production: bleaching, dyeing, or printing. This subdivision includes all Woven Fabric Finishing facilities that do not qualify under either the Complex Processing or Complex Processing Plus Desizing subdivision.

(c) "Complex Processing" means the internal subdivision of Woven Fabric Finishing for facilities that perform desizing of less than 50 percent of their total production and more than one of the following, each applied to more than five percent of total production: Bleaching, dyeing, or printing. These facilities may also perform fiber preparation, scouring, mercerizing, and functional finishing.

(d) "Complex Processing Plus Desizing" means the internal subdivision of Woven Fabric Finishing for facilities that perform desizing of greater than 50 percent of their total production, and more than one of the following, each applied to more than five percent of total production: Bleaching, dyeing, or printing. These facilities may also perform fiber preparation, scouring, mercerizing, and functional finishing.

§ 410.53 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application

of the best conventional pollutant control technology (BCT):

Subpart D—Simple Processing (less than 13,500 kkg/yr total production)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	6.6	3.3
TSS.....	17.8	8.9
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart D—Simple Processing (13,500 kkg/yr total production or greater)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	2.7	1.6
TSS.....	3.4	2.0
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart D—Complex Processing (less than 12,200 kkg/yr total production)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	6.6	3.3
TSS.....	17.8	8.9
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart D—Complex Processing (12,200 kkg/yr total production or greater)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	5.0	2.9
TSS.....	4.7	2.7
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart D—Complex Processing Plus Desizing (less than 9,300 kkg/yr total production)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	6.6	3.3
TSS.....	17.8	8.9
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart D—Complex Processing Plus Desizing (9,300 kkg/yr total production or greater)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	6.6	3.3
TSS.....	6.2	3.6
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.54 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT):

Subpart D—Simple Processing

BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
COD.....	33.1	22.6
TSS.....	3.4	2.0
Total phenol.....	0.005	0.003
Total chromium.....	0.07	0.04
Total copper.....	0.07	0.04
Total zinc.....	0.14	0.08
Color (ADMI units) ..	340	220

Subpart D—Complex Processing

BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
COD.....	38.1	26.0
TSS.....	4.7	2.7
Total phenol.....	0.013	0.008
Total chromium.....	0.08	0.04
Total copper.....	0.08	0.04
Total zinc.....	0.16	0.08
Color (ADMI units) ..	340	220

Subpart D—Complex Processing Plus Desizing

Subpart D—Complex Processing Plus Desizing

Subpart D—Complex Processing

BAT effluent limitations

NSPS effluent limitations

PSES effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
COD.....	49.9	34.0
TSS.....	6.2	3.6
Total phenol.....	0.012	0.007
Total chromium.....	0.10	0.06
Total copper.....	0.10	0.06
Total zinc.....	0.20	0.11
Color (ADMI units) ..	340	220

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD5.....	3.1	1.8
COD.....	34.3	23.4
TSS.....	4.4	2.6
Total phenol.....	0.008	0.005
Total chromium.....	0.10	0.06
Total copper.....	0.10	0.06
Total zinc.....	0.20	0.11
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

§ 410.55 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart D—Simple Processing

NSPS effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD5.....	1.3	0.74
COD.....	22.8	15.5
TSS.....	2.4	1.4
Total phenol.....	0.003	0.002
Total chromium.....	0.07	0.04
Total copper.....	0.07	0.04
Total zinc.....	0.14	0.08
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart D—Complex Processing

NSPS effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
BOD5.....	2.4	1.4
COD.....	26.2	17.9
TSS.....	3.4	2.0
Total phenol.....	0.008	0.005
Total chromium.....	0.08	0.04
Total copper.....	0.08	0.04
Total zinc.....	0.16	0.08
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.56 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart D—Simple Processing

PSES effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart D—Simple Processing

PSES effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
Total chromium.....	0.07	0.04
Total copper.....	0.07	0.04
Total zinc.....	0.14	0.08

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart D—Complex Processing

PSES effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
Total chromium.....	0.08	0.04
Total copper.....	0.08	0.04
Total zinc.....	0.16	0.08

Subpart D—Complex Processing Plus Desizing

PSES effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart D—Complex Processing Plus Desizing

PSES effluent limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kg (or lb/1000 lb) of product		
Total chromium.....	0.10	0.06
Total copper.....	0.10	0.06
Total zinc.....	0.20	0.11

§ 410.57 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources (PSNS):

Subpart D—Simple Processing		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	0.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart D—Simple Processing		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium	0.07	0.04
Total copper	0.07	0.04
Total zinc	0.14	0.08

Subpart D—Complex Processing		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart D—Complex Processing		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium	0.08	0.04
Total copper	0.08	0.04
Total zinc	0.16	0.08

Subpart D—Complex Processing Plus Desizing

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart D—Complex Processing Plus Desizing		
PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (as lb/1000 lb) of product		
Total chromium	0.10	0.06
Total copper	0.10	0.06
Total zinc	0.20	0.11

Subpart E—Knit Fabric Finishing Subcategory

§ 410.60 Applicability; description of the Knit Fabric Finishing Subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that primarily finish fabric made of cotton and/or synthetic fiber, a majority of which is knit, by employing any of the following processing operations on at least five percent of their production: Scouring, bleaching, dyeing, printing, and/or application of lubricants, antistatic agents, and functional finish chemicals. Integrated mills that finish a majority of knit fabric along with greige goods manufacturing or other finishing operations such as yarn dyeing are included in this subpart and total production (excluding knitting and other dry operations) should be applied to the applicable effluent limitations to calculate discharge allowances.

§ 410.61 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definitions apply to this subpart:

(a) "Product" means the final material produced or processed by the mill.

(b) "Simple Processing" means the internal subdivision of Knit Fabric Finishing for facilities that perform fiber preparation, scouring, or functional finishing, and/or one of the following processes applied to more than five percent of total production: Bleaching, dyeing, or printing. This subdivision includes all Knit Fabric Finishing facilities that do not qualify under either the Complex Processing or Hosiery Products subdivision.

(c) "Complex Processing" means the internal subdivision of Knit Fabric Finishing for facilities that perform more than one of the following processes each applied to more than five percent of total production: Bleaching, dyeing, or printing. These facilities may also perform fiber preparation, scouring, mercerizing, and functional finishing.

(d) "Hosiery Products" means the internal subdivision of Knit Fabric Finishing for facilities that are engaged primarily in dyeing or finishing hosiery of any type.

§ 410.63 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the applications of the best conventional pollutant control technology (BCT):

Subpart E—Simple Processing (less than 7,200 kkg/yr total production)		
BCT effluent limitations		
Pollutant or Pollutant Property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Kg/kkg (or lb/1000 lb) of product		
BOD ₅	5.0	2.5
TSS.....	21.8	10.9
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart E—Simple Processing (7,200 kkg/yr total production or greater)		
BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD ₅	4.7	2.5
TSS.....	5.2	3.0
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart E—Complex Processing (less than 11,700 kkg/yr total production)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD 5.....	5.0	2.5
TSS.....	21.8	10.9
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart E—Complex Processing (11,700 kkg/yr total production or greater)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD 5.....	3.9	2.3
TSS.....	5.0	2.9
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart E—Hosiery Products (less than 14,100 kkg/yr total production)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD 5.....	15.0	8.7
TSS.....	28.0	15.0
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart E—Hosiery Products (14,100 kkg/yr total production or greater)

BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD 5.....	5.3	3.1
TSS.....	7.0	4.0
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.64 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30–125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT):

Subpart E—Simple Processing

BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
COD.....	64.6	44.0
TSS.....	5.2	3.0
Total phenol.....	0.018	0.010
Total chromium.....	0.12	0.07
Total copper.....	0.12	0.07
Total zinc.....	0.24	0.14
Color (ADMI units) ..	340	220

Subpart E—Complex Processing

BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
COD.....	41.1	28.0
TSS.....	5.0	2.9
Total phenol.....	0.011	0.006
Total chromium.....	0.08	0.04
Total copper.....	0.08	0.04
Total zinc.....	0.15	0.08
Color (ADMI units) ..	340	220

Subpart E—Hosiery Products

BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
COD.....	47.7	32.5
TSS.....	7.0	4.0
Total phenol.....	0.006	0.003
Total chromium.....	0.06	0.03
Total copper.....	0.06	0.03
Total zinc.....	0.12	0.07
Color (ADMI units) ..	190	120

§ 410.65 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart E—Simple Processing

NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	2.2	1.3
COD.....	44.4	30.3
TSS.....	3.7	2.1
Total phenol.....	0.011	0.007
Total chromium.....	0.12	0.07
Total copper.....	0.12	0.07
Total zinc.....	0.24	0.14
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart E—Complex Processing

NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	1.8	1.1
COD.....	28.3	19.3
TSS.....	3.6	2.1
Total phenol.....	0.007	0.004
Total chromium.....	0.08	0.04
Total copper.....	0.08	0.04
Total zinc.....	0.15	0.08
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart E—Hosiery Products

NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	5.3	3.1
COD.....	47.7	32.5
TSS.....	7.0	4.0
Total phenol.....	0.006	0.003
Total chromium.....	0.06	0.003
Total copper.....	0.06	0.03
Total zinc.....	0.12	0.07
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.66 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart E—Simple Processing

PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart E—Simple Processing

PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium	0.12	0.07
Total copper	0.12	0.07
Total zinc	0.24	0.14

Subpart E—Complex Processing

PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart E—Complex Processing

PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium	0.08	0.04
Total copper	0.08	0.04
Total zinc	0.15	0.08

Subpart E—Hosiery Products

PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart E—Hosiery Products

PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium	0.06	0.03
Total copper	0.06	0.03
Total zinc	0.12	0.07

§ 410.67 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources (PSNS):

Subpart E—Simple Processing

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart E—Simple Processing

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (as lb/1000 lb) of product		
Total chromium	0.12	0.07
Total copper	0.12	0.07
Total zinc	0.24	0.14

Subpart E—Complex Processing

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart E—Complex Processing

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium	0.08	0.04
Total copper	0.08	0.04

Subpart E—Complex Processing

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total zinc	0.15	0.08

Subpart E—Hosiery Products

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium	0.90	0.50
Total copper	0.90	0.50
Total zinc	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart E—Hosiery Products

PSNS effluent limitations		
Pollutant or Pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium	0.06	0.03
Total copper	0.06	0.03
Total zinc	0.12	0.07

Subpart F—Carpet Finishing Subcategory

§ 410.70 Applicability; description of the Carpet Finishing Subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that primarily finish textile-based floor covering products, of which carpet is the primary element, by employing any of the following processing operations on at least five percent of their production: Scouring, bleaching, dyeing, printing, and/or application of functional finish chemicals. Facilities that only perform carpet tufting and/or backing are covered under Low Water Use Processing. Integrated mills that finish a majority of carpet along with tufting or backing operations or other finishing

operations such as yarn dyeing are included in this subpart and total production (excluding tufting, other dry processing, or backing, should be applied to the applicable effluent limitations to calculate discharge allowances.

§ 410.71 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this subpart:

(a) "Product" means the final carpet produced or processed including the primary backing but excluding the secondary backing.

§ 410.73 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application of the best conventional pollutant control technology (BCT):

Subpart F (less than 9,500 kkg/yr total production)			
BCT effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
BOD5.....	7.8	3.9	
TSS.....	11.0	5.5	
pH.....	Within the range of 6.0 to 9.0 at all times		

Subpart F (9,500 kkg/yr total production or greater)			
BCT effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
BOD5.....	3.8	2.2	
TSS.....	3.0	1.8	
pH.....	Within the range of 6.0 to 9.0 at all times		

§ 410.74 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Subpart F			
BAT effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
COD5.....	23.8	16.3	
TSS.....	3.0	1.8	
Total phenol.....	0.010	0.006	
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	0.08	0.05	
Color (ADMI units) ..	340	220	

§ 410.75 New source performance standards (NSPS).

Any new source subject to this subject must achieve the following new source performance standards (NSPS):

Subpart F			
NSPS effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
BOD5.....	1.8	1.0	
COD.....	16.4	11.2	
TSS.....	2.2	1.3	
Total phenol.....	0.007	0.004	
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	0.08	0.05	
Color (ADMI units) ..	190	120	
pH.....	Within the range of 6.0 to 9.0 at all times		

§ 410.76 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart F			
PSES effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
Milligrams per liter (mg/l)			
Total chromium.....	0.90	0.50	
Total copper.....	0.90	0.50	
Total zinc.....	1.80	1.00	

In cases when POTWs find it necessary to impose mass effluent limitations the following equivalent mass limitations are provided as guidance:

Subpart F			
PSES effluent limitations			
Pollutant or pollutant property.....	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	0.08	0.05	

§ 410.77 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources (PSNS):

Subpart F			
PSNS effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
Milligrams per liter (mg/l)			
Total chromium.....	0.90	0.50	
Total copper.....	0.90	0.50	
Total zinc.....	1.80	1.00	

In cases when POTWs find it necessary to impose mass effluent limitations the following equivalent mass limitations are provided as guidance:

Subpart F			
PSNS effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	1.08	0.05	

Subpart G—Stock and yarn Finishing Subcategory

§ 410.80 Applicability; description of the stock and yarn finishing subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that primarily finish stock, yarn, or thread of cotton and/or synthetic fiber by employing any of the following processing operations on at least five percent of their production: Scouring, bleaching, mercerizing, dyeing, and/or

application of functional finish chemicals. Facilities finishing stock, yarn, or thread principally of wool also are covered by this subpart if they do not perform carbonizing as needed for coverage under Wool Finishing. Integrated mills that finish a majority of stock and yarn along with greige goods manufacturing or other finishing operations are included in this subpart and total production (excluding knitting, weaving, or other dry operations) should be applied to the applicable effluent limitations to calculate discharge allowances.

§ 410.81 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this part:

(a) "Product" means the final material produced or processed by the mill.

§ 410.83 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application of the best conventional pollutant control technology (BCT):

Subpart G (less than 16,400 kkg/yr total production)		
BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	6.8	3.4
TSS.....	17.4	8.7
pH.....	Within the range of 6.0 to 9.0 at all times	

Subpart G (16,400 kkg/yr total production or greater)		
BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	2.3	1.4
TSS.....	2.7	1.6
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.84 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application

of the best available technology economically achievable (BAT):

Subpart G		
BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
COD.....	24.7	16.8
TSS.....	2.7	1.6
Total Phenol.....	0.013	0.008
Total chromium.....	0.09	0.05
Total copper.....	0.09	0.05
Total zinc.....	0.18	0.10
Color (ADMI units)...	340	220

§ 410.85 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart G		
NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	1.1	0.63
COD.....	17.0	11.6
TSS.....	1.9	1.1
Total phenol.....	0.008	0.005
Total chromium.....	0.09	0.05
Total copper.....	0.09	0.05
Total zinc.....	0.18	0.10
Color (ADMI units)...	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.86 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart G		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart G		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium.....	0.09	0.05
Total copper.....	0.09	0.05
Total zinc.....	0.18	0.10

§ 410.87 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources (PSNS):

Subpart G		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart G		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium.....	0.09	0.05
Total copper.....	0.09	0.05
Total zinc.....	0.18	0.10

Subpart H—Nonwoven manufacturing Subcategory

§ 410.90 Applicability; description of the nonwoven manufacturing subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that primarily manufacture nonwoven textile products of wool, cotton, or synthetics, singly or as blends, by mechanical, thermal, and/or adhesive bonding procedures. Nonwoven products produced by fulling and felting

processes are covered in Felted Fabric Processing. Integrated mills that manufacture a majority of nonwoven textile products along with greige goods manufacturing or other finishing operations are included in this subpart and total production (excluding dry web formation, knitting, weaving, or other dry operations) should be applied to the applicable effluent limitations to calculated discharge allowances.

§ 410.91 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this subpart:

(a) "Product" means the final material produced or processed by the mill.

§ 410.93 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application of the best conventional pollutant control technology (BCT):

Subpart H (less than 28,300 kkg/yr total production)			
BCT effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
BOD5.....	4.3	2.5	
TSS.....	9.3	5.4	
pH..... Within the range of 6.0 to 9.0 at all times			

Subpart H (28,300 kkg/yr total production or greater)			
BCT effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
BOD5.....	3.3	1.9	
TSS.....	3.3	1.9	
pH..... Within the range of 6.0 to 9.0 at all times			

§ 410.94 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT):

Subpart H			
Bat effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
COD.....	39.8	27.1	
TSS.....	3.3	1.9	
Total phenol.....	0.002	0.001	
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	0.07	0.04	
Color (ADMI units) ..	340	220	

§ 410.95 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart H			
NSPS effluent limitations			
Pollutant or pollutant property	Maximum any 1 day	Average of daily values for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
BOD5.....	1.5	0.88	
COD.....	27.3	18.6	
TSS.....	2.3	1.4	
Total phenol.....	0.001	0.006	
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	0.07	0.04	
Color (ADMI units) ..	190	120	
pH..... Within the range of 6.0 to 9.0 at all times			

§ 410.96 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart H			
PSES effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
Milligrams per liter (mg/l)			
Total chromium.....	0.90	0.50	
Total copper.....	0.90	0.50	
Total zinc.....	1.80	1.00	

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart H			
PSES effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily value for 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	0.07	0.04	

§ 410.97 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources (PSNS):

Subpart H			
PSNS effluent limitations			
Pollutant of pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days	
Milligrams per liter (mg/l)			
Total chromium.....	0.90	0.50	
Total copper.....	0.90	0.50	
Total zinc.....	1.80	1.00	

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart H			
PSNS effluent limitations			
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values of 30 consecutive days	
kg/kkg (or lb/1000 lb) of product			
Total chromium.....	0.04	0.02	
Total copper.....	0.04	0.02	
Total zinc.....	0.07	0.04	

Subpart I—Felted Fabric Processing Subcategory

§ 410.100 Applicability; description of the felted fabric processing subcategory.

The provisions of this subpart are applicable to discharges containing process wastes that enter the waters of the United States, and introductions of pollutants into publicly owned treatment works resulting from facilities that primarily manufacture nonwoven products by employing fulling and felting operations as a means of achieving fiber bonding. Integrated mills that process a majority of felted fabric along with greige goods manufacturing

or other finishing operations are included in this subpart and total production (excluding knitting, weaving, or other dry operations) should be applied to the applicable effluent limitations to calculate discharge allowances.

§ 410.101 Specialized definitions.

In addition to the definitions set forth in 40 CFR Part 401, the following definition applies to this subpart:

(a) "Product" means the final material produced or processed by the mill.

§ 410.103 Effluent limitations representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reductions attainable by the application of the best conventional pollutant control technology (BCT):

Subpart I		
BCT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD 5.....	23.1	13.4
TSS.....	62.0	36.0
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.104 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30-125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT):

Subpart I		
BAT effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
COD.....	143.0	97.0
TSS.....	62.0	36.0
Total phenol.....	0.05	0.03
Total chromium.....	0.19	0.11
Total copper.....	0.19	0.11
Total zinc.....	0.38	0.21
Color (ADMI units) ..	380	240

§ 410.1095 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards (NSPS):

Subpart I		
NSPS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
BOD5.....	8.1	4.7
COD.....	78.5	53.5
TTS.....	15.7	9.1
Total phenol.....	0.024	0.014
Total chromium.....	0.19	0.11
Total copper.....	0.19	0.11
Total zinc.....	0.38	0.21
Color (ADMI units) ..	190	120
pH.....	Within the range of 6.0 to 9.0 at all times	

§ 410.106 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources (PSES):

Subpart I		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart I		
PSES effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium.....	0.19	0.11
Total copper.....	0.19	0.11
Total zinc.....	0.38	0.21

§ 410.107 Pretreatment standards for new sources (PSNS).

Any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and

achieve the following pretreatment standards for new sources (PSNS):

Subpart I		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Milligrams per liter (mg/l)		
Total chromium.....	0.90	0.50
Total copper.....	0.90	0.50
Total zinc.....	1.80	1.00

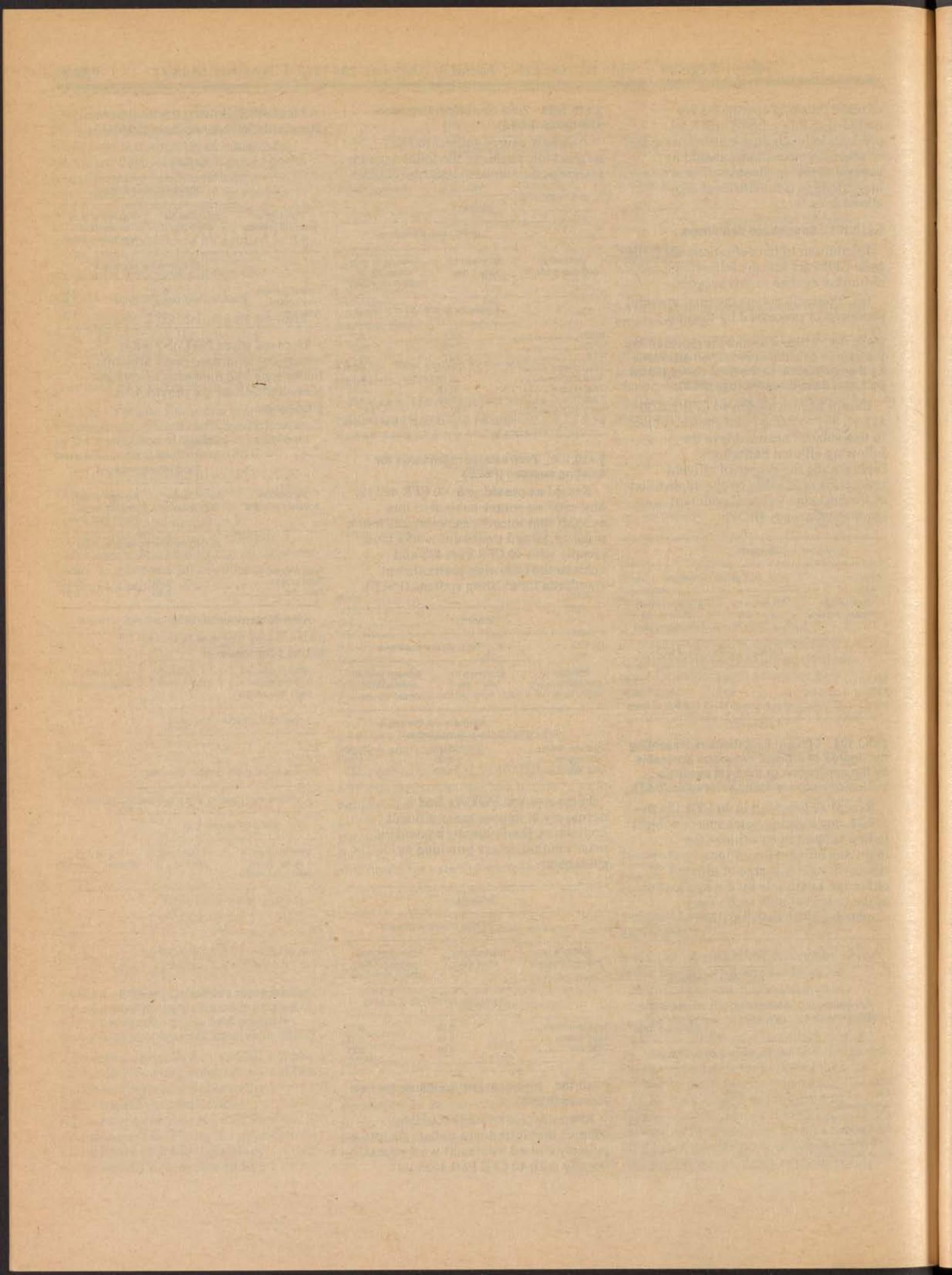
In cases when POTWs find it necessary to impose mass effluent limitations, the following equivalent mass limitations are provided as guidance:

Subpart I		
PSNS effluent limitations		
Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
kg/kkg (or lb/1000 lb) of product		
Total chromium.....	0.19	0.11
Total copper.....	0.19	0.11
Total zinc.....	0.38	0.21

After November 23, 1979.

[FR Doc. 79-33067 Filed 10-26-79; 8:45 am]

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Federal Register

Monday
October 29, 1979

Part IV

Department of the Interior

Fish and Wildlife Service

Endangered Plants; Determination That
Pediocactus-knowltonii is an
Endangered Species

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Determination that *Pediocactus knowltonii* is an Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The service determines *Pediocactus knowltonii* (Knowlton cactus), a native plant of New Mexico, to be an Endangered species. The plants are in demand by cactus collectors, and removal by commercial suppliers and private collectors has caused a decline in the natural populations. Much of the original habitat was destroyed by Navajo Reservoir. Offroad vehicle activity is also a threat to the species. This action will extend to this plant the protection provided by the Endangered Species Act of 1973, as amended.

DATE: This rulemaking becomes effective on November 28, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, 703/235-2771.

SUPPLEMENTARY INFORMATION:**Background**

The Secretary of the Smithsonian Institution, in response to Section 12 of the Endangered Species Act, presented his report on plant taxa to Congress on January 9, 1975. This report, designated as House Document No. 94-51, contained lists of over 3,100 U.S. vascular plant taxa considered by the Smithsonian Institution to be endangered, threatened, or extinct. On July 1, 1975, the Director published a notice in the *Federal Register* (40 FR 27823-27924) of his acceptance of the report of the Smithsonian Institution as a petition to list these species under Section 4(c)(2) of the Act, and of his intention thereby to review the status of the plant taxa named within, as well as any habitat which might be determined to be critical.

On June 16, 1976, the Service published a proposed rulemaking in the *Federal Register* (41 FR 24523-24572) to determine approximately 1,700 vascular plant taxa to be Endangered species pursuant to Section 4 of the Act. This list of 1,700 plants was assembled on the basis of comments and data received by the Smithsonian Institution and the Service in response to House Document

No. 94-51 and the above mentioned *Federal Register* publication.

Pediocactus knowltonii was included in both the July 1, 1975, notice of review and the June 16, 1976, proposal. A public hearing on this proposal was held on July 22, 1976, in El Segundo, California. A second public hearing was held on July 12, 1979, in Albuquerque, New Mexico for five New Mexico cacti proposed as Endangered species, including this *Pediocactus*.

In the June 24, 1977, *Federal Register*, the Service published a final rule (42 FR 32373-32381, codified at 50 CFR Part 17) detailing the permit regulations to protect Endangered and Threatened plant species. The rule established prohibitions and permit procedures to grant exceptions to the prohibitions under certain circumstances.

The Department has determined that this listing rule does not meet the criteria for significance in the Department Regulations implementing Executive Order 12044 (43 CFR Part 14) or require the preparation of a regulatory analysis.

Summary of Comments and Recommendations

In keeping with the general intent of Section 4(b)(1)(C) of the Act, a summary of all comments and recommendations received is published in the *Federal Register* prior to adding any plant species to the List of Endangered and Threatened Wildlife and Plants.

Hundreds of comments on the general proposal of June 16, 1976, were received from individuals, conservation organizations, botanical groups, and business and professional organizations. Few of these comments were specific in nature, in that they did not address individual plant species. Most comments addressed the program or the concept of Endangered and Threatened plants and their protection and regulation. These comments are summarized in the April 26, 1978, *Federal Register* publication which also determined 13 plant species to be Endangered or Threatened species (43 FR 17909-17916). Some of these comments had addressed the general problems of conservation of cacti.

Additionally, many comments on the cactus trade were received in response to the June 7, 1976, proposed rule (41 FR 22915) on prohibitions and permit provisions for plants under Sections 9(a)(2) and 10 of the Act. These comments are summarized in the June 24, 1977, *Federal Register* final rule (42 FR 32373-32381) on plant trade prohibitions and permit provisions. Several persons at the recent public hearing in New Mexico indicated lack of familiarity with these prohibitions and

permit provisions. Requests for copies of these final trade regulations on plants and inquiries regarding them may be addressed to the Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, D.C. 20240, 703/235-1903.

With the July 2, 1979, *Federal Register* notice (44 FR 38611) for the second public hearing on certain proposed southwestern cacti, comments on the species were again solicited, with an official comment period of July 2 through July 23, 1979. The Governors of New Mexico and Colorado were notified of the proposal to list *Pediocactus knowltonii* as an Endangered species. No reply regarding the species has been received from the State of Colorado. Although the Governor of New Mexico himself submitted no comment on the proposed action, the New Mexico Natural Resources Department recommends the species be listed as Endangered, without Critical Habitat. The New Mexico Department of Agriculture briefly reported on the survival status of the cactus, and also indicated specific areas for the species should not be designated. It indicated that before listing the cactus as Endangered, the possible inadequacy of the laws and their implementation should be considered, and that listing might increase threats to the species. The Service is aware that listing under the Act might be harmful; however, in balance, it considers that providing the provisions of the Act to this species is more likely to prove beneficial than allowing continued inadequate management for the cactus.

Five other written comments were received concerning this species. The U.S. Forest Service, Region 3, recommend the cactus be listed as Endangered. The Southwest Region Office of the Bureau of Reclamation indicated concern that there was a lack of supporting data for the listing, and a lack of detailed information on Critical Habitat for the cactus. Extensive information on the cactus is on file and available in the Service's Albuquerque Regional Office and Washington Office of Endangered Species; it is not prudent to determine Critical Habitat for the cactus because it would increase threats to it, as explained further below.

Three professional botanists comment that extinction is likely because of collectors and that the species should be listed as Endangered. In addition, the Service has received contracted status information indicating the species appears very near extinction, and a private citizen who has repeatedly visited the site indicates it is greatly threatened by collectors. The last

statement has been endorsed by the Conservation Committee of the Cactus and Succulent Society of America.

At the July 12, 1979, public hearing in Albuquerque, New Mexico, three persons knowledgeable on New Mexico cacti expressed support for listing this cactus as Endangered; none opposed the listing. One commented that the species' range extends barely across the border into Colorado, but another comment to the Service indicates the State line is difficult to determine in this area and that the report may be in error.

Conclusion

After a thorough review and consideration of all the information available, the Director has determined that *Pediocactus knowltonii* L. Benson (Knowlton cactus) is in danger of extinction throughout its limited range due to one or more of the factors described in Section 4(a) of the Act.

These factors and their application to *Pediocactus knowltonii* are as follows:

1. *The present or threatened destruction, modification, or curtailment of its habitat or range.* Reliably reported only from one general area in northeastern San Juan County, New Mexico, among sagebrush in pinyon-juniper woodland. The original report from adjacent Colorado is in error, and subsequent reports from nearby Colorado or from elsewhere in New Mexico with various attempts to confirm locations always have failed. Most of the original populations along the Los Piños River were flooded with the creation of Navajo Reservoir, and a portion has been destroyed by a parking lot. The species is also damaged by off-road vehicles, and there is the potential threat of general energy exploration and development in the area.

2. *Overutilization for commercial, sporting, scientific, or educational purposes.* This species has been heavily taken by commercial and private collectors, despite the fact that it is readily propagated from seed and available in cultivation. In May 1979 only several hundred specimens could be found in the wild. Wild plants have been and still are offered for sale nationally and internationally.

3. *Disease or predation* (including grazing). Cattle graze in the area, but it is not known whether they damage the species or its habitat.

4. *The inadequacy of existing regulatory mechanisms.* New Mexico State Law, Chapter 76, Article 5, Section 21, requires an application to sell collected wild plants, and designation of the wild source area. Article 8 of that Law, Sections 1-4, affords limited protection within 400 yards of any

highway to all plants (except noxious weeds), although *Pediocactus* is not named directly. The protection includes limited prohibitions against destruction, mutilation or removal of living plants (except seeds) on State or private land, along a highway. Some of the existing plants may be within 400 yards along a county road.

Although the Bureau of Land Management regulations (43 CFR 6010.2) prohibit the removal, destruction, and disturbance of vegetative resources unless such activities are specifically allowed or authorized, the prohibitions do not address this cactus directly.

All native cacti are on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. However, this Convention only regulates export of the cactus and, therefore, does not regulate interstate or intrastate trade in the cactus, or habitat destruction. The Endangered Species Act will now offer additional protection for the species.

5. *Other natural or man-made factors affecting its continued existence.* This cactus retracts underground during the dry season, which may have allowed alteration of its habitat in ignorance of its presence. In cultivation, the plant is readily propagated, and therefore readily available; there is no sound reason for cactus hobbyists to seek wild plants.

Effect of the Rulemaking

Section 7(a) of the Act, as amended, provides:

The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal agencies shall, in consultation and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to Section 4 of this Act. Each Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out by such agency (hereinafter in this section referred to as an "agency action") does not jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical, unless such agency has been granted an exemption for such action by the Committee pursuant to subsection (h) of this section.

Provisions for Interagency Cooperation were published on January 4, 1978, in the *Federal Register* (43 FR 870-876) and codified at 50 CFR Part 402. These regulations are intended to

assist Federal agencies in complying with Section 7 of the Act. This rulemaking requires Federal agencies to satisfy these statutory and regulatory obligations with respect to this species. New rules implementing the 1978 Amendments to Section 7 of the Act are being prepared now by the Service.

Endangered and Threatened species regulations in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all such species. The principal regulations which pertain to Endangered plant species are found at §§ 17.61-17.63 (42 FR 32378-32380).

Section 9(a)(2) of the Act, as implemented by Section 17.61, will apply. With respect to any species of plant listed as Endangered, it is, in general, illegal for any person subject to the jurisdiction of the United States to import or export such species; deliver, receive, carry, transport, or ship such species in interstate or foreign commerce by any means and in the course of a commercial activity; or sell or offer such species for sale in interstate or foreign commerce. Certain exceptions apply to agents of the Service and State conservation agencies.

Section 10 of the Act and regulations published in the *Federal Register* of June 24, 1977 (42 FR 32373-32381, 50 CFR Part 17), provide for the issuance of permits, under certain circumstances, to carry out otherwise prohibited activities involving Endangered plants, such as trade in specimens of cultivated origin.

When these plant regulations implementing Sections 9(a)(2) and 10 of the Act were proposed (41 FR 22915), many comments questioned the lack of any taking prohibition, and some suggested that the lack of such a prohibition may be a reason for keeping information on the localities of some taxa secret. When these regulations were made final on June 24, 1977, the summary of comments included the following (42 FR 32376):

The "taking" of plants is not prohibited by Section 9(a)(2) of the Act and, therefore, cannot be included within these regulations. However, the "taking" of plants is sometimes regulated by local, State, or Federal agencies under other legislation, and the Federal responsibilities under Section 7 apply if taking of individual plants would jeopardize the continued existence of the Endangered or Threatened species.

Effect Internationally

In addition to the protection provided by the Act, all native cacti are on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which

requires a permit for export of this plant. The Service will review whether it should be considered under the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere or other appropriate international agreements.

National Environmental Policy Act

A final Environmental Assessment has been prepared and is on file in the Service's Washington Office of Endangered Species. The assessment is the basis for a decision that this determination is not a major Federal action which significantly affects the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969.

Critical Habitat

The Endangered Species Act Amendments of 1978 added the following provision to subsection 4(a)(1) of the Endangered Species Act of 1973:

At the time any such regulation [to determine a species to be an Endangered or Threatened species] is proposed, the Secretary shall also by regulation, to the maximum extent prudent, specify any habitat of such species which is then considered to be critical habitat.

Pediocactus knowltonii has been and is threatened by taking, and the taking of plants is not directly prohibited by the Endangered Species Act of 1973. The State of New Mexico and the Bureau of Land Management would have an increased enforcement burden regarding their general prohibitions on removal of plants, if exact locations of the cactus were more generally known. Publication of Critical Habitat maps would make this species more vulnerable to taking and therefore it would not be prudent to determine Critical Habitat.

Pediocactus knowltonii was proposed for listing as an Endangered species on June 16, 1976 (41 FR 24536). Since it has been determined not to be prudent to designate Critical Habitat for this

species at this time, the Service now proceeds with the final rule to determine this species to be Endangered under the authority contained in the Endangered Species Act of 1973, as amended (16 USC 1531-1543; 87 Stat. 884).

The primary author of this rule is Dr. Bruce MacBryde, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1975).

Regulation Promulgation

Accordingly, § 17.12 of Part 17 of Chapter I of Title 50 of the U.S. Code of Federal Regulations is amended as follows:

1. Add in alphabetical order by family, genus, species, the following plant:

§ 17.12 Endangered and threatened plants.

Species		Range		Status	When listed	Special rules
Scientific name	Common name	Known distribution	Portion endangered			
Cactaceae—Cactus family:						
<i>Pediocactus knowltonii</i>	Knowlton cactus.....	U.S.A. (NM).....	Entire	E	68	NA

Dated: October 23, 1979.
Robert S. Cook,
Deputy Director, Fish and Wildlife Service.

[FR Doc. 79-33254 Filed 10-26-79; 8:45 am]
BILLING CODE 4310-55-M

Federal Register

Monday
October 29, 1979

Part V

Department of
Justice

Bureau of Prisons

Control, Custody, Care, Treatment, and
Instruction of Inmates

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Parts 542, 544

Control, Custody, Care, Treatment, and Instruction of Inmates

AGENCY: Bureau of Prisons, Justice.

ACTION: Final rules.

SUMMARY: This document contains the Bureau of Prisons final rules relating to (1) the Administrative Remedy Procedure for Inmates and (2) Education, Training and Leisure-Time Program Standards. The first rules are intended to provide an inmate with the opportunity to seek formal administrative review and resolution of a complaint which relates to his or her imprisonment when less formal procedures have not resolved the matter. The rules on Education, Training and Leisure-Time Program Standards are intended to provide an inmate the opportunity to improve his knowledge and skills in the area of educational and occupational training needs.

DATES: Effective dates: November 1, 1979—Administrative Remedy Procedure for Inmates; December 1, 1979—Education, Training and Leisure-Time Program Standards.

ADDRESS: Send written comments to the Office of General Counsel, Bureau of Prisons, Room 910, 320 1st Street NW., Washington, D.C. 20534.

FOR FURTHER INFORMATION CONTACT: Mike Pearlman, Office of General Counsel, Bureau of Prisons, phone 202/724-3062.

SUPPLEMENTAL INFORMATION: On December 21, 1977, the Bureau of Prisons published its proposed rules [at 42 FR 64083-64084] relating to the Administrative Remedy of Complaints Initiated by Inmates in Bureau of Prisons' Institutions and to Educational Program Goals and Characteristics. Interested persons were invited to submit comments on the proposed rules. On the basis of comments received and internal staff review, changes have been made in the rules. These changes are either of a minor nature, or their substance is generally less restrictive than the proposed rules. Thus no republication for public comment prior to their adoption is necessary. A consent order entered in the U.S. District Court for the District of Columbia pertaining to aspects of the Administrative Remedy Procedure requires an implementation date of November 1, 1979. Therefore, the effective date of the final rule on Administrative Remedy Procedure for Inmates is November 1, 1979. Members

of the public may, of course, submit further comments concerning either of these final rules by writing to the previously cited address. These comments will be considered, but will receive no formal response in the Federal Register.

Summary of Changes*I. Part 542—Subpart B—Administrative Remedy Procedure for Inmates*

(1) Proposed Subpart B, Administrative Remedy of Complaints Initiated by Inmates in Bureau of Prisons' Institutions, is retitled in the final rule "Administrative Remedy Procedure for Inmates".

(2) § 542.10—The final rule specifies that use of the Administrative Remedy Procedure is limited to all inmates confined in Bureau of Prisons' institutions. Proposed § 542.10(b) is deleted as its substance is more specifically delineated in final §§ 542.13 and 542.15.

(3) § 542.11—This section is retitled "Responsibility". Final § 542.11(a) incorporates into one section those aspects of proposed § 542.11(a)(c) (e) and (g) which discussed the responsibility of the Warden, Regional Director and General Counsel under the Administrative Remedy Procedure. Language in proposed § 542.11(a) which specified that the Warden shall be responsible for "establishing, monitoring, and operating the local Administrative Remedy Procedure" is now incorporated within the final rule language of "responsible for the operation of . . .". Deleted from the final rule is the statement that the Warden shall give notice to the inmates of this procedure as this is now a general requirement regarding all rules which directly affect inmates. It is accomplished by publication in the **Federal Register** of the rule, the availability in the inmate law library of both the rule and the Bureau's Program Statement, and through the institution's admission and orientation procedure. Language in proposed § 542.11(c) specifying that the Warden is to appoint a staff member to prepare a written response and is to review all filings is deleted as this matter is procedural and is not subject to rule publication. The final rule requires that the Warden sign all complaints and his signature is acknowledgment that he has reviewed the complaint. Deleted from the proposed rule is the authorization for the Associate Warden to sign the response for complaints other than IDC appeals. In this respect, the final rule specifies that the Warden, Regional Director and General Counsel may not

delegate their signatory responsibility on complaints or appeals filed at their level.

Final § 542.11(b) is new language, but expresses the Bureau of Prisons' long standing expectation that inmates will present their complaints in good faith and in an honest and straightforward manner.

(4) § 542.12—This section, formerly proposed § 542.13, is retitled "Issues improperly filed". The final rule is expanded to state that filings will not be accepted under the Administrative Remedy Procedure for Freedom of Information or Privacy Act requests, or for complaints on behalf of other inmates. The Administrative Remedy Procedure allows an inmate to file a complaint or appeal regarding his own imprisonment and is not designed to allow an inmate to act on behalf of other inmates. Freedom of Information or Privacy Act requests may be filed in accordance with Part 16 of 28 CFR.

(5) § 542.13—Final § 542.13, "Initial filing", is new language. § 542.13(a) identifies the Bureau of Prisons procedure pertaining to informal resolution, as referred to in proposed § 542.10. This is a vital part of the Administrative Remedy Procedure which allows both the inmate and the staff to expeditiously resolve the complaint. If the informal resolution attempt is not satisfactory to the inmate, he may file his complaint with the Warden. Final § 542.13(b) allows the inmate to file the complaint within 10 days, rather than 30 days specified in proposed § 542.11(b), of the date on which the basis of the complaint occurred. The final rule specifies that an extension in filing time shall be allowed when an inmate demonstrates a valid reason. The Bureau believes this modification in inmate filing time plus a similar modification in response time for the Warden, discussed in final § 542.14, allows a more timely initial review and an earlier response to the complaint. Final § 542.13(c) amends the proposed rule (§ 542.12) to specify that when the Regional Director does not agree that the complaint is sensitive, he shall advise the inmate of this determination, without a return of the complaint. The inmate shall also be advised that, if he so desires, he may then pursue the matter by filing a complaint locally with the Warden. This sentence intends to ensure that the request of the inmate for confidentiality is honored and that the material is not returned to him through regular mail channels. Reference, in proposed §§ 542.11(d)(f) and 540.12(a), to the Prisoner's Mail Box (PMB) is deleted as the Bureau no longer requires

this mailbox in each institution. Mailing of Administrative Remedy filings is now done in accordance with the Bureau of Prisons' rules on correspondence. Final § 542.13(d) is new and specifies that appeals relating to Control Unit placement are filed directly with the General Counsel. This action is necessitated based on procedures for the inmate's placement in and release from the Control Unit (See Part 541, Subpart D).

(6) § 542.14—This section, "Remedy processing", discusses information heretofore contained in proposed §§ 542.11(c)(2) and 542.12(b)(c). The final rule deletes the phrase "in writing" contained in proposed § 542.11(c)(2), as all Administrative Remedy responses, whether or not of an emergency nature, are to be in writing.

The final rule amends proposed § 542.12(c) in several aspects. The proposed rule provided response time of 15 business days from receipt of the complaint for the Warden, and 20 business days for the Regional Director and for the General Counsel. The final rule now requires that the Warden respond within 15 calendar days, and response within 30 calendar days for the Regional Director and the General Counsel. This modification allows for an easier determination of deadlines and, with the Warden's response, allows for a speedier resolution of the complaint. The Regional Director and General Counsel have more time for reply because of the time needed to convey appeals and supporting documents in the mail.

A second modification concerns the extension of time limits for response. In response to comment, the final rule specifies that the time for response may be extended once by the same amount of time as originally allowed for response. The final rule further requires that staff respond to all filed complaints, even in those instances where the inmate may properly consider the absence of response to constitute a denial at that level.

(7) § 542.15—§ 542.15, "Appeals", is new and amends proposed § 542.11(d)(f). The final rule now provides that an inmate may appeal a decision of the Warden to the Regional Director within 20 days from the date of the Warden's response, rather than the proposed rule language of 30 days from the date of the receipt of the Warden's response. Similarly, an inmate may appeal the decision of the Regional Director to the General Counsel within 30 days from the date of the Regional Director's response. The date of those responses is a matter of record while the date of receipt of the responses is not.

As suggested by public comment, the final rule allows for an extension in time limits where a valid reason for delay is stated by the inmate. Deleted from the final rule are references to what the inmate shall attach to his appeal to the Regional Director and to the General Counsel. The requirements are the same as contained in the proposed rule, but this procedural matter need not be included in the final rule. The form on which the inmate files his appeal identifies material which must accompany the appeal. The final rule specifies that appeal to the Office of the General Counsel is the final administrative appeal in the Bureau of Prisons.

(8) § 542.16—This section, "Index and access", is new. The final rule enables members of the public to request access to and to purchase Administrative remedy responses and/or copies of indexes. This section, and some other procedural changes, are required by a consent order entered in the U.S. District Court for the District of Columbia. Similarly, that order requires an implementing date of November 1, 1979. For that reason, November 1 is the mandatory effective date of these rules.

II. Part 544—Subpart I—Education, Training and Leisure-Time Program Standards

(1) This Subpart, originally proposed Subpart J, Educational Program Goals and Characteristics, is relettered final Subpart I and retitled Education, Training and Leisure-Time Program Standards.

(2) § 544.80—This section, originally proposed § 544.130, is amended to include detention centers.

(3) § 544.81—Subsection (a)(5) of proposed § 544.131, renumbered final § 544.81, has been amended by substitution of the word "organized" for "planned" social education activities. This change is made to better reflect that the activity is formally established. Subsection (a)(6) has been amended by substitution of the word "leisure" for "recreation" to better encompass the nature of the activity. The word "prescribed" has been added to subsection (a)(6) to indicate that a standard has been established. Proposed Subsection (a)(7) is deleted as its substance is encompassed within subsection (a)(1)–(a)(6).

(4) § 544.82—Proposed § 544.132 is renumbered final § 544.82.

Other Comments

I. Part 542—Subpart B—Administrative Remedy Procedure for Inmates

(1) A suggestion was made that a local Administrative Remedy Procedure be adopted which considers recommendations from representatives of prisoners and staff. This proposal is not new. However, there has been no showing that such involvement produces a more effective and responsive procedure. It is concluded therefore that the uncertain benefits argued for such a change have not been demonstrated so as to warrant the extra time and resources required for such a change.

(2) We received comments which suggested changes in the location of the forms necessary for filing Administrative Remedies. However, attempts at informal resolution are an important part of this process. To provide the forms at any location and in any volume allows circumvention of initial resolution attempts. The Bureau of Prisons is sensitive to the possibility that there may be discouragement of the use of the procedure, and any allegations or complaints concerning this are carefully investigated and reviewed. On balance, we do not believe that such a change of procedure is warranted.

(3) Other comments suggested changing the procedure to permit greater inmate involvement, different investigation procedures, independent outside review, and mediation and conciliation efforts. These have been considered and rejected at earlier stages of the Bureau of Prisons Administrative Remedy Procedure and in connection with the current publication of rules. Persuasive arguments have not been made nor evidence presented to warrant appending these features to the procedure.

Comments asked for assurance that staff do not obstruct the procedure, that complaining prisoners are not punished or subject to any reprisals for any comments or complaints filed, and that there be no notation in the files concerning the filing of a grievance. Staff may not obstruct the procedure nor punish inmates for filing complaints. Staff conduct is regulated by the Bureau of Prisons Program Statement on Standards of Employee Conduct and Responsibility. The filing of a complaint or appeal by an inmate under the Administrative Remedy Procedure does not carry immunity from the provisions of the rules on Inmate Discipline. Completed Administrative Remedy forms will no longer be routinely placed in the inmate's central file, nor will there be any such notation.

(4) Several comments were received in reference to the extension of time for response. These suggested that the rule specify that the inmate's approval is necessary for the extension, and that the letter sent to the inmate notifying him of the extension contain the reasons for the extension. The inmate's approval for extension is not necessary and would require time and correspondence to secure. Reasons for the extension may be given, but are not necessary. The final rule adequately provides for an inmate to receive a response to his or her complaint within a reasonable time.

(5) A comment called for the Bureau to maintain statistics on the number and type of grievances per institution and for the system. The same commenter advocated a subject matter index to grievances made per institution and for the system. We do not consider statistical information to be subject to rules publication. Our final rule does provide for the continued maintenance of a chronological index, and copies of these continue to be available to the public. The chronological index allows interested persons the opportunity to determine for themselves the type (and number) of filings that are received.

II. Part 544—Subpart I—Education, Training and Leisure-Time Program Standards

(1) § 544.80—Comment was received suggesting that the language excludes camps, Community Treatment Centers (CTCs) and Metropolitan Correctional Centers (MCCs) from any obligation to provide educational programs. This is not our intent. Education programs are provided in such institutions, to the extent feasible. This envisions a distribution of educational resources throughout the prison system to those institutions where they can be of most benefit. Education programs, to some degree, are available in camps, CTCs and MCCs, and the rule is intended to allow for development of such programs as needed.

(2) § 544.81—A comment suggested that the criteria of "need" be excised from the language of proposed § 544.131. The rule as written is intended to provide the inmate who exhibits need in a given area the opportunity to complete program goals. The additional rule language of "capacity and desire" clearly indicates that this is not a requirement.

(3) A suggestion that the rules should include a statement of scheduling and other details of education department management was received. These details are a matter of internal implementation, and are not appropriate for publication as rules affecting the

general public. A comment notes that the rule makes no allowance for monitoring the already existing programs in State facilities. State facilities are not regulated by the Bureau of Prisons.

(4) A comment suggested that the rule be expanded to indicate that an inmate shall have access to a library during the inmate's period of confinement. We agree this is an important service and it will be the subject of a future proposed rule.

Conclusion

Accordingly, pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director of the Bureau of Prisons in 28 CFR 0.96(t), 28 CFR, Chapter V, is amended as set forth below.

Dated: October 24, 1979.

Norman A. Carlson,
Director, Bureau of Prisons.

1. Subchapter C is amended as follows:

A. Part 542 is added.

B. In Part 544, Subpart I is added.

PART 542—ADMINISTRATIVE REMEDY

Subpart A—[Reserved]

Subpart B—Administrative Remedy Procedure for Inmates

Sec.

- 542.10 Purpose and scope.
- 542.11 Responsibility.
- 542.12 Issues improperly filed.
- 542.13 Initial filing.
- 542.14 Remedy processing.
- 542.15 Appeals.
- 542.16 Index and access.

Authority: 18 U.S.C. 4001, 4042, 4081, 4082, 5015, 5039; 28 U.S.C. 509; 28 CFR 0.95–0.99.

Subpart A—[Reserved]

Subpart B—Administrative Remedy Procedure for Inmates

§ 542.10 Purpose and scope.

The Bureau of Prisons has established an Administrative Remedy Procedure through which an inmate may seek formal review of a complaint which relates to any aspect of his imprisonment if less formal procedures have not resolved the matter. This procedure applies to all inmates confined in Bureau of Prisons institutions, but does not apply to inmates confined in non-federal facilities.

§ 542.11 Responsibility.

(a) The Warden, Regional Director, and General Counsel are responsible for

the operation of the Administrative Remedy Procedure at the institution, regional and central office levels, respectively; and shall:

(1) Establish procedures for receiving, reviewing, investigating and responding to complaints or appeals submitted by an inmate;

(2) Acknowledge receipt of a complaint or appeal by returning to the inmate a signed receipt;

(3) Conduct an investigation into each complaint or appeal;

(4) Respond to and sign all complaints or appeals filed at their level. This responsibility may not be delegated further.

(b) Inmates have the responsibility to present complaints in good faith and in an honest and straightforward manner.

§ 542.12 Issues improperly filed.

Filings will not be accepted under the Administrative Remedy Procedure for tort claims, Inmate Accident Compensation claims, Freedom of Information or Privacy Act requests, or complaints on behalf of other inmates.

§ 542.13 Initial filing.

(a) *Informal resolution.* Inmates shall informally present their complaints to staff, and staff shall attempt to informally resolve any issue before an inmate files a request for Administrative Remedy. The Warden may establish local procedures to ensure that attempts at informal resolution are made.

(b) *Filing.* If an inmate is unable to informally resolve his complaint, he may file a formal written complaint, on the appropriate form, within ten (10) calendar days of the date on which the basis of the complaint occurred. Where the inmate demonstrates a valid reason for delay, an extension in filing time shall be allowed. An extension in the time for filing shall be allowed when an inmate indicates and staff verify that a response to the inmate's request for copies of dispositions requested under § 8 of this Program Statement (§ 542.16) has not been received. An inmate may obtain assistance in preparation of his complaint or appeal from other inmates or from institution staff.

(c) *Sensitive complaints.* If the inmate believes the complaint is sensitive and that he would be adversely affected if the complaint became known at the institution, he may file the complaint directly with the Regional Director. The inmate must explain, in writing, the reason for not filing the complaint at the institution. If the Regional Director agrees that the complaint is sensitive, he shall accept and respond to the complaint. If the Regional Director does not agree that the complaint is sensitive,

he shall advise the inmate in writing of that determination, without a return of the complaint. The inmate may pursue the matter by filing the complaint locally with the Warden.

(d) *Control Unit Appeals.* Appeals relative to Control Unit placement may be filed directly with the General Counsel.

§ 542.14 Remedy processing.

Response time limits. A complaint or appeal is considered filed when the receipt is issued. Once filed, response shall be made by the Warden within fifteen (15) calendar days, by the Regional Director within thirty (30) calendar days, and by the General Counsel within thirty (30) calendar days. If the complaint is determined to be of an emergency nature which threatens the inmate's immediate health or welfare, the Warden shall respond within 48 hours of receipt of the complaint. If the period of time for response to a complaint or appeal is insufficient to make an appropriate decision, the time for response may be extended once by the same amount of time as originally allowed for response. Staff shall inform the inmate of this extension in writing. If the inmate does not receive a response within the time allotted for reply, including extension, the inmate may consider the absence of a response to be a denial at that level. Staff shall, however, respond to all filed complaints.

§ 542.15 Appeals.

Filing. If an inmate is not satisfied with the Warden's response, that response may be appealed on the appropriate form to the Regional Director within twenty (20) calendar days of the date of the Warden's response. If the inmate is not satisfied with the Regional Director's response, that response may be appealed on the appropriate form to the General Counsel within thirty (30) calendar days from the date of the Regional Director's response. Where a valid reason for delay is stated by an inmate these time limits may be extended. Appeal to the Office of General Counsel is the final administrative appeal in the Bureau of Prisons.

§ 542.16 Index and access.

Disposition access. Inmates and members of the public may request access to Administrative Remedy indexes and to responses by case number at the location where they are retained. Copies, with names and other identifiers deleted, may be inspected during regular office hours or may be purchased.

PART 544—EDUCATION

Subpart I—Education, Training and Leisure-Time Program Standards

Sec.

544.80 Purpose and scope.

544.81 Program goals.

544.82 General program characteristics.

Authority: 18 U.S.C. 4001, 4042, 4081, 4082, 5015, 5039; 28 CFR 0.95-0.99.

Subpart I—Education, Training and Leisure-Time Program Standards

§ 544.80 Purpose and scope.

In consideration of inmate educational and occupational needs, the Bureau of Prisons affords an inmate the opportunity to improve his knowledge and skills. These needs are met by providing clear goals and precise program definitions. Except for such camps, Community Treatment Centers, Detention Centers and Metropolitan Correctional Centers where full education programs are not feasible, the Warden shall operate an education department in each institution to provide a climate in which an inmate can maximize his potential for change.

§ 544.81 Program goals.

(a) The Warden shall ensure that during confinement an inmate with the need, capacity and desire has the opportunity to:

- (1) Complete an Adult Basic Education Program;
- (2) Complete an Adult Secondary Education Program;
- (3) Acquire or improve marketable skill through one or more programs of Occupational Education;
- (4) Complete one or more Postsecondary Education activities;
- (5) Complete one or more organized Social Education activities; or
- (6) Complete one or more prescribed leisure activities.

(b) Institution staff shall carry out these goals emphasizing the needs of an inmate in the areas of:

- (1) Functional literacy;
- (2) High school equivalency;
- (3) Marketable work skills;
- (4) Continuing education;
- (5) Personal experiences; and
- (6) Positive use of leisure time.

§ 544.82 General program characteristics.

(a) The Warden shall establish the conditions to be met before a program or an activity is ranked as an approved and bona fide education program. Every program must involve:

- (1) Written curriculum outlining objectives and procedures;

(2) Pre-assessment and post-assessment of student progress;

(3) Supervision by the education department or its designee; and

(4) Periodic external review of significance, timeliness and effectiveness.

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DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Parts 513, 549, 551

Control, Custody, Care, Treatment, and Instruction of Inmates; Proposed Rulemaking and Request for Comments

AGENCY: Bureau of Prisons.

ACTION: Proposed rules.

SUMMARY: The Bureau is proposing another set of proposed rules for the management of inmates in Federal correctional institutions. This proposal is part of the Bureau's overall program to publish in the *Federal Register* and subsequently in the Code of Federal Regulations Bureau rules relating to the control, custody, care, treatment, and instruction of inmates. This installment encompasses the Bureau of Prisons' proposed rules relating to Inmate Hunger Strikes, Non-Discrimination towards Inmates and Release of Information.

DATES: Comments must be received on or before December 31, 1979.

ADDRESS: Office of General Counsel, Bureau of Prisons, Room 910, 320 1st Street, N.W., Washington, D.C. 20534.

FOR FURTHER INFORMATION CONTACT: Mike Pearlman, Office of General Counsel, Bureau of Prisons, phone 202/724/3064.

SUPPLEMENTARY INFORMATION: Pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director of the Bureau of Prisons in 28 CFR 0.96(t), notice is hereby given that the Bureau of Prisons intends to publish in the *Federal Register* its proposed rules on Inmate Hunger Strikes, Non-Discrimination Towards Inmates, and Release of Information.

The proposed rule on Inmate Hunger Strikes is intended to provide guidelines for the medical and administrative management of an inmate who engages in a hunger strike. While this is not a frequent occurrence in a Bureau institution, it is necessary that the Bureau recognize the possibility of an inmate going on hunger strike and that necessary procedures are pursued to preserve human life.

The proposed rule on Non-Discrimination is intended to place into writing the Bureau's longstanding policy of non-discrimination towards inmates. Such written policy and procedure is an essential standard of the Commission on Accreditation for Correction, from

which the Bureau is requesting accreditation for its institutions.

The proposed rule on Release of Information places into a single area of rules such diverse Bureau policy as those related to the Privacy Act, Freedom of Information, and the Parole Commission and Reorganization Act's records and information provisions. The Bureau's proposed rule is developed in conjunction with statutory requirements covered in 5 U.S.C. 552, 552a, and 28 CFR Parts 2 and 16.

Interested persons may participate in this proposed rulemaking by submitting data, views, or arguments in writing to the Bureau of Prisons, room 910, 320 1st Street NW., Washington, D.C. 20534. Comments received before December 31, 1979, will be considered before final action is taken on these proposals. Copies of all written comments received will be available for examination by interested persons at the Bureau of Prisons, room 910, 320 1st Street NW., Washington, D.C. 20534. The proposals may be changed in light of the comments received. No oral hearings are contemplated.

In consideration of the foregoing, it is proposed to amend 28 CFR, Chapter V as follows:

(1) By adding Part 513 to Subchapter A as follows:

SUBCHAPTER A—GENERAL MANAGEMENT AND ADMINISTRATION**PART 513—ACCESS TO RECORDS****Subpart A—B [Reserved]****Subpart C—Release of Information**

Sec.

- 513.20 Purpose and scope.
- 513.21 Standards regarding disclosure.
- 513.22 Placement of documents in inmate central file and privacy folder.
- 513.23 Inmate access to central file.
- 513.24 Inmate access to central file in connection with Parole Hearings.
- 513.25 Inmate access to medical records.
- 513.26 Inmate access to other documents.
- 513.27 Access by former inmates.
- 513.28 Freedom of Information Act requests.
- 513.29 Acknowledgement and monitoring of requests.
- 513.30 Denials, appeals and requests for corrections.
- 513.31 Fees.
- 513.32 Production of records in court.
- 513.33 Protection of individual privacy—Disclosure of records to third parties.
- 513.34 Accounting of disclosures to third parties.
- 513.35 Government contractors.
- 513.36 Social Security numbers.
- 513.37 Employee records.

Authority: 5 USC 301, 552, 552a; 18 USC 4001, 4042, 4081; 28 USC 509, 510; 28 CFR 0.95–0.99, Part 2, Part 16.

Subpart A—B [Reserved]**Subpart C—Release of Information****§ 513.20 Purpose and scope.**

This rule established procedures for release of records in the possession of the Bureau of Prisons to federal prison inmates and to the general public. It is intended to implement provisions of the Freedom of Information Act, the Privacy Act, and the Parole Commission and Reorganization Act, as these acts apply to release of information by the Bureau of Prisons. Reference should also be made to Parole Commission and Department of Justice regulations concerning disclosure of information, 28 CFR Parts 2 and 16, which contain provisions controlling in areas not specifically covered by these regulations.

§ 513.21 Standards regarding disclosure.

(a) The Bureau of Prisons is subject to a variety of federal laws providing for the disclosure of information. See, for example, the Freedom of Information Act (5 USC 552), the Privacy Act (5 USC 552a), and the Parole Commission and Reorganization Act (18 USC 4201 et seq.). The Bureau of Prisons may assert any applicable legal exemption to disclosure as set forth in 5 USC 552(b), or any other provision of federal law with respect to inmate records or any other records or documents in the possession of the Bureau of Prisons. These exemptions will ordinarily be asserted, however, only when there is a sufficient prospect of actual harm to a legitimate public or private interest to justify denial of access. If there is no legal exemption to disclosure a document will be released in response to a request in accordance with this rule. Questions regarding these legal exemptions may be referred to Regional Counsel or to the Office of General Counsel.

(b) With respect to an individual's request for documents (including an individual inmate's request to review documents contained in the inmate's own Inmate Central File), a document may ordinarily be withheld from disclosure only if it contains information which, if disclosed, might result in harm, physical or otherwise, to any person. Typical examples for withholding are documents which, if disclosed, might—

(1) Constitute a clearly unwarranted invasion of personal privacy. Thus, information concerning an individual inmate is not generally available to other inmates or the general public unless the information is a matter of public record or unless the individual inmate has given written consent to the

disclosure. See generally Paragraph 15 of this Program Statement (§ 513.33).

(2) Reveal sources of information obtained upon a legitimate expectation of confidentiality or otherwise endanger the life or physical safety of any person. Thus, a statement of an inmate witness adverse to another inmate in the context of a completed criminal, disciplinary, or accident investigation would not be disclosed to the latter inmate if such disclosure would endanger the inmate witness. Conversely, a statement of an inmate witness favorable to another inmate or which clearly has already been made known to that inmate (for example, by trial testimony) may generally be disclosed to that inmate.

(3) Lead to a serious disruption of a subject inmate's institutional program, due to the diagnostic or evaluative opinions contained in the document, and to the inmate's clearly documented adjustment difficulties. Thus, psychological reports, work reports, etc., usually should be disclosed to the subject inmate upon request, whether the reports contain favorable or unfavorable evaluations or recommendations. However, an unfavorable report may be withheld if the inmate has clear adjustment difficulties, such as an inability to cope with criticism or propensity for violence towards staff or other authority.

(4) Interfere with ongoing law enforcement proceedings, including administrative investigations. Thus, while certain investigatory information, such as inmate statements under subparagraph (b), supra, may be disclosed after an administrative investigation is completed, particular care must be exercised regarding disclosure during the pendency of the investigation. With regard to criminal proceedings, questions regarding disclosure should be addressed to the appropriate U.S. Attorney's Office.

(5) Enable the requester to violate any law, or otherwise threaten the security of a Bureau of Prisons institution or the safety of any person, through disclosure of law enforcement techniques, information, or procedures. This exemption relates most directly to a few Operations Memoranda and Program Statements, and other documents such as post orders, construction diagrams, etc., which, if disclosed, would pose a threat to institutional security.

§ 513.22 Placement of documents in inmate central file and privacy folder.

When documents are produced or received and are to be placed in an inmate's Central File, the following review should take place with regard to disclosure to the subject inmate, or to a

third party with written consent of the inmate:

(a) If the document originates in the Bureau of Prisons (not including court ordered studies), the staff member who authorized the document shall determine whether the document should be withheld from disclosure under the standards contained in Paragraph 3 of this Program Statement (§ 513.21). If an initial determination of nondisclosure is made, the document must be referred to the inmate's Unit Manager (or the Case Management Coordinator or Chief of Classification and Parole in a nonunitized institution). If the Unit Manager concurs, the document is placed in the Privacy Folder. Otherwise, it is placed in a disclosable portion of the Central File. A notation regarding the basis for nondisclosure shall be attached to any document placed in the Privacy File by the staff member who makes the nondisclosure determination. This notation may be brief, but must cite the letter of the applicable exemption under Paragraph 3 (§ 513.21), supra, and the name of position of the staff member responsible for this determination.

(1) In this regard, it should be noted that all Progress Reports prepared after October 15, 1974 are subject to release and are to be placed in a disclosable portion of the Central File. All Progress Reports prepared between February 15 and October 15, 1974 are subject to release with the exception of the recommendation section. This section, and all Progress Reports prepared before February 15, 1974, will be reviewed as to disclosure in accordance with the standards contained in Paragraph 3 of this Program Statement (§ 513.21).

(2) A psychiatric report written at the request of the Parole Commission is also subject to release and should be placed in a disclosable portion of the Central File. This report should be written in non-technical language so that it can be understood by non-professionals.

(3) Other psychiatric, psychological, or evaluative reports prepared by the Bureau of Prisons should also be made available to the Parole Commission. If such a document is disclosable to the inmate, it shall be placed in a disclosable portion of the Central File. If it is not disclosable to the inmate, it is to be placed in the Parole Commission and Bureau of Prisons Joint Use Section of the Privacy Folder, and a summary of the document must be placed in a disclosable portion of the Central File, in accordance with requirements of the Parole Commission and Reorganization Act. This summary may be placed in the Progress Report prepared in connection with the inmate's Parole Hearing. The

summary should be sufficiently detailed to permit the inmate to respond to the substance of the withheld information at the Parole Hearing.

(4) With regard to disciplinary records, such as IDC packets (including the IDC report, incident report, notice of hearing, list of inmate rights at IDC hearing, notice of placement in Administrative Detention, and investigative memoranda), if a portion of an investigation or other disciplinary material is deemed to include exempt materials, the original IDC packet should be maintained together in the Privacy File, but copies of all disclosable documents must be placed together in the disclosable portion of the Central File.

(b) If the document originates in another federal agency (including the Department of Justice but not including federal courts or probation offices), or has been requested from a third person outside the federal government (particularly a state agency), it will be directly placed in the disclosable portion of the Central File *only* if there is no issue as to disclosure. Otherwise, it will be referred back to the originating agency as soon as possible upon receipt by the Bureau of Prisons for review as to disclosure. Unless there is an ongoing need for the document, a copy is not retained in the Central File at this time. The originating agency will be asked to provide a memorandum detailing reasons for non-disclosure if there are any. These reasons will then be reviewed by Bureau staff to insure compliance with the standards in Paragraph 3 of this Program Statement (§ 513.21), in which case the document will be placed in the Privacy File. If the document is deemed to be disclosable by the Bureau of Prisons, but the agency objects to disclosure, it will be returned to that agency and no copy will be retained by the Bureau.

(c) Unsolicited documents originating outside the federal government will be reviewed by Bureau staff as to disclosure in accordance with paragraph (a), above, and need not be returned to the originator for a disclosure recommendation.

(d) If the document originates in a federal court or probation office or is a court-ordered study prepared by the Bureau, it will be directly placed in a disclosable portion of the Central File *only* if there is no issue as to disclosure. This would be the case with public documents, such as judgment and commitment records. Other documents will be referred back to the originating court or probation office immediately upon receipt by the Bureau for that office's decision as to disclosure, unless

instructions as to disclosure have already been received from that court or probation office. Ordinarily, there will be an ongoing need for the document while it is being referred back for review. Therefore, a copy should be maintained in the Privacy File pending decision regarding disclosure. Typical examples of these documents are the presentence investigation report, A.O. Form 235, and studies prepared for a court pursuant to 18 USC §§ 4205(c) (formerly 4208(b)), 4244-4247, 4252, 5010(e), or 5037.

(e) Some probation offices have indicated that presentence reports or other reports may be disclosed only in connection with parole hearings. This instruction must be followed insofar as possible. In such cases, the instruction letter along with the presentence report, will be placed in the Joint Use Section of the Privacy File. When the inmate reviews his Central File in connection with a parole hearing, the presentence report will be pulled out and shown to the inmate on this occasion only. The inmate should be allowed to take notes at this time. If, on the other hand, the court authorizes full disclosure of the report, it will be available for inmate review at any scheduled Central File review under Paragraph 5 of this Program Statement (§ 513.23) and shall thus be placed in a disclosable portion of the Central File. Court instructions regarding provision of copies of the presentence report will be followed.

(f) When a referral is made back to an originating agency, court, or probation office, notice and direction should also be given regarding the originator's duty to summarize nondisclosable documents for inmate review under the Parole Commission and Reorganization Act.

§ 513.23 Inmate access to central file.

(a) An inmate may at any time request to review all disclosable portions of his or her Central File by submitting a request to a staff member designated by the Warden. Staff shall acknowledge the request and schedule the inmate, as promptly as practical, for a review of the file. Prior to the inmate's review of the file, staff shall remove the Privacy Folder which contains documents withheld from disclosure pursuant to Paragraph 3 of this Program Statement (§ 513.21). During the file review, the inmate shall be under direct and constant supervision by staff. The date of the inmate's file review shall be entered on the Work Assignment Sheet and initialed by the staff member monitoring the review. Staff shall also ask the inmate to initial the entry, and if the inmate refuses to do so, shall enter a notation to that effect. Staff shall advise

the inmate if there are documents withheld from disclosure, and if the inmate expresses an interest in these documents placed in the Privacy File, the inmate should be advised of the right to make a formal request for the documents under Paragraph 8 of this Program Statement (§ 513.26).

(b) An inmate may request personal copies of Central File documents. Institution staff will provide copies of accessible documents. Fees are charged in accordance with 28 CFR 16.46. Fees which are collected shall be forwarded to the Office of General Counsel.

§ 513.24 Inmate access to central file in connection with Parole Hearings.

An individual inmate may review disclosable portions of the inmate's Central File prior to the individual's parole hearing under the general procedures set forth in Paragraph 5 of this Program Statement (§ 513.23), with the following additional requirements:

(a) The Bureau shall permit this review within seven days of a request by an inmate after the inmate has been placed on the parole hearing docket, except that in the case of reports which must still be sent to originating agencies for clearance, or which are otherwise not available at the institution, a reasonable extension of time is permitted.

(b) Reports received from another agency which that agency determines to be nondisclosable will be summarized by that agency, in accordance with Parole Commission regulations, 28 CFR § 2.55. Bureau staff shall place the summary in an appropriate section of the Central File for disclosure. The original report (or portion which is summarized in another document) will be placed in the portion of the Privacy Folder for Bureau of Prisons and Parole Commission Joint Use.

(c) With regard to Bureau of Prisons documents, it is anticipated that psychiatric or other evaluative reports, which are determined to be nondisclosable to the inmate, will be the only documents placed in the Parole Commission and Bureau of Prisons Joint Use Section of the Privacy Folder and summarized in another document disclosable to the inmate (and thus placed in a disclosable portion of the Central File). Other nondisclosable documents ordinarily are not available to the Parole Commission and need not be summarized.

(d) When the agency responds that there should be no disclosure to the inmate but does *not* forward a summary, the appropriate Regional Office of the Parole Commission should be notified immediately. When no response as to

disclosure has been received from an originating agency in time for inmate review prior to the hearing, this fact must be noted for the Parole Commission Hearing Examiner, so that the Examiner may present the inmate with an opportunity to waive disclosure, or take other appropriate steps.

§ 513.25 Inmate access to medical records.

(a) Except to the extent otherwise provided in paragraph (b) of this § 513.25, an inmate may review the following records from his or her medical file (including dental records) by submitting a request to a staff member designated by the Warden:

(1) Medical and Related Data Sheets (Standard Form BP-8);

(2) Report of Medical History (Standard Form 89 or 93);

(3) Report of Medical Examination (Standard Form 89);

(4) Laboratory Reports containing only scientific testing results and no staff evaluation or opinion (such as Standard Form 514A, Urinalysis);

(5) Doctor's Orders (Standard Form 508); and

(6) Medication Sheets (such as Medications and Treatments, PHS Form 2128, Supplement to Standard Form 510).

An inmate may obtain personal copies of these documents locally. Fees are charged in accordance with 28 CFR 16.46. Fees which are collected should be forwarded to the Office of General Counsel.

(b) Medical records containing subjective evaluations and opinion of medical staff relating to the inmate's care and treatment will be provided only to a physician designated in writing by the inmate or former inmate. Such records might include, but are not limited to: outpatient notes, consultation reports, narrative summaries or reports by a specialist, operative reports by the physician, summaries by specialists as the result of laboratory analysis, or inpatient progress reports. Release of records with respect to appeals of decisions rendered under Inmate Accident Compensation are governed by 28 CFR Part 301.

§ 513.26 Inmate access to other documents.

An inmate may request access to documents withheld from disclosure in his or her Central or Medical File or other documents concerning himself or herself which are not contained in his or her Central or Medical Files by submitting a written request to the Director, Bureau of Prisons, 320 First Street, NW., Washington, D.C. 20534. *Such requests shall be processed*

pursuant to the provisions of the Privacy Act of 1974, 5 USC 552a. The request must be clearly marked on the face of the letter and the envelope "PRIVACY ACT REQUEST," and shall briefly describe the nature of the records sought and the approximate dates covered by the record. Inmates making such requests must provide their registry number and date of birth for purposes of identification. A request on behalf of an inmate by an attorney for records concerning that inmate will be treated as a Privacy Act request if the attorney has forwarded the inmate's written consent to disclosure. If a document is deemed to contain information exempt from disclosure, any reasonably segregable portion of the record shall be provided to the requester after deletion of the exempt portions. If documents, or portions of documents, have been determined to be nondisclosable by institution staff but are later released by Regional or Central Office staff pursuant to a request under this paragraph, appropriate instructions should be forwarded to the institution to move those documents, or portions of them, out of the Privacy File into a disclosable section of the Central File.

§ 513.27 Access by former inmates.

Former federal inmates may request notification of or access to their records maintained by the Bureau of Prisons by writing to the Director, Bureau of Prisons, 320 First Street, NW., Washington, D.C. 20534. Such formal requests shall be processed pursuant to the provisions of the Privacy Act. The request must be clearly marked on the face of the letter and the envelope "PRIVACY ACT REQUEST," must describe the nature of the records sought, and the approximate dates covered by the record. Such persons shall be subject to the verification of identity standards listed in 28 CFR 16.41(b). A request on behalf of a former inmate by an attorney for records concerning that former inmate will be treated as a Privacy Act request if the attorney has forwarded the former inmate's written consent to disclosure. If a document is deemed to contain information exempt from disclosure, any reasonably segregable portion of the record shall be provided to the requester after deletion of the exempt portions. If documents, or portions of documents, have been determined to be nondisclosable by institution staff but are later released by Regional or Central Office staff pursuant to a request under this paragraph, appropriate instructions should be forwarded to the institution to move those documents, or portions, out

of the Privacy File into a disclosable section of the Central File.

§ 513.28 Freedom of Information Act requests.

All formal requests by persons for access to records pertaining to another individual or to any agency record other than those pertaining to themselves (including program statements and operations memoranda) shall be processed pursuant to the Freedom of Information Act, 5 USC 552. Such a request must be made in writing and addressed to the Director, Bureau of Prisons, 320 First Street, NW., Washington, D.C. 20534. The request must be clearly marked on the face of the letter and the envelope "FREEDOM OF INFORMATION REQUEST," and shall briefly describe the nature of the records sought and the approximate dates covered by the record. If a document is deemed to contain information exempt from disclosure, any reasonably segregable portion of the record shall be provided to the requester after deletion of the exempt portion. If documents, or portions of documents, have been determined to be nondisclosable by institution staff but are later released by Regional or Central Office staff pursuant to a request under this paragraph, appropriate instructions are to be forwarded to the institution to move those documents, or portions, out of the Privacy File into a disclosable section of the Central File.

§ 513.29 Acknowledgement and monitoring of requests.

All formal requests for records under the Privacy or Freedom of Information Acts shall be referred to, acknowledged and monitored by the Office of the General Counsel. The acknowledgement to the requester shall indicate the date on which a response can be expected, in accordance with the time limits set under the governing disclosure statute. Requests for inmate and other records primarily located at a field facility, record storage repository, or in a Regional Office, shall be referred to the Regional Office and responded to by the Regional Director in the region where the records are located.

§ 513.30 Denials, appeals and requests for corrections.

(a) If a request made pursuant to Paragraph 8 or 9 of this Program Statement (§§ 513.26-27) is denied in whole or in part, a denial letter must be signed by the Director, or the appropriate Regional Director, or a designee, and shall state the basis for denial under Paragraph 3 of this Program Statement (§ 513.21). The

requester who has been denied such access shall be advised that he or she may appeal that decision to the Associate Attorney General by filing a written appeal within thirty days of the receipt of the denial. The appeal shall be marked on the face of the letter and the envelope "PRIVACY APPEAL—DENIAL OF ACCESS," and shall be addressed to the Office of the Associate Attorney General, U.S. Department of Justice, Washington, D.C. 20530.

(b) If a request made pursuant to Paragraph 10 of this Program Statement (§ 513.28) is denied, in whole or in part, the denial letter must be signed by the Director, or the appropriate Regional Director, or a designee, and in accordance with 28 CFR 16.6, shall list the documents withheld and cite the specific exemption(s) under the Freedom of Information Act. The requester who has been denied such access shall be advised that he or she may appeal that decision to the Associate Attorney General by filing a written appeal within thirty days of the receipt of the denial. The appeal shall be marked on the face of the letter and the envelope "FREEDOM OF INFORMATION APPEAL," and shall be addressed to the Office of the Associate Attorney General, U.S. Department of Justice, Washington, D.C. 20530.

(c) A person about whom the Bureau maintains records may request correction of inaccurate, incomplete, or irrelevant information. An inmate may request correction in writing through Administrative Remedy Procedures and should state the reasons for the requested action. A member of the public (such as a former inmate) may request correction in writing to the Director of the Bureau of Prisons. Any denial of such a request should contain a statement of the reason for denial. A requester who has been denied correction shall be advised that he or she may appeal that decision to the Associate Attorney General by filing a written appeal within thirty days of the receipt of the denial. The appeal shall be marked on the face of the letter and the envelope "PRIVACY CORRECTION APPEAL," and shall be addressed to the Office of the Associate Attorney General, U.S. Department of Justice, Washington, D.C. 20530.

§ 513.31 Fees.

(a) Fees for copies of an individual's own records granted under the Privacy Act (Paragraphs 8 or 9 of this Program Statement (§§ 513.26-27)) may be charged in accordance with Department of Justice regulations, 28 CFR 16.46.

(b) Fees for copies of records provided pursuant to Paragraph 10 of this Program

Statement (§ 513.28) may be charged in accordance with Department of Justice regulations, 28 CFR 16.9.

§ 513.32 Production of records in court.

Bureau of Prisons' records are often sought by subpoena, order, or other court demand, in connection with court proceedings. These records, by Attorney General Order, may not be produced in court without Attorney General or other appropriate Department of Justice approval. The guidelines are set out in Subpart B of Part 16, Title 28 CFR. Persons who receive such demands should seek advice as to the proper handling from the Regional Counsel or Office of General Counsel.

§ 513.33 Protection of individual privacy—Disclosure of records to third parties.

No record or item of information concerning an individual which is contained in a system of records maintained by the Bureau of Prisons shall be disclosed by any means of communication to any persons, or to another agency, without the prior written consent of the individual to whom the record pertains, unless the disclosure would be:

(a) To an employee of the Department of Justice who has need for the record in the performance of duties;

(b) Required to be disclosed by the Freedom of Information Act, 5 U.S.C. 552;

(c) For a routine use as described in the Department of Justice "Notice of Records System" published in the Federal Register;

(d) To the Bureau of Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13, United States Code;

(e) To a recipient who has provided the Bureau of Prisons with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(f) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(g) To another agency or to an instrumentality of any government jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality

has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought; (Note: The "routine uses" of all Bureau of Prisons records systems include providing information to state and federal law enforcement officials for the purpose of investigations, possible criminal prosecutions, civil court actions, or regulatory proceedings. Consequently, this exception has limited application.);

(h) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(i) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(j) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(k) Pursuant to the order of a court of competent jurisdiction.

§ 513.34 Accounting of disclosures to third parties.

Except for disclosures of information or records made to other employees of the Department of Justice, and all components thereof, and for disclosures required by the Freedom of Information Act, an accounting of disclosures of any information concerning an individual contained in a system of records maintained by the Bureau of Prisons will be kept in accordance with the following guidelines.

(a) *Oral disclosures:* A memorandum will be prepared and attached to the record disclosed, or an appropriate notation will be attached to the record disclosed. At a minimum this accounting shall include the identification of the particular record disclosed, the name and address of the person or agency to whom disclosed, and the date of the disclosure. When a group of records are disclosed, the accounting memorandum or notation should clearly indicate the records and scope of the information disclosed.

(b) *Written disclosures:* Accounting for written disclosures may be made in the same manner as for oral disclosures, or may be made by attaching a copy of the correspondence requesting the information and a copy of the response to the records disclosed. Other procedures for maintaining an accounting of information and records disclosed may be utilized provided the

method used provides, at a minimum, the following information: (i) identification of the particular records disclosed, (ii) the name and address of the person or agency to whom disclosed, and (iii) the date of the disclosure.

§ 513.35 Government contractors.

(a) No component of the Bureau of Prisons shall contract for the operation of a record system by or on behalf of the Bureau of Prisons without the express written approval of the Director or his designee.

(b) Any contract which is approved shall contain the standard contract requirements promulgated by the General Services Administration to insure compliance with the requirements imposed by the Privacy Act of 1974. The contracting component shall have the responsibility for insuring that the contractor complies with the contract requirements relating to privacy.

§ 513.36 Social Security numbers.

As of September 27, 1975, Social Security numbers will not be collected or utilized as a method of identification for any Bureau of Prisons' record system, unless such collection and use were authorized by statute or by regulation adopted prior to January 1, 1975.

§ 513.37 Employee records.

Access and correction of employee personnel records under the Privacy Act of 1974 are governed by regulations of the Office of Personnel Management published in Title 5, Code of Federal Regulations.

(2) By adding a Subpart C to Part 549 and a Subpart J to Part 551 of Subchapter C as follows:

SUBCHAPTER C—INSTITUTIONAL MANAGEMENT

PART 549—MEDICAL SERVICES

Subpart A—B [Reserved]

Subpart C—Hunger Strikes, Inmate

Sec.	
549.60	Policy.
549.61	Definition.
549.62	Initial referral.
549.63	Initial medical evaluation and management.
549.64	Food/liquid intake/output.
549.65	Refusal to accept treatment.
549.66	Release from treatment.

Authority: 5 USC 301; 18 USC 4001, 4005, 4042, 4081; 28 USC 509, 510; 28 CFR 0.95-0.99.

Subpart A—B [Reserved]**Subpart C—Hunger Strikes, Inmate****§ 549.60 Policy.**

The Bureau of Prisons provides guidelines for the medical and administrative management of inmates who engage in hunger strikes. It is the responsibility of the Bureau of Prisons to monitor the health and welfare of individual inmates, and to insure that procedures are pursued to preserve life.

§ 549.61 Definition.

As defined in this rule, an inmate is on a hunger strike:

(a) When he or she communicates that fact to staff and is observed by staff to be refraining from eating for a period of time, ordinarily in excess of 72 hours; or

(b) When staff observe the inmate to be refraining from eating for a period in excess of 72 hours. When staff considers it prudent to do so, a referral for medical evaluation may be made without waiting 72 hours.

§ 549.62 Initial referral.

(a) Staff shall refer to medical staff for evaluation and, when appropriate, for treatment, an inmate who is observed to be on hunger strike.

(b) When considered medically appropriate, medical staff shall place the inmate in a hospital setting. When isolation is necessary to measure food and liquid intake/output, medical staff may place the inmate in a locked hospital room.

§ 549.63 Initial medical evaluation and management.

(a) Medical staff shall ordinarily perform the following procedures upon initial referral of an inmate on hunger strike:

- (1) Measure and record height and weight;
- (2) Take and record vital signs;
- (3) Urinalysis;
- (4) Psychological and/or psychiatric evaluation;
- (5) General medical evaluation;
- (6) X-Ray—flat plate of abdomen and chest; and
- (7) Complete blood count and sedimentation rate plus other blood chemistry as indicated by medical evaluation.

(b) Medical staff shall take and record weight and vital signs at least once every 24 hours while the inmate is on hunger strike. Other procedures identified in paragraph (a) of this section shall be repeated as medically indicated.

(c) When valid medical reasons exist, medical staff may modify, discontinue,

or expand any of the medical procedures described in paragraphs (a) and (b) of this section.

(d) When medical staff consider it necessary for the providing of appropriate medical treatment, an inmate on a hunger strike will be transferred to the Medical Center for Federal Prisoners, to a community hospital, or to another hospital.

§ 549.64 Food/liquid intake/output.

(a) Staff shall prepare and bring to the inmate's room three meals per day.

(b) Staff shall provide the inmate an adequate supply of drinking water. Other beverages shall also be offered.

(c) Staff shall remove any commissary food items and private food supplies of the inmate while the inmate is on hunger strike. An inmate may not make commissary purchases while under hunger strike management.

§ 549.65 Refusal to accept treatment.

(a) When, as a result of inadequate intake or abnormal output, a medical officer determines that the inmate's life or permanent health will be threatened if treatment is not initiated immediately, the medical officer shall give consideration to forced medical treatment of the inmate.

(b) Prior to medical treatment being administered against the inmate's will, staff shall make every reasonable effort to convince the inmate to voluntarily accept treatment. Medical risks faced by the inmate if treatment is not accepted shall also be explained to the inmate. Staff shall document their treatment efforts in the medical record of the inmate.

(c) When, after reasonable efforts, or in an emergency preventing such efforts, a medical necessity for immediate treatment of a life or health threatening situation exists, the medical officer may order that treatment be administered without the consent of the inmate. Staff shall document their treatment efforts in the medical record of the inmate.

(d) Staff shall continue clinical and laboratory monitoring as necessary until the inmate's life or permanent health is no longer threatened.

(e) Staff shall continue medical, psychiatric and/or psychological follow-up as long as necessary.

§ 549.66 Release from treatment.

Only the medical officer may order that an inmate be released from hunger strike evaluation and treatment. This order shall be documented in the medical record of the inmate.

PART 551—MISCELLANEOUS**Subpart J—Non-Discrimination Towards Inmates**

Sec.

551.120 Policy.

Authority: 18 USC 4001, 4042; 28 CFR 0.95-0.99.

Subpart J—Non-Discrimination Towards Inmates**§ 551.120 Policy.**

Inmates may not be discriminated against on the basis of race, religion, nationality, sex, or political belief. Each Warden shall insure that work, housing and program assignments, and administrative decisions are non-discriminatory.

Dated: October 24, 1979.

Normal A. Carlson,

Director, Bureau of Prisons.

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Part VI

Environmental Protection Agency

General Pretreatment Regulations for
Existing and New Sources of Pollution

**ENVIRONMENTAL PROTECTION
AGENCY**
40 CFR Part 403
[FRL 1327-7]
**General Pretreatment Regulations for
Existing and New Sources of Pollution**
AGENCY: Environmental Protection
Agency.

ACTION: Proposed amendments to final
rules.

SUMMARY: On June 26, 1978, the Environmental Protection Agency published a rule (43 FR 27736-27773) which established mechanisms and procedures for enforcing national pretreatment standards controlling the introduction of wastes from non-domestic sources into publicly owned treatment works (POTWs). Following the promulgation of the General Pretreatment regulations, several actions were brought in Federal court challenging various aspects of these regulations. These actions were subsequently consolidated in the District of Columbia Circuit Court of Appeals in the action *Natural Resources Defense Council, Inc. et al., v. EPA*, No. 78-1803.

On May 31, 1979, EPA entered into an agreement with the Manufacturing Chemists Association, the U.S. Brewers Association and others, which seeks to settle most of the issues raised by the industry parties in this litigation. The Settlement Agreement states that if the following proposed regulations are promulgated as final regulations, the petitioners will not litigate them.

EPA has also proposed other changes because the staff believes they will improve the regulations. A description of the more significant amendments follows.

DATES: Comments are due on or before November 28, 1979.

ADDRESSES: Comments should be addressed to: William Diamond, Esq., Office of Water Enforcement (EN-336), U.S. Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: William Diamond, Esq., at the above address or telephone, (202) 755-2755.

SUPPLEMENTARY INFORMATION:
Background

On February 2, 1977, EPA proposed a rule which would establish mechanisms and procedures for enforcing national pretreatment standards controlling the introduction of wastes from non-domestic sources into publicly owned

treatment works (POTW). On June 26, 1978, after more than a year of consideration during which time 4 public hearings and 16 public meetings were held and more than 400 individual comments received, the Agency promulgated the final general pretreatment regulations, 40 CFR Part 43 (43 FR 27736-27773).

The effect of these regulations is essentially two-fold. First § 403.5 of the regulation sets forth general discharge prohibitions that apply to all non-domestic users of a POTW. The intent of these general limitations is to prevent: (1) interference with the operation of the treatment works, (2) pass-through of pollutants in violation of the POTW's NPDES permit limitations, and (3) municipal sludge contamination.

The second major effect of the regulation is to establish an administrative mechanism to ensure that these general discharge limitations as well as the Federally-developed pretreatment effluent limitations applicable to specific industrial categories are applied and enforced. The regulation envisions three levels of administrative control. Most major POTWs will be required to develop a locally-run pretreatment program to ensure that non-domestic users of the municipal system comply with applicable pretreatment requirements. The development of such programs is fundable through section 201 construction grants. Where POTWs are not required to develop a local program, NPDES States with approved pretreatment programs and EPA will enforce pretreatment requirements.

Following the promulgation of the general pretreatment regulations, several actions were brought in Federal court challenging various aspects of these regulations. These actions were subsequently consolidated in the District of Columbia Circuit Court of Appeals in the action *Natural Resources Defense Council, Inc. et al., v. EPA*. On May 31, 1979, EPA entered into an agreement with three of the Petitioners, the Manufacturing Chemists Association, the U. S. Brewers Association and the Pacific Legal Foundation, seeking to settle substantially all of the issues raised by the industry parties in this litigation. The greater part of the proposed changes to this regulation reflects the provisions of this settlement. The major proposed modifications arising out of the Settlement Agreement are discussed in section A below.

In addition, certain technical and conforming changes are proposed. A discussion of these changes will be found in Section B below.

**A. Proposed Modifications Arising out of
the Settlement Agreement**
1. § 403.3 Definitions

a. § 403.3(h) *Definition of interference.* § 403.3(h) of the existing regulation defines "Interference" with the POTW. The amendments to this definition are three-fold. First, the language has been modified to include within the definition of interference only the introduction of those pollutants which "cause or significantly contribute" to a violation of the POTW's NPDES permit. The new language replaces the former provision requiring that a pollutant simply "contribute" to a violation of the NPDES permit to be considered to interfere with the POTW. Thus, this change serves to narrow the circumstances under which a pollutant is deemed to cause interference. It was felt that the "contributes to" language might be interpreted too broadly to include pollutants which did not contribute significantly to a violation of the NPDES permit.

The second sentence in the definition of Interference has been amended to specify that a pollutant can be considered a source of interference when it causes or significantly contributes to a violation of regulatory requirements developed under section 405 of the Clean Water Act or pursuant to the provisions of the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or any more stringent State regulations. The previously published language established liability for interference when pollutants contributed to a POTW's failure to comply with criteria, guidelines or regulations developed under these authorities.

Finally, a new provision has been added at the end of the definition which exempts pollutants from being considered as interfering with the POTW when the discharge of such pollutants into the POTW is in compliance with Federal, State or local effluent limits. However, where such pollutants are nevertheless determined to cause or significantly contribute to a violation of the POTW's NPDES permit, the POTW is required to take appropriate action under § 403.5(c) to ensure renewed and continued compliance with its permit. In many instances this will mean a revision of the industrial discharge limits currently applicable to the pollutants in question. The POTW may also determine that corrective measures are better instituted at the treatment works itself or may elect to address non-point or domestic sources of the interfering pollutants.

b. § 403.3(n) definition of POTW treatment plant. A new provision, § 403.3(n), defining the term "POTW Treatment Plant" has been added to avoid an ambiguity that now exist whenever a reference is made to a POTW (publicly owned treatment works). § 403.3(m) in the existing regulation defines a POTW to include both the treatment plant and the sewer pipes and other conveyances leading to it. As a result, it is unclear whether a particular reference is to the pipes, the treatment plant, or both. The term "POTW treatment plant" will be used to designate that portion of the municipal system which is actually designed to provide treatment to the wastes received by the municipal system.

c. § 403.3(o) Definition of pretreatment. § 403.3(o) [formerly § 403.3(n)] which defines the term "pretreatment" has been modified by adding a comment. This comment identifies equalization tanks or facilities as appropriate pretreatment technologies for the purpose of protecting against surges of influent to the POTW which might interfere with the operation of the treatment works. The comment also recognizes that equalization tanks or other similar facilities have potential to be used as a means of achieving compliance through dilution. Where the use of equalization tanks or similar facilities results in dilution, it is suggested that the authority in charge of the local pretreatment program impose a mass limitation upon the source employing these tanks or facilities.

2. § 403.5 General discharge limitations.

a. § 403.5(b)(4) Limitation on high volume or high concentration flows. § 403.5(b) prohibits Industrial Users from introducing certain pollutants to a POTW. Subsection (4), has been revised to make clear that pollutants may not be released in a discharge at a flow rate and/or pollution concentration which the User knows or has reason to know will cause interference in the POTW. Absent notification by the POTW, a User discharging at a normal flow rate and/or concentration will not ordinarily know, or have reason to know, that the discharge is causing interference. If, however, a User discharges pollutants at an unusually heavy flow rate and/or high concentration, the User should know or have reason to know that interference to the POTW will result.

b. § 403.5(b)(5) Limitation on heat. § 403.5(b)(5) prohibits the introduction of heat into POTWs in amounts which would inhibit biological activity at the POTW. In no case, according to this provision, is heat to be contributed in

such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F). An additional provision has been inserted which requires that the temperature of effluent entering the sewers, pipes or other conveyances leading to the treatment plant not exceed 65°C (150°F). Both temperature limits may be modified if the POTW has received explicit approval from EPA or the State, as appropriate, to apply alternate temperature limits to contributions from Industrial Users. It is anticipated that this new provision will provide Industrial Users with clearer notice of the maximum temperature that can be discharged safely into sewer lines.

c. § 403.5(c). EPA proposes to revise the second sentence of § 403.5(c) to give a POTW flexibility in complying with the terms of its NPDES permit. Where pollutants contributed by users cause of significantly contribute to a recurring violation of an NPDES permit, the POTW must ensure renewed and continued compliance with its permit by: (1) imposing specific effluent limits or Industrial Users and all other users, as appropriate; (2) making modifications to the treatment plant's facilities or operation; or (3) a combination of alternatives 1 or 2. If the POTW does not begin appropriate action to cure an NPDES violation within 30 days of being notified by EPA of the violation, EPA may take appropriate action.

3. § 403.6 EPA determination of industrial subcategories.

a. § 403.6(a)(5). § 403.6(a)(5) has been amended to delete the provision allowing for a hearing on EPA's determination as to a particular industry's subcategory classification. EPA does not believe that it is legally required to provide the opportunity for a hearing on such determinations. Industries wishing to challenge EPA's determination may submit a petition to reconsider the decision to the Regional Administrator and the Regional Administrator will be required to respond expeditiously in writing to this petition.

b. § 403.6(a)(6). In addition, subparagraph 403.6(a)(6) has been deleted. This paragraph had provided that Industrial Users failing to seek a determination as to the appropriate subcategory within the prescribed time would be bound by EPA's subsequent determination as to the subcategory. It has been determined that EPA could not legally bar an indirect discharger from raising as a defense to an enforcement action the allegation that its facility is not in the industrial category claimed.

4. § 403.7 Removal allowances. Redefinition of "Consistent Removal" § 403.7 of the regulation introduces the concept that a POTW must demonstrate "consistent removal" of a pollutant over a specified period of time in order to receive authority to grant a removal allowance to its industrial users. Only when the POTW has demonstrated that it has the capacity to maintain specified levels of removal for industrial pollutants can the approval authority be assured that the POTW can adhere to a consistent level of environmental control.

a. § 403.7(a). § 403.7(a) of the existing regulation defines "consistent removal" as that level of removal observed in 95% of the influent and effluent samples taken at the POTW. In response to concerns that this criterion for judging consistency is unnecessarily stringent, EPA is proposing to redefine "consistent removal." EPA is confident that the proposed language results in the same degree of assurance as to consistent removal while being less burdensome on the POTW. The new provision defines consistent removal as that removal demonstrated by averaging the lowest 50% of the removals measured by 12 or more samples. When between 8 and 11 samples are obtained the average of the lowest 6 samples is used to calculate consistent removal. When less than 8 samples are obtained, the POTW, with the consent of the approval authority, may use alternative means of demonstrating consistent removal. These alternative means might include, for example, the use of mass balance data. If in obtaining the samples the pollutants in question are not measurable in the effluent from the POTW, the limit of measurement may be considered to be the effluent level. Where the pollutant for which the removal allowance is sought is not detectable in the influent to the POTW treatment plant, the level of measurement may not be used to represent the influent concentration.

b. § 403.7(b)(2) Conditional removal allowances. § 403.7(b)(2) now provides that Industrial Users are not eligible for removal allowances until the POTW's pretreatment program has been approved. Such approval is not required in some instances until July 1, 1983. Concern has been expressed that this provision might force Industrial Users to make commitments to comply with categorical standards before removal allowances could be obtained, thus resulting in redundant treatment.

EPA therefore proposes to revise § 403.7(b)(2) to provide that, if certain conditions are met, a POTW may revise discharge limits on a conditional basis

prior to approval of its pretreatment program. Industrial Users who wish to obtain the conditionally revised discharge limits must compile and submit to the POTW the information required by § 403.12(b)(1)-(7), and must submit an application for pretreatment program approval in a timely manner. If either the POTW or an Industrial User fails to comply with its commitments, the conditionally revised limits will be withdrawn in accordance with the conditions of subsections (v) and (vi) of this section. If the revised standard is withdrawn due to the POTW's noncompliance, the affected Industrial Users will be given a reasonable time to install pollution control equipment to meet the categorical standards.

c. § 403.7(b)(3) *Removal allowances for POTWs that bypass.* § 403.7(b)(3) of the pretreatment regulation provides that removal allowances may not be authorized for POTWs that bypass untreated wastewater at least once annually unless such POTWs are implementing or have applied for a grant to implement a plan to minimize bypasses in conformance with the requirements of "PRM 75-34" (also known as Program Guidance Memorandum 61). This provision has been modified to allow authorization of removal allowances if POTWs meet one of two conditions. First, POTWs with bypasses may receive removal allowance authorization to revise discharge limits for Industrial Users that demonstrate that they can contain or cease discharges to the POTW during circumstances in which a bypass event reasonably can be expected to occur. Second, POTWs with more than one bypass annually may receive removal allowance authorization if they calculate consistent removal according to an equation which factors in hours of bypassing and, after July 1, 1983, are making an effort to implement a bypass control program in accordance with the requirements of "PRM 75-34."

d. § 403.7(b)(4) *Compliance with sludge disposal requirements as a condition to removal allowances.* EPA is proposing to modify § 403.7(b)(4) in three respects. First, the section will be amended to make clear that EPA will not prohibit revisions to categorical pretreatment standards where the particular pollutant(s) for which the revision is sought will not contribute to the POTW's inability to comply with applicable sludge use or disposal regulations. Secondly, a revision to a discharge limit will be prohibited where the revision will contribute to a violation of the POTW's NPDES permit. Finally, EPA has deleted references to

compliance with "guidelines" or "criteria" adopted under the Solid Waste Disposal Act, the Clean Air Act and the Toxic Substances Control Act, that are not subject to rulemaking procedures including notice and public comment. The deletion of the word "guidelines" is not meant to apply to regulations issued under section 405 of the Act which the Act refers to as guidelines.

e. § 403.7(c) *When removal allowance applications may be submitted.*

§ 403.7(c) has been modified to provide that application for removal allowance authorization may be requested once a year with respect to certain pollutants instead of only at the time of program approval or subsequent permit reissuance as provided for in the existing regulation. All such requests for removal allowance authorization submitted prior to program approval are considered to be "conditional" allowances, as described in § 403.7(b), if the approval authority does not review and make a decision on them. The approval authority may review and make a determination on the POTW's authority to revise discharge limits at any time after the submission of an application for removal allowance approval up until the time of pretreatment program approval. At the time of pretreatment program approval the approval authority is required to review and make a determination on any pending requests for removal allowance approval. Once the pretreatment program has been approved, the approval authority again may review requests for removal allowance approval at its discretion until the reissuance of the POTW's permit, at which time it is required to make a determination on all pending removal allowance requests.

f. § 403.7(c)(2), (c)(2)(ii) and (c)(2)(iv). Amendments have been made to these provisions giving the POTW flexibility in demonstrating consistent removal when influent and effluent data are unobtainable.

g. § 403.7(c)(2)(iii) *Sampling to obtain removal data.* § 403.7(c)(2)(iii) now provides that data demonstrating removal shall be obtained through a composit sample taken on each of three consecutive days during each season. EPA proposes to revise this section to spread the sampling period, thus rendering the data less sensitive to short term variations. A minimum of 12 composite samples taken at approximately equal intervals throughout the year will be required. Each effluent sample will be taken approximately one detention time later

than the corresponding influent sample in order to determine how much removal the POTW is achieving. If the prescribed sampling schedule is not representative of the operation of the POTW, as in treatment systems having long detention times, the Approval Authority may require a different schedule. The Approval Authority should use this authority to allow POTW's that began sampling programs to acquire removal data according to the existing requirements of § 403.7(c)(2)(iii) to modify their existing sampling schedules to conform with the new requirements.

h. § 403.7(c)(2)(v) *Provisional credits for new pollutants.* A new paragraph, § 403.7(c)(2)(v), has been proposed to enable the POTW to provisionally revise categorical standards for new pollutants discharged into its system in the same manner as it grants conditional revisions for existing discharges under § 403.7(b)(2). Under the present regulation, a new facility or an existing facility discharging a new pollutant would be required to install the full technology needed to meet applicable pretreatment standards before the pollutant in question could be discharged into the POTW. A removal allowance for these pollutants, with the resultant possible reduction in pollution control technology, could not be granted until a year of operating data demonstrated the removal claimed. The new provision allows the POTW to estimate, based on treatability studies for the pollutants in question or the levels of removal for those pollutants obtained by similar municipal treatment systems, the percentage of removal the POTW would achieve for these pollutants. A reduced discharge limit reflecting this estimated percentage of removal is then applied to the facility. Thus, before commencing discharge, the facility is required to install only that level of technology needed to meet the pretreatment standard as amended by this provisional allowance.

As § 403.7(c) indicates, POTW applications for approval of this estimated or provisional allowance can be requested only once a year and the Approval Authority is allowed to exercise its discretion to withhold official approval of the allowance pending pretreatment program approval, or, if a program has been approved, POTW permit reissuance. In order to obtain a provisional removal allowance, the POTW must comply with the requirements of § 403.7(b)(2) and submit to the Approval Authority the data on treatability or removal at similar POTWs accompanied by the required

certification that the data are true and accurate.

i. § 403.7(e)(4) *Revoking or modifying removal allowances.* § 403.7(e)(4) in the present regulation provides that removal allowances be terminated and technology needed to meet promulgated effluent limits be installed if the POTW fails to maintain the consistent removal demonstrated in the removal allowance application or if the approved allowance results in a violation of the POTW's NPDES permit. This section has been amended to provide that the removal allowance need not be terminated but may be modified where such modification will not result in a violation of the POTW's NPDES permit. No removal allowance shall be modified or withdrawn until there has been notice to the POTW and affected Industrial Users, and an opportunity for a hearing.

The comment to this section states that the provision is not intended to require pretreatment for compatible wastes as a substitute for "adequate" municipal treatment. The word "adequate" refers to efficient operation and maintenance of the existing POTW, not an upgraded or expanded facility. EPA does not contemplate that construction grants would be available to perform any cost-effective analyses of industrial pretreatment versus municipal treatment.

5. § 403.8 *Local pretreatment program requirements.*

a. § 403.8(f)(1)(i) *POTW authority to condition industrial contributions.* § 403.8(f)(1)(i) will be modified to clarify that a POTW must have legal authority to deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW only where such contributions do not meet applicable pretreatment standards or where such contributions would cause the POTW to violate its NPDES permit.

The comment to this section states that the provision is not intended to require pretreatment for compatible waste as a substitute for "adequate" municipal treatment. The word "adequate" refers to efficient operation and maintenance of the existing POTW, not an updated or expanded facility. EPA does not contemplate that construction grants would be available to perform any cost-effective analyses of industrial pretreatment versus municipal treatment.

b. 403.8(f)(1)(vi)(B) *POTW authority to immediately half contributions from Industrial Users.* EPA proposes to amend § 403.8(f)(1)(vi)(B) to require that POTWs have authority, after informal notice to the discharger, to prevent or

halt discharges that appear to present an imminent danger to the health or welfare of persons. Notice is required so that the discharger will have an opportunity to take steps necessary to avoid or minimize damage to its equipment from the shutdown. If a discharge threatens the environment or the operation of the POTW, notice to affected Industrial Users and an opportunity to respond is required before the POTW halts the discharge.

c. § 403.8(f)(2)(vii) *Newspaper notice of pretreatment violations.*

§ 403.8(f)(2)(vii) of the present regulation provides for annual notice in the municipality's largest daily newspaper of Industrial Users that were not in compliance with pretreatment standards or other pretreatment requirements during the preceding 12 months. This provision inspired concern that the language might be too broadly interpreted to cover very minor instances of non-compliance, such as the delay of one day in submitting a status report. In response to this concern, the provision has been amended to provide for public notice of significant violations. The amended language establishes criteria for defining such a violation.

6. § 403.9 *POTW application for local pretreatment program approval.*

a. § 403.9(b)(3) *Conditional program approvals.* The existing provision requires that removal allowances be withdrawn if funding is not acquired to implement the delayed elements of a conditionally approved local program within the necessary time period. This provision has been amended to provide that allowances may be modified rather than withdrawn.

b. § 403.9(f) *Notice of insufficiency of local program application.* § 403.9(f) has been amended to provide for public notice by the EPA or State, as appropriate, in the event that it is determined that a submission for pretreatment program approval or removal allowance approval does not comply with the procedural application requirements set forth in the regulation. The present regulation already provides a similar public notice for the Approval Authority's determination on the substantive sufficiency of an application.

7. § 403.10(e) *Development and submission of NPDES State pretreatment programs.*

If a POTW chooses to develop a pretreatment program even though its State already has an approved pretreatment program and has elected to implement the program at the local

level, the POTW will not be eligible for a grant to develop said program. EPA invites comments on this proposed policy.

8. § 403.11 *Approval procedures for local pretreatment programs and removal allowances.*

§ 403.11 of the regulation has been modified so that the procedures set forth therein apply only to POTW pretreatment program approvals and approvals of removal allowances. The existing regulation included State program approval procedures within this section. Procedures for State program approvals will be governed by the procedural requirements found in § 123.61 of the NPDES regulations. § 403.11 has also been modified to include notice of key steps in the approval process to those persons requesting individual notice.

a. § 403.12(b). This section has been modified to clarify that these reports are required only from Industrial Users subject to categorical pretreatment standards—not users to whom other pretreatment requirements including prohibited discharge limits under § 403.5 are applied.

b. § 403.12(b)(4) *Reports required of Industrial Users within 180 days of categorical pretreatment standard promulgation.* § 403.12(b) of the regulation requires that Industrial Users subject to categorical pretreatment standards submit certain information to the control authority (the POTW, NPDES State or EPA, as appropriate) within 180 days after the promulgation of an applicable categorical pretreatment standard. Included among the information required is an indication of the average and maximum flow from the facility to the POTW [§ 403.12(b)(4)]. This provision has been amended to allow for the reporting of *estimated* flows rather than *measured* flows where the control authority approves of these estimates in recognition of cost or feasibility considerations. For example, where the installation of flow monitoring equipment, particularly in older buildings, would require extensive renovation of the facility and result in a disruption of operations for a significant period of time, the control authority could exercise its discretion to allow reporting of an estimate of the flow if this estimate is derived through verifiable techniques.

c. § 403.12(e)(1). § 403.12(e)(1) will be revised to reduce the amount of monitoring and reporting required of Industrial Users. Under the existing regulation, a User would have to provide continuous actual flow monitoring. Concern has been expressed that this

would be virtually impossible for some Users, and very costly for others. The revised section would require that the User report only its measured or estimated average and maximum daily flows (from water bills and other sources) for the reporting period. This will usually provide sufficient date to enable a POTW to make planning and operating decisions. The control authority may require more detailed reporting of flows if necessary, but in most cases this should be preserved for an Industrial User who is a major source of inflow to the POTW or is a significant contributor of pollutants.

B. Proposed Technical, Conforming and Clarifying Modifications

1. § 403.1. Purpose and Applicability.

Ambiguity in the original language of this section led to confusion over the types of pollutants subject to this regulation. The language has been amended to clarify that pollutants contributed to the POTWs by *non-domestic sources* are subject to the regulation, even if the pollutants in question are those traditionally considered to be domestic in nature. Conversely, a non-domestic pollutant introduced by a domestic source would not fall under the purview of this regulation.

2. § 403.3. Definitions.

a. § 403.3(c). § 403.3(c) has been amended to indicate that the EPA Regional Administrator rather than the EPA Administrator should be considered to be the "Approval Authority" in non-NPDES States or NPDES States without an approved State pretreatment program.

b. § 403.3(f). § 403.3(f) has been amended to clarify that pollutants contributed by non-domestic sources are subject to this regulation.

3. § 403.5 General Discharge Limitations.

Concern has been expressed that the provision of § 403.5(d) requiring that specific prohibitions developed by a POTW be incorporated into its NPDES permit would be resource-demanding because of the need to modify the permit each time a prohibition was changed. This section has accordingly been modified to delete the requirement that such prohibitions be incorporated in the permit. Instead, these POTW-developed limits will be deemed "prohibitions" for the purposes of section 307(d) of the Act. As such, a violation of these prohibitions is enforceable against both the applicable Industrial User and

against the POTW under section 309(f) of the Act.

4. § 403.6

a. § 403.6(a)(1). This section has been amended to clarify that an Industrial User may apply for certification as to his subcategory within 30 days after the *promulgation* date, rather than the *effective date*, of a candidate pretreatment standard. In addition, the authority to request such certification has been extended to the POTW.

b. § 403.6(a)(ii). This new section has been amended to allow the Enforcement Division Director to waive receipt and review of a State's determination on a particular Industrial User's subcategory.

c. § 403.6(e). This section has been added to establish a procedure for calculating an equivalent concentration limit for cases where process effluent is mixed prior to treatment with wastewaters other than those generated by the regulated process. In most cases, the enforceable concentration limitation will be applied at the end of the regulated process. However, in cases where it is more cost-effective for the Industrial User to install treatment technology at a point where the process effluent has been mingled with other wastewater, a new concentration unit, reflecting the increased flow from the non-process wastewater, can be calculated. This equivalent concentration limit may not be used where the regulated pollutants, because of the increased dilution or other factors, are no longer detectable in the combined wastewaters.

5. § 403.7. Removal Allowances

a. The introductory paragraphs to §§ 403.7 and 403.7(b) and 403.7(b)(3) have incorporated language modifications which clarify that removal allowances may not be granted for "surrogate" or "indicator" pollutants regulated in categorical pretreatment standards. The use of a surrogate or indicator pollutant has a major import for monitoring activities. Once the technology needed to meet an effluent limitation for a toxic pollutant has been installed and is operating properly, by measuring the amount of surrogate or indicator pollutant in the effluent from the regulated process one should be able to assess the relative quantities of the regulated toxic pollutants in that same effluent. The correlation can be made because one can predict with some confidence that when the technology(s) appropriate for a particular industrial category is installed and resulting in the discharge of a certain amount of an indicator or surrogate pollutant, the appropriate level of removal is also

being achieved for the toxic pollutants in that waste stream. This correlation holds true only where the underlying assumption regarding the type of technology employed remains unaltered. The indicator/surrogate toxic correlation that can be drawn for a particular industrial subcategory presumes the use of a certain class of treatment technologies which are likely to be very different from the treatment technologies employed by the POTW. Therefore, one cannot equate the POTW's ability to remove a certain amount of these surrogate or indicator pollutants with its ability to remove a corresponding amount of the regulated toxic pollutants.

b. § 403.7(e). This section has been modified to change the reference to the "Regional Administrator" to "Approval Authority", thus clarifying that the State Director, where appropriate, should also exercise the authorities contained in this paragraph.

c. § 403.7(f). This new section has been added in order to clarify the requirements for obtaining a removal allowance where the State has elected to run a local pretreatment program in lieu of requiring a POTW to do so.

6. § 403.10. State Pretreatment Programs.

a. § 403.10(b)(1). This section has been amended in order to make it clear that an NPDES State will be required to exercise those authorities related to the operation of a State pretreatment program which it possesses even if the State has not yet obtained approval of its pretreatment program. In most cases these are authorities, such as the authority to apply and enforce requirements under section 307(b) and (c) of the Clean Water Act, which the State already attested to in its application for NPDES program approval.

b. § 403.10(h). The references in this provision to "Administrator" have been changed to "Regional Administrator" to reflect the delegation of the authority to review the initial State program submission from the Administrator to the Regional Administrators.

7. § 403.13. Fundamentally Different Factor Variances

a. This provision was modeled after § 125.31 of the National Pollutant Discharge Elimination System (NPDES) Regulations. A discussion of § 125.31 can be found in 44 F. R. 32893 (June 7, 1979). The primary differences between § 125.31 and the proposed regulation are:

(1) to conform NPDES terminology to pretreatment terminology the following

terms have been changed: "national limits" have been changed to "standards"; "alternative limits" has been changed to "variance"; and "discharger" has been changed to "User."

(2) Section (c)(2)(ii) of the proposed regulation provides that a variance may not be granted if it causes "interference" with a POTW. In the NPDES regulations, § 125.31(b)(2) states that variances may not be granted unless compliance with §§ 208(e) (dealing with areawide waster treatment) and 301(b)(1)(c) (dealing with water quality standards) of the Clean Water Act is ensured.

(3) That part of the comment under § 125.31(d)(1) of the NPDES regulations dealing with 402(a)(1) of the Clean Water Act has been deleted since it is not applicable to indirect discharges.

8. § 403.15 Net/Gross Provision.

The net gross provisions contained herein was modeled after §§ 122.16 (e) and (f) of the NPDES regulations. An explanation of §§ 122.16 (e) and (f) is contained in the preamble to the NPDES regulations, 44 F.R. 32865 (June 7, 1979). The primary difference between the two regulations is procedural: Industrial Users apply to EPA for net/gross credits within 60 days after the applicable categorical pretreatment standard is promulgated, whereas direct dischargers apply for credit at the time they apply for NPDES permits. For purposes of this provision, no net/gross credit shall be given for pollutants found in city water even if the water originates from the same source into which the User's POTW discharges.

9. § 403.16 Upset Provision.

The Upset Provision contained herein was modeled after § 122.14(1) of the National Pollutant Discharge Elimination System (NPDES) regulations. An explanation of § 122.14(1) is contained in the preamble to the NPDES regulations, 44 F.R. 32863 (June 7, 1979). The primary difference between the two regulations is that in the pretreatment regulation, an Industrial User must submit notice of an upset to its POTW whereas in the NPDES regulations, a direct discharger must notify the Regional EPA Administrator or the Director of the State water pollution control agency.

Executive Order 12044

Under Executive Order 12044 EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". I

have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Dated: October 16, 1979.

Douglas M. Costle,
Administrator.

40 CFR Part 403 is amended as follows:

PART 403—GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION

§ 403.1 [Amended]

1. Section 403.1 is amended by revising the first sentence of paragraph (b) to read as follows:

(b) This regulation applies: (1) to pollutants from non-domestic sources covered by section 307(b) and (c) Pretreatment Standards discharged into or transported by truck or rail or otherwise introduced into POTWs as defined below in § 403.3; (2) to POTWs which receive wastewater from sources subject to National Pretreatment Standards established pursuant to sections 307 (b) and (c) of the Act; (3) States which have National Pollutant Discharge Elimination System (NPDES) programs approved in accordance with section 402 of the Act; and (4) to any new or existing source subject to section 307 (b) and (c) Pretreatment Standards.

§ 403.3 [Amended]

2. Section 403.3 is amended by revising paragraph (c) to read as follows:

(c) The term "Approval Authority" means the Director in an NPDES States with an approved State pretreatment program and the appropriate Regional Administrator for non-NPDES States or NPDES States without an approved State pretreatment program.

3. Section 403.3 is amended by revising paragraph (f) as follows:

(f) The term "Discharge" or "Indirect Discharge" means the discharge or the introduction of pollutants from any non-domestic source regulated under section 307(b) or (c) of the Act, into a POTW.

4. Section 403.3 is amended by revising paragraph (h) as follows:

(h) the term "Interference" means inhibition or disruption of POTWs sewer system, treatment processes or

operations which causes or significantly contributes to a violation of any requirement of its NPDES Permit. The term also includes prevention of sewage sludge use or disposal by the POTW in accordance with published regulations providing guidelines under section 405 of the Act or any regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State regulations (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW. Pollutants in the effluent from an Industrial User shall not be considered to cause Interference where the Industrial User is in compliance with specific prohibitions or standards developed by Federal, State or local governments. Where the Industrial User is in compliance with such specific prohibitions or standards, and pollutants in the effluent from the Industrial User's facility nevertheless are determined to have caused or significantly contributed to a violation of any requirement of the POTWs NPDES permit, and are likely to cause such a violation in the future, the POTW must take appropriate action under § 403.5(c).

5. Section 403.3 is amended by adding a new paragraph (n) which reads:

(n) The term "POTW Treatment Plant" means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

6. Section 403.3 is amended by changing paragraph (n) to paragraph (o) and adding the following comment to the end of paragraph (o):

(o) ***

[Comment: Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges that might interfere with or otherwise be incompatible with the POTW. Where there is reason to believe that the use of equalization tanks or other facilities which have potential for dilution is resulting in dilution, the Control Authority should impose mass limitations on an Industrial User employing such tanks or other facilities in accordance with § 403.12(e)(2).]

7. Section 403.3 is amended by changing paragraphs (o), (p), and (q) to (p), (q), and (r) respectively.

§ 403.5 [Amended]

8. Section 403.5 is amended by revising paragraph (b)(4) to read as follows:

*(b)***
(4) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which a discharger knows or has reason to know will cause interference to the POTW.

9. Section 403.5 is amended by revising paragraph (b)(5) to read as follows:

*(b)***
(5) Heat in amounts which will inhibit biological activity in the POTW Treatment Plant resulting in interference or causing damage, but in no case heat in such quantities that the temperature exceeds 65° C (150° F) at the POTW and 40° C (104° F) at the POTW Treatment Plant unless the Approval Authority, upon request of the POTW, approves alternate temperature limits.

10. Section 403.5 is amended by revising paragraph (c) to read as follows:

*(c) POTW's developing POTW Pretreatment Programs pursuant to § 403.8 shall be required to develop and enforce specific limits for discharges of the pollutants listed in § 403.5(b)(1)-(5). In addition, where pollutants contributed by user(s) cause or significantly contribute to a violation of a POTW's NPDES permit, and such violation is likely to recur, the POTW should develop and enforce specific effluent limits for Industrial User(s), and all other users, as appropriate, which, together with appropriate changes in the POTW Treatment Plant's facilities or operation, are necessary to ensure renewed and continued compliance with the POTW's NPDES Permit. If within 30 days after notice by EPA of a permit violation to the POTW, and to persons or groups who have requested such notice, the POTW fails to commence appropriate action to correct the violation, EPA may take appropriate action. Specific effluent limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond.

[Comment: This provision is not intended to require pretreatment for compatible waste as a substitute for adequate municipal treatment. When difficulties arise in meeting NPDES permit conditions, it is the responsibility of the POTW to come into compliance with its permit. The POTW

should consider a solution that is cost-effective and equitable, and consistent with the goal of joint treatment.]

11. Section 403.5 is amended by revising paragraph (d) to read as follows:

(d) Where specific prohibitions or limits on the pollutants or pollutant parameters listed in § 403.5(b)(1)-(5) are developed by a POTW, either as a requirement of an approved POTW Pretreatment Program pursuant to § 403.8 or an NPDES Permit, such limits shall be deemed prohibitions for the purposes of section 307(d) of the Act and shall be enforceable in lieu of the general prohibitions set forth in this section.

§ 403.6 [Amended]

12. Section 403.6 is amended by revising paragraph (a)(1) as follows:

*(a)***
(1) Within 30 days after the promulgation date of a Pretreatment Standard for a subcategory under which an Industrial User believes itself to be included, the Industrial User or POTW may request that the EPA Regional Enforcement Division Director or Director, as appropriate, provide written certification to the effect that the Industrial User does or does not fall within that particular subcategory.

13. Section 403.6 is amended by revising paragraph (a)(4)(ii) as follows:

*(a)***
(4)***
(ii) Where the request is submitted to the Director, the Director shall forward the finding described in this paragraph to the Enforcement Division Director who may make a final determination. The Enforcement Division Director may waive receipt of these determinations. If the Enforcement Division Director does not modify the Director's decision within 60 days after receipt thereof, or if the Enforcement Division Director waives receipt of the determination, the Director's decision is final.

14. Section 403.6 is amended by revising paragraph (a)(4)(iii) as follows:

*(a)***
(4)***
(iii) Where the request is submitted by the Industrial User to the Enforcement Division Director or where the Enforcement Division Director elects to modify the Director's decision, the

Enforcement Division Director's decision will be final.

15. Section 403.6 is amended by revising paragraph (a)(5) to read as follows:

*(a)***
(5) *Requests for hearing and/or legal decision.* Within 30 days following the date of receipt of notice of the Enforcement Division Director's decision as to the Requester's subcategory, the Requester may submit a petition to reconsider or contest the decision to the Regional Administrator who shall act on such petition expeditiously and state the reasons for his determination in writing.

16. Section 403.6 is amended by deleting paragraph (a)(6).

17. Section 403.6 is amended by adding a new paragraph (e) as follows:

*(e) Where process effluent is mixed prior to treatment with wastewaters other than those generated by the regulated process, an equivalent concentration limit will be derived by the Control Authority as defined in § 403.12 (or by the discharger with the written concurrence of the Control Authority) and applied to the mixed effluent so as to account for the presence of flows not contributed by the regulated process. However, in no event may an equivalent pretreatment limit be used if the regulated pollutants would no longer be detectable by the equipment monitoring the combined wastewaters. The equivalent concentration limit for a specified pollutant would be derived by the use of the following formula:

$$Y = \frac{XF}{F1}$$

Where:

X = Pollutant limit specified in the applicable categorical Pretreatment standard for a process (expressed in mg/l).

Y = Equivalent pollutant limit to be applied to a mixed discharge which includes the wastewater of the regulated process (expressed in mg/l).

F = Wastewater flow generated solely by the regulated process (expressed as an average flow per day).

F1 = Total flow of the mixed discharge including the wastewater from the regulated process (expressed as an average flow per day).

§ 403.7 [Amended]

18. Section 403.7 is amended by revising the introductory text as follows:

This subpart provides the criteria and procedures to be used by a POTW in revising the pollutant discharge limits specified in categorical Pretreatment Standards to reflect removal of pollutants by the POTW:

The demonstration of removal shall consist of data which reflect the removal achieved by the POTW for those specific pollutants of concern included on the list developed pursuant to section 307(a) of the Act. A removal allowance shall not be calculated on the basis of a POTW's ability to remove any "indicator" or "surrogate" pollutants which may be limited in the applicable categorical pretreatment standard.

19. Section 403.7 is amended by revising paragraph (a)(1) as follows:

(1) * * *

(1) "Consistent POTW Removal" or "Pollutant Removal" or "Removal" shall mean reduction in the amount of a pollutant or alteration of the nature of a pollutant in the influent to a POTW to a less toxic or harmless state in the effluent. Consistent removal shall be the average of the lowest 50 percent of the removals measured according to § 403.7(c)(2). If a substance is measurable in the influent but not in the effluent, the effluent level may be assumed to be the limit of measurement, and those data may be used by the POTW in its discretion and subject to approval by the Approval Authority. If the substance is not measurable in the influent, the data may not be used. Provided, however, that where the number of samples with concentrations equal to or above the limit of measurement is between 8 and 12, the average of the lowest 6 removals shall be used. If there are less than 8 samples with concentrations equal to or above the limit of measurement, the Approval Authority may approve alternate means, such as a mass balance, for demonstrating consistent removal.

[Comment: The term "measurement" refers to the ability of the analytical method or protocol to quantify as well as identify the presence of the substance in question.]

The reduction of alteration can be obtained by physical, chemical or biological means and may be the result of specifically designed POTW capabilities or it may be incidental to the operation of the treatment system. Removal as used in this subpart shall not mean dilution of a pollutant in the POTW or its sewer system. The inability of monitoring equipment to detect pollutants in the influent to the POTW Treatment Plant shall not, by itself, constitute removal. Provided, however,

that where the pollutant is shown to the Approval Authority to be removed (as defined in this section) during the time it is in the POTW removal may be based upon this showing pursuant to the requirements of this section.

* * * * *

20. Section 403.7 is amended by revising paragraph (b) as follows:

(b) *Revision of categorical Pretreatment Standards to reflect POTW Pollutant Removal.* Any POTW receiving wastes from an Industrial User to which a section 307 (b) or (c) categorical Pretreatment Standard applies may, subject to the conditions of this section, revise the discharge limits for a specific pollutant(s) covered in the categorical Pretreatment Standard, applicable to that user and contained on the list of pollutants developed pursuant to section 307(a) of the Act. Revised discharge limits shall be based upon the POTW's demonstrated capability to remove that (those) pollutant(s). Revision of pollutant discharge limits in categorical Pretreatment Standards by a POTW may be made provided that:

21. Section 403.7 is amended by revising paragraph (b)(2) as follows:

(b) * * *

(2) The POTW has a Pretreatment Program approved in accordance with §§ 403.8, 403.9 and 403.11; provided however, a POTW may conditionally revise the discharge limits for specific pollutants, even though a pretreatment program has not been approved, in accordance with the following terms and conditions. These provisions also govern the issuance of provisional authorizations as provided in § 403.7(c)(2)(v):

(i) All Industrial Users who wish to receive a conditional revision of categorical Pretreatment Standards must submit to the POTW the information required in § 403.12(b)(1)-(7). The submission shall indicate what additional technology, if any, will be needed to comply with the categorical Pretreatment Standards as conditionally revised by the POTW.

(ii) The POTW must compile and submit data demonstrating removal in accordance with the requirements of § 403.7(c)(1)-(7). The POTW shall submit to the Approval Authority a removal report which comports with the requirements of § 403.12 (l) and (m). This report shall contain a certification by any of the persons specified in § 403.12(l) or by an independent engineer containing the following statement: "I have personally examined

and am familiar with the information submitted in the attached document, and I hereby certify under penalty of law that this information was obtained in accordance with the requirements of § 403.7(c). Moreover, based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

(iii) The Industrial User must enter into a compliance schedule with the POTW to install technology needed to meet the conditionally revised standards within the time period provided by the applicable categorical Pretreatment Standard(s).

(iv) The POTW must submit to the Approval Authority an application for pretreatment program approval meeting the requirements of §§ 403.8 and 403.9 (a) or (b) in a timely manner, not to exceed the time limitation set forth in a compliance schedule for development of a pretreatment program included in the POTW's NPDES permit.

(v) If a POTW grants conditional revision(s) and the Approval Authority subsequently makes a final determination after notice and an opportunity for a hearing that the POTW failed to comply with conditions (ii) or (iv) herein, or that its sludge use or disposal practices are not in compliance with the provisions of § 403.7(b)(4), the conditional revision shall be terminated by the Approval Authority and all Industrial Users to whom the revised discharge limits had been applied shall achieve compliance with the applicable categorical Pretreatment Standard(s) within a reasonable time [not to exceed the period of time prescribed in the applicable categorical Pretreatment Standard(s)] as specified by the Approval Authority. Provided, however, that the conditional revision(s) shall not be terminated where the POTW has not made a timely application for program approval if the POTW has made demonstrable progress toward and has demonstrated and continues to demonstrate an intention to submit an approvable pretreatment program as expeditiously as possible within an additional period of time, not to exceed 1 year, established by the Approval Authority."

(vi) If a POTW grants conditional revision(s) and the POTW or Approval Authority subsequently makes a final determination after notice and an opportunity for a hearing that the Industrial User(s) failed to comply with

conditions (i) or (iii) herein, or failed to meet the dates specified in the compliance schedule required by (iii) herein, the conditional revision shall be terminated by the POTW or the Approval Authority for the non-complying Industrial Users and all non-complying industrial Users to whom the revised discharge limits had been applied shall achieve compliance with the applicable categorical Pretreatment Standard(s) within the time period specified in such standard(s).

[Comment: The conditional revision(s) shall not be terminated where a violation of the provisions of this subparagraph results from causes entirely outside of the control of the Industrial User or the Industrial User has demonstrated substantial compliance.]

(vii) The POTW shall submit to the Approval Authority by December 31 of each year the name and address of each Industrial User that has received a conditionally revised discharge limit. If the conditionally revised discharge limit is revoked, the POTW must submit the information in (i) above to the Approval Authority.

* * * * *
22. Section 403.7 is amended by revising paragraph (b)(3) as follows:

(b) * * *
(3) The POTW provides consistent removal of each pollutant regulated directly or indirectly by a categorical pretreatment standard for which the discharge limit is to be revised at a level which justifies the amount of revision to the discharge limit. POTWs with combined sewers or systems which at least once annually, bypass untreated wastewater to receiving waters may claim consistent removal of a pollutant only by complying with either (i) or (ii) below:

(i) The Industrial User provides containment or otherwise ceases all discharges from the regulated processes which contain the pollutant for which an allowance is requested during all circumstances in which a bypass event can reasonably be expected to occur. Allowances under this provision will only be granted where the POTW submits to the Approval Authority evidence that:

(A) All Industrial Users to which the POTW proposes to apply this provision have demonstrated the ability to contain or otherwise cease, during circumstances in which a bypass event can reasonably be expected to occur, all discharges from the regulated processes which contain pollutants for which an allowance is requested.

(B) The POTW has identified circumstances in which a bypass event can reasonably be expected to occur, and has a notification or other viable

plan to insure that Industrial Users will learn of an impending bypass in sufficient time to contain or cease discharging to prevent untreated bypasses from occurring. The POTW must also demonstrate that it will monitor and verify the data required in paragraph (C) herein to insure that Industrial Users are containing or ceasing operations during POTW bypasses.

(C) All Industrial Users to which the POTW proposes to apply this provision have demonstrated the ability and commitment to collect and make available upon request by the POTW, State Director or EPA Regional Administrator daily flow reports or other data sufficient to demonstrate that all discharges from regulated processes containing the pollutant for which the allowance is requested were contained or otherwise ceased during all circumstances in which a bypass event was reasonably expected to occur; or

(ii)(A) The Consistent Removal claimed is reduced pursuant to the following equation:

$$Y = \frac{X}{1-r} \times \frac{8760-Z}{8760}$$

Where X, r, and Y are as specified in § 403.7(c)(4)(i) and where Z = hours per year that bypassing occurred between the Industrial User(s) and the POTW Treatment Plant, the hours either to be shown in the POTW's current NPDES permit application or the hours, as demonstrated by verifiable techniques, that a particular Industrial User's discharge is actually bypassed between the Industrial User and the POTW.

(B) After July 1, 1983, Consistent Removal may be claimed only where efforts to correct the conditions resulting in untreated discharges by the POTW are underway in accordance with the policy and procedures set forth in "PRM 75-34" or "Program Guidance Memorandum-61" (same document) published on December 16, 1975 by EPA's Office of Water Program Operations (WH-546). Revisions to discharge limits in categorical Pretreatment Standards may not be made where efforts have been committed to by the POTW to minimize pollution from bypasses. At minimum, by July 1, 1983, the POTW must have completed the analysis required by PRM 75-34 and be making an effort to implement the plan. Provided, however, that this subsection shall not apply where Industrial User(s) can demonstrate that bypassing does not occur between the Industrial User(s) and the POTW Treatment Plant; in such cases the POTW may calculate discharge limits for such Industrial User(s) pursuant to § 403.7(c).

[Comment: If, by July 1, 1983, a POTW has begun the PRM 75-34 analysis but due to circumstances beyond its control has not completed it, Consistent Removal, subject to the approval of the Approval Authority, may continue to be claimed according to the formula in (ii)(A) above so long as: (1) the POTW acts in a timely fashion to complete the analysis, and makes an effort to implement the non-structural cost-effective measures identified by the analysis and (2) has expressed its willingness to apply, after completing the analysis, for a Construction Grant necessary to implement any other cost effective bypass controls identified in the analysis should federal funds become available, so applies for such funds, and proceeds with the required construction in an expeditious manner. In addition, Consistent Removal may, subject to the approval of the Approval Authority, continue to be claimed according to the formula in (ii)(A) above where the POTW has completed and the Approval Authority has accepted the analysis required by PRM 75-34 and the POTW has requested inclusion in its NPDES permit of an acceptable compliance schedule providing for timely implementation of cost effective control measures identified in the analysis. In considering what is timely implementation, the Approval Authority shall consider the availability of funds, cost of control measures, and seriousness of the water quality problem.]

23. Section 403.7 is amended by revising paragraph (b)(4) to read as follows:

(b) * * *
(4) Such revision will not contribute to the POTW's inability to comply with its NPDES permit or with applicable sludge use or disposal regulations developed under section 405 of the Act; any regulation affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act; or more stringent State regulations (including those contained in any State sludge management plan prepared pursuant to Subtitle D of SWDA) applicable to the sludge management methods being used.

The POTW will be authorized to revise discharge limits only for those pollutants that do not contribute to the violation of its NPDES permit or any of the above regulations.

[Comment: This provision is not intended to require pretreatment for compatible waste as a substitute for adequate municipal treatment. When difficulties arise in meeting NPDES permit conditions, it is the responsibility of the POTW to come into compliance with its permit. The POTW should consider a solution that is cost-effective and equitable, and consistent with the goal of joint treatment.]

24. Section 403.7 is amended by revising paragraph (c) to read as follows:

* * * * *

(c) Application for: (1) authorization to revise discharge limits for Industrial Users who are or in the future may be subject to categorical Pretreatment Standards; or (2) approval of discharge limits conditionally revised for Industrial Users by the POTW pursuant to § 403.7(b)(2) shall be submitted by the POTW to the Approval Authority. Each POTW may submit such an application no more than once per year with respect to either: (1) any categorical Pretreatment Standard promulgated in the prior 18 months; (2) any new or modified facilities or production changes resulting in the discharge of pollutants which were not previously discharged and which are subject to promulgated categorical standards; and (3) any significant increase in removal efficiency attributable to specific identifiable circumstances or corrective measures (such as improvements in operation and maintenance practices, new treatment or treatment capacity, or a significant change in the influent to the POTW Treatment Plant). The Approval authority may, however, elect not to review such application(s) upon receipt where the POTW grants conditional revised discharge limits which will remain in effect until reviewed by the Approval Authority. This review may occur at any time in accordance with the procedures of § 403.11, but in no event later than the time of any pretreatment program approval or any NPDES permit reissuance thereafter. If the Consistent Removal claimed is based on an analytical technique other than the technique specified by the applicable categorical pretreatment standard, the Approval Authority may require that the POTW perform additional analyses.

[Comment: The Approval Authority is encouraged to review applications promptly upon receipt where failure to do so might result in substantial economic hardship to affected Industrial User(s) if such User(s) were required subsequently to install significantly different or more expensive pretreatment equipment in the event the POTW's revision of National Pretreatment Standards is denied or reduced. Prompt review will enable Industrial Users to make plans with greater confidence and will protect the environment from pollution which might result from inappropriate conditional revised discharge limits.]

Requests for authorization to revise discharge limits in categorical Pretreatment Standards must be supported by the following information.

25. Section 403.7 is amended by revising paragraph (c)(2) to read as follows:

- (c) * * *
(2) Influent and effluent operational

data demonstrating Consistent Removal or other information, as provided for in § 403.7(a)(1) which demonstrate Consistent Removal of the pollutants for which a removal allowance is proposed. These data shall meet the following requirements:

26. Section 403.7 is amended by revising paragraph (c)(2)(i) to read as follows:

- (c) * * *
(2) * * *
(i) The data shall be representative of yearly and seasonal conditions to which the POTW is subjected for each pollutant for which a removal allowance is proposed.

27. Section 403.7 is amended by revising paragraph (c)(2)(ii) to read as follows:

- (c) * * *
(2) * * *
(ii) The data shall be representative of the quality and quantity of normal effluent and influent flow if such data can be obtained. If such data are unobtainable, alternate data or information may be presented for approval to demonstrate Consistent Removal as provided for in § 403.7(a)(1).

28. Section 403.7 is amended by revising paragraph (c)(2)(iii) to read as follows:

- (c) * * *
(2) * * *
(iii) The influent and effluent operational data shall be obtained through composite samples. A minimum of 12 samples shall be taken at approximately equal intervals throughout the year. Each composite sample will consist of discrete flow-proportional samples taken at equal time intervals not to exceed 2 hours. The sampling period shall be a minimum of 24 hours and each effluent sample will be taken approximately one detention time later than the corresponding influent sample except that, if the Approval Authority determines that such a sampling schedule will not be representative of the actual operation of the POTW Treatment Plant, an alternative sampling schedule will be required. The detention time shall be determined from the flow at the time sampling begins.

29. Section 403.7 is amended by revising paragraph (c)(2)(iv) to read as follows:

- (c) * * *
(2) * * *

- (c) * * *
(2) * * *

(iv) Where composite sampling is not an appropriate sampling technique, a grab sample(s) shall be taken to obtain influent and effluent operational data. Grab samples will be required, for example, where the parameters being evaluated are those, such as cyanide and phenol, which may not be held for any extended period because of biological, chemical or physical interactions which take place after sample collection and affect the results. A grab sample is an individual sample collected over a period of time not exceeding 15 minutes. The sampling referred to in paragraphs (c)(2)(i)-(iv) and (c)(5)(ii) of this section and an analysis of these samples shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

[Comment: Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed using validated analytical methods or any other applicable sampling and analytical procedures including procedures suggested by the POTW or other parties, approved by the Administrator.]

All data under (a) or (b) herein must be submitted to the Approval Authority (EPA or NPDES State). Removal for a specific pollutant shall be determined either: (a) for each sample by measuring the difference between the concentrations of the pollutant in the influent and effluent of the POTW and expressing the difference as a percent of the influent concentration or (b) where such data cannot be obtained, removal may be demonstrated using other data or procedures subject to concurrence by the Approval Authority as provided for in § 403.7(a)(1).

30. Section 403.7 is amended by adding a new paragraph (c)(2)(v) as follows:

(v) For pollutants which are not currently being discharged (new or modified facilities, or production changes) application may be made for provisional authorization to revise the applicable categorical Pretreatment Standard prior to initial discharge of the pollutant. Consistent removal may be based provisionally on data from treatability studies or demonstrated removal at other treatment facilities where the quality and quantity of influent are similar. The procedures for provisional authorization shall be those set forth in § 403.7(b)(2). Once the pollutant is being discharged, Consistent

Removal must be demonstrated pursuant to the requirements of paragraphs (c)(2)(i)-(iv) of this section.

31. Section 403.7 is amended by revising the first sentence of paragraph (c)(5)(i) to read as follows:

(c) * * *

(i) The data shall be obtained through a composite sample taken during each of the sampling periods selected to measure Consistent POTW Removals in accordance with the requirements of paragraph (c)(2)(iii) of this section. Each composite sample will contain a minimum of 12 discrete samples taken at equal time intervals over a 24 hour period. Where a composite sample is not an appropriate sampling technique, grab samples shall be taken.

32. Section 403.7 is amended by revising paragraph (c)(7) to read as follows:

(c) * * *

(7) The Certification statement required by § 403.7(b)(2)(ii) stating that the Pollutant Removals and associated revised discharge limits have been or will be calculated in accordance with this regulation and any guidelines issued by EPA under section 304(g) of the Act.

33. Section 403.7 is amended by deleting paragraph (d)(3).

34. Section 403.7 is amended by revising paragraph (d)(4) as follows:

(d) * * *

(4) The Approval Authority shall, at such time as it elects to review the Submission for conditional approval under § 403.7(c) or at the time of POTW Pretreatment Program approval or NPDES permit reissuance thereafter authorize the POTW to revise Industrial User discharge limits as submitted pursuant to paragraph (c)(4) of this section which comply with the provisions of this section.

35. Section 403.7 is amended by adding a new paragraph (d)(5) as follows:

(d) * * *

(5) Nothing in these regulations precludes an Industrial User, State, or other interested party from assisting the POTW in preparing and presenting the information necessary to apply for authorization to revise Categorical Pretreatment Standards.

36. Section 403.7 is amended by revising paragraph (e) as follows:

(e) *Continuation and withdrawal of authorization.* (1) Following authorization to revise the discharge limits in National Pretreatment Standards, the POTW shall continue to monitor and report on (at such frequencies and over such intervals as may be specified by the Approval Authority, but in no case less than two times per year) the POTW's Removal capabilities for all pollutants for which authority to revise the Standards was granted. Such monitoring and reporting shall be in accordance with § 403.12 paragraphs (g) and (i) of this regulation. Approval of authority to revise Pretreatment Standards will be re-examined whenever the municipal NPDES Permit is reissued, unless the Approval Authority determines the need to re-evaluate the authority pursuant to § 403.7(e)(4). In addition where bypasses of untreated waste by the POTW continue to occur the Approval Authority may condition continued authorization to revise discharge limits upon the POTW performing additional analysis and/or implementing additional control measures as is consistent with EPA policy toward POTW bypass.

37. Section 403.7 is amended by revising paragraph (e)(3) as follows:

(e) * * *

(3) Where the NPDES State has an approved pretreatment program the Regional Administrator may agree, in the Memorandum of Agreement under 40 CFR Part 123.7, to waive the right to review and object to Submissions for authority to revise discharge limits under this section. Such an agreement shall not restrict the Regional Administrator's right to comment upon or object to permits issued to POTW's except to the extent permitted under 40 CFR Part 123.7(b)(3)(i)(D).

38. Section 403.7 is amended by revising paragraph (e)(4) as follows:

(e) * * *

(4) If, on the basis of pollutant removal capability reports received pursuant to subparagraph (1) of this section or other information available to it, the Approval Authority determines: (i) that one or more of the discharge limit revisions made by the POTW, or the POTW itself, no longer meets the requirements of paragraph (b) of this section; or (ii) that such discharge limit revisions are causing or significantly

contributing to a violation of any conditions or limits contained in the POTW's NPDES Permit, the Approval Authority shall notify the POTW and, if appropriate corrective action is not taken within a reasonable time, not to exceed 60 days unless the POTW or the affected Industrial Users demonstrate that a longer time period is reasonably necessary to undertake the appropriate corrective action, either withdraw such discharge limits or require modifications in the revised discharge limits. The Approval Authority shall not withdraw or modify revised discharge limits unless it shall first have notified the POTW and all Industrial Users to whom revised discharge limits have been applied, and made public, in writing, the reasons for such withdrawal or modification, and the time to be allowed for new compliance dates, and an opportunity is provided for a hearing. Following such notice and withdrawal or modification, all Industrial Users to whom revised discharge limits had been applied, shall be subject to the modified discharge limits or the discharge limits prescribed in the applicable categorical Pretreatment Standards, as appropriate, and shall achieve compliance with such limits within a reasonable time [not to exceed the period of time prescribed in the applicable categorical Pretreatment Standard(s)] as may be specified by the Approval Authority.

[Comment: This provision is not intended to require pretreatment for compatible waste as a substitute for adequate municipal treatment. When difficulties arise in meeting NPDES permit conditions, it is the responsibility of the POTW to come into compliance with its permit. The POTW should consider a solution that is cost-effective and equitable, and consistent with the goal of joint treatment.]

39. Section 403.7 is amended by adding a new paragraph (f) as follows:

(f) Where an NPDES State with an approved pretreatment program elects to implement a local pretreatment program in lieu of requiring the POTW to develop such a program [see § 403.10(e)] the POTW shall nevertheless be responsible for demonstrating removal as provided for in this section. The POTW will not, however, be required to develop a pretreatment program as a precondition to obtaining approval of the allowance as required by § 403.7(b)(2). Instead, before a removal allowance is approved, the State will be required to demonstrate that sufficient technical personnel and resources are available to ensure that modified discharge limits are correctly applied to affected Users,

and that a consistent level of Removal is maintained.

§ 403.8 [Amended]

40. Section 403.8 is amended by revising paragraph (a) as follows:

(a) POTW's required to develop a Pretreatment Program. Any POTW (or combination of POTW's operated by the same authority) with a total design flow greater than 5 million gallons per day (mgd) and receiving from Industrial Users pollutants which pass through untreated or interfere with the operation of the POTW or are otherwise subject to section 307 (b) or (c) standards will be required to establish a POTW Pretreatment Program. The Regional Administrator or State Director may require that a POTW with a design flow of 5 mgd or less develop a POTW Pretreatment Program if he finds that the nature or volume of the industrial influent, treatment process upsets, violations of POTW effluent limitations, contamination of municipal sludge, or other circumstances warrant in order to prevent interference with the POTW or pass through of untreated pollutants. In addition, any POTW desiring to modify national Pretreatment Standards for pollutants removed by the POTW (as provided for by § 403.7) must have an approved POTW Pretreatment Program.

41. Section 403.8 is amended by revising paragraph (f)(1)(i) as follows:

(f) ***
(1) ***
(i) Deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Industrial Users where such contributions do not meet applicable Pretreatment Standards and requirements or where such contributions would cause the POTW to violate its NPDES permit.

[Comment: This provision is not intended to require pretreatment for compatible waste as a substitute for adequate municipal treatment. When difficulties arise in meeting NPDES permit conditions, it is the responsibility of the POTW to come into compliance with its permit. The POTW should consider a solution that is cost-effective and equitable, and consistent with the goal of joint treatment.]

42. Section 403.8 is amended by adding a comment to paragraph (f)(1)(iv) as follows:

(d) ***
(1) ***

(iv) ***

[Comment: POTWs and NPDES States are encouraged to develop procedures to ensure the protection of trade secrets and confidential business information. (See 40 CFR Part 2)]

43. Section 403.8 is amended by revising paragraph (f)(1)(vi)(B) as follows:

(f) ***
(1) ***
(iv) ***
(B) Pretreatment Requirements which will be enforced through the remedies set forth in subparagraph (A) will include but not be limited to, the duty to allow or carry-out inspections, entry, or monitoring activities; any rules, regulations, or orders issued by the POTW; or any reporting requirements imposed by the POTW or these regulations. The POTW shall have authority and procedures (after informal notice to the discharger) immediately and effectively to halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons. The POTW shall also have authority and procedures (which shall include notice to the affected Industrial Users and an opportunity to respond) to halt or prevent any discharge to the POTW which presents or may present an endangerment to the environment or which threatens to interfere with the operation of the POTW. The Approval Authority shall have authority to seek judicial relief for noncompliance by Industrial Users when the POTW has acted to seek such relief but has sought a penalty which the Approval Authority finds to be insufficient.

[Comment: The procedures for notice to dischargers where the POTW is seeking ex parte temporary judicial injunctive relief will be governed by applicable State or Federal law and not by this provision.]

44. Section 403.8 is amended by revising paragraph (f)(2)(vii) as follows:

(f) ***
(2) ***
(vii) Comply with the public participation requirements of 40 CFR Part 25 in the enforcement of National Pretreatment Standards. These procedures shall include provision for at least annually providing public notification, in the largest daily newspaper published in the municipality in which the POTW is located, of Industrial Users which, during the previous 12 months, were significantly

violating applicable Pretreatment Standards or other pretreatment requirements. For the Purposes of this provision, a significant violation would be those violations which remain uncorrected 45 days after notification of noncompliance; which are part of a pattern of noncompliance over a twelve month period; or which involve a failure to accurately report noncompliance.

§ 403.9 [Amended]

45. Section 403.9 is amended by revising the comment following paragraph (b)(1) as follows:

(b) ***
(1) ***

[Comment: For example, where a compliance monitoring program for a source in a certain industrial category is not yet required because the Pretreatment Standard for that industrial category has not been promulgated and no other pretreatment requirements apply to that source.]

46. Section 403.9 is amended by revising the last sentence of paragraph (b)(3) as follows:

(b) ***

(3) Funding and personnel for the program aspects to be implemented at a later date will be available when needed. The POTW will describe in the Submission the mechanism by which this funding will be acquired. Upon receipt of a request for conditional approval, the Approval Authority will establish a fixed date for the acquisition of the needed funding and personnel. If funding is not acquired by this date, the conditional approval of the POTW Pretreatment Program, and any removal allowances granted to the POTW, may be modified or withdrawn.

47. Section 403.9 is amended by revising paragraph (f) to read as follows:

(f) If, after review of the Submission as provided for in paragraph (e) of this section, the Approval Authority determines that the Submission does not comply with the requirements of paragraphs (a), (b), (d), and/or (c) of this section, the Approval Authority shall so notify in writing the applying POTW and each person who has requested individual notice and shall publish a notice of noncompliance in the largest daily newspaper of the city or municipality in which the POTW is located. This notification shall identify any defects in the Submission and advise the POTW and each person who has requested individual notice of the

means by which the POTW can comply with the applicable requirements of paragraphs (a), (b), (d), and/or (c) of this section.

§ 403.10 [Amended]

48. Section 403.10 is amended by adding the following sentence to the end of paragraph (b)(1):

(b) * * *
(1) * * *

A State will be required to act upon those authorities which it currently possess before the approval of a State Pretreatment Program.

49. Section 403.10 is amended by revising paragraph (c) as follows:

(c) The EPA may exercise the authorities available to it to apply and enforce pretreatment standards and requirements until the necessary implementing action is taken by the State. Failure of a State to seek approval of a State Pretreatment Program as provided for in paragraph (a) or (b) and failure of an approved State to administer its State Pretreatment Program in accordance with the requirements of this section constitutes grounds for withdrawal of NPDES program approval under section 402(c)(3) of the Act.

50. Section 403.10 is amended by revising the first portion of paragraph (d)(1) to read as follows:

(d)(1) Before the Submission date for State Pretreatment Program's, set forth in § 403.10(b), any Permit issued to a POTW which meets the requirements of § 403.8(a) by an NPDES State without an approved State Pretreatment Program shall include a modification clause. This clause will require that such Permits be promptly modified or, alternatively, revoked and reissued after the Submission date for State Pretreatment Program's, set forth in § 403.10(b), to incorporate into the POTW's Permit an approved POTW Pretreatment Program or a compliance schedule for the development of a POTW Pretreatment Program according to the requirements of § 403.8(b) and (d) and § 403.12(h).

51. Section 403.10 is amended by revising paragraph (d)(3) as follows:

(d) * * *

(3) Permits issued by an NPDES State after the Submission date for State Pretreatment Program's set forth in

§ 403.10(b) shall contain conditions of an approved Pretreatment Program or a compliance schedule for developing such a program in accordance with § 403.8(b) and (d) and § 403.12(h).

52. Section 403.10 is amended by revising paragraph (e) as follows:

(e) A State with an approved Pretreatment Program may assume responsibility for implementing the POTW Pretreatment Program requirements set forth in §403.8(f) in lieu of requiring the POTW to develop a Pretreatment Program. However, this does not preclude POTW's from independently developing Pretreatment Programs.

53. Section 403.10 is amended by revising paragraph (f)(2)(iii) as follows:

(f) * * *
(2) * * *

(iii) Develop compliance schedules for inclusion in POTW Permits which set forth the shortest reasonable time schedule for the completion of tasks needed to implement a POTW Pretreatment Program.

54. Section 403.10 is amended by revising paragraph (g)(1)(i)-(iii) to read as follows:

(g) * * *

(1)(i) A statement from the State Attorney General (or the Attorney for those State agencies which have independent legal counsel) that the laws of the State provide adequate authority to implement the requirements of this Part. The authorities cited by the Attorney General in this statement shall be in the form of lawfully adopted State statutes and regulations which shall be in full force and effect before the time of approval of the State Pretreatment Program.

(ii) Copies of all State statutes and regulations cited in the above statement.

55. Section 403.10 is amended by revising paragraph (h) to read as follows:

(h) Any approved NPDES State requesting State Pretreatment Program approval shall submit to the Regional Administrator three copies of the Submission described in paragraph (g) of this section. Upon a preliminary determination that the Submission meets the requirements of paragraph (g) the Regional Administrator shall:

56. Section 403.10 is amended by revising paragraph (h)(2)(i) to read as follows:

(h) * * *
(2) * * *

(i) If, after review of the Submission as provided for in paragraph (h) of this section, the Administrator determines that the Submission does not comply with the requirements of this part the Administrator shall so notify the applying NPDES State in writing. This notification shall identify any defects in the Submission and advise the NPDES State of the means by which it can comply with the requirements of this Part.

§ 403.11 [Amended]

57. Section 403.11 is amended by revising paragraph (a) to read as follows:

(a) The Approval Authority shall have 90 days from the date of public notice of any Submission complying with the requirements of § 403.9 (e) and (f) and/or § 403.7 (b) and (c), as appropriate, to review the submission for compliance with the requirements of § 403.8(f) and/or § 403.7 (b) and (c), as appropriate. The Approval Authority may have up to an additional 90 days to complete the evaluation of the Submission if the public comment period provided for in paragraph (b)(1)(ii) of this section is extended beyond 30 days or if a public hearing is held as provided for in paragraph (b)(2) of this section. In no event, however, shall the time for evaluation of the Submission exceed a total of 180 days from the date of public notice of a Submission meeting the requirements of § 403.9 (e) and (f) and/or § 403.7 (b) or (c), as appropriate.

58. Section 403.11 is amended by revising paragraph (b) to read as follows:

(b) Within 5 days of the receipt of a Submission which meets the requirements of § 403.8(f), and/or § 403.7 (b) and (c), as appropriate, or at such later time under § 403.7(c) that the Approval Authority elects to review the Submission, the Approval Authority shall:

59. Section 403.11 is amended by revising paragraph (b)(1)(i) to read as follows:

(b) * * *
(1) * * *

(i) This public notice shall be circulated in a manner designed to inform interested and potentially interested persons of the Submission. Procedures for the circulation of public notice shall include:

60. Section 403.11 is amended by deleting paragraph (b)(1)(i)(A), changing paragraph (b)(1)(i)(B) to paragraph (b)(1)(i)(A) and revising it to read as follows:

- (b) * * *
- (1) * * *
- (i) * * *

(A) Mailing notices of the request for approval of the Submission to designated 208 planning agencies, Federal and State fish, shellfish, and wildlife resource agencies; and to any other person or group who has requested individual notice, including those on appropriate mailing lists; and

61. Section 403.11 is amended by changing paragraph (b)(1)(i)(C) to (b)(1)(i)(B) and revising this paragraph to read as follows:

- (b) * * *
- (1) * * *
- (i) * * *

(B) Publication of a notice of request for approval of the Submission in the largest daily newspaper within the jurisdiction(s) served by the POTW.

62. Section 403.11 is amended by revising paragraph (b)(1)(ii) to read as follows:

- (b) * * *
- (1) * * *

(ii) The public notice shall provide a period of not less than 30 days following the date of the public notice during which time interested persons may submit their written views on the Submission.

63. Section 403.11 is amended by revising paragraph (b)(1)(iii) to read as follows:

- (b) * * *
- (1) * * *

(iii) All written comments submitted during the 30 day comment period shall be retained by the Approval Authority and considered in the decision on whether or not to approve the Submission. The period for comment may be extended at the discretion of the Approval Authority.

64. Section 403.11 is amended by revising paragraph (b)(2)(i) to read as follows:

- (b) * * *
- (2) * * *

(i) This request for public hearing shall be filed within the 30 day (or extended) comment period described in subparagraph (1)(ii) of this paragraph and shall indicate the interest of the person filing such request and the reasons why a hearing is warranted.

65. Section 403.11 is amended by revising paragraph (b)(2)(ii) to read as follows:

- (b) * * *
- (2) * * *

(ii) The Approval Authority shall hold a hearing if a POTW so requests. In addition, a hearing will be held if there is a significant public interest in issues relating to whether or not the Submission should be approved. Instances of doubt should be resolved in favor of holding the hearing.

66. Section 403.11 is amended by revising paragraph (b)(2)(iii) to read as follows:

- (b) * * *
- (1) * * *

(iii) Public notice of a hearing to consider a Submission and sufficient to inform interested parties of the nature of the hearing and the right to participate shall be published in the same newspaper as the notice of the original request for approval of the Submission under paragraph (b)(1)(i)(B) of this section. In addition, notice of the hearing shall be sent to those persons requesting individual notice.

67. Section 403.11 is amended by adding a new section (b)(3) as follows:

- (b) * * *

(3) Whenever the Approval Authority elects to defer review of a Submission which authorizes the POTW to grant conditional revised discharge limits under §§ 403.7(b)(2) and 403.7(c), the Approval Authority shall publish public notice of its election in accordance with subsection (b)(1) of this section.

[Comment: The Approval Authority may decide after the comment period provided in this public notice to review the Submission at once.]

68. Section 403.11 is amended by revising paragraph (c) to read as follows:

(c) At the end of the 30 day (or extended) comment period and within the 90 day (or extended) period provided for in paragraph (a) of this section, the Approval Authority shall approve or deny the Submission based upon the evaluation in paragraph (a) of this section and taking into consideration comments submitted during the comment period and the record of the public hearing if held.

69. Section 403.11 is amended by revising paragraph (d) to read as follows:

(d) No POTW pretreatment program shall be approved by the Director if following the 30 day (or extended) evaluation period provided for in paragraph (b)(1)(ii) of this section and any hearing held pursuant to paragraph (b)(2) of this section the Regional Administrator sets forth in writing objections to the approval of such Submission and the reasons for such objections. A copy of the Regional Administrator's objections shall be provided to the applicant, and each person who has requested individual notice. The Regional Administrator shall provide an opportunity for written comments and may convene a public hearing on his objections. Unless retracted, the Regional Administrator's objections shall constitute a final ruling to deny approval of a POTW pretreatment program 90 days after the date his objections are issued.

70. Section 403.11 is amended by revising paragraph (e) to read as follows:

(e) When, upon undertaking the determination referred to in paragraph (c) of this section, the Approval Authority determines that the Submission will not be approved, the Approval Authority shall so notify the POTW and each person who has requested individual notice. This notification shall include suggested modifications and revisions necessary to bring the Program into compliance with applicable requirements.

71. Section 403.11 is amended by revising paragraph (f) to read as follows:

(f) The Approval Authority shall notify those persons who submitted comments and participated in the public

hearing, if held, of the approval or disapproval of the Submission. In addition, the Approval Authority shall cause to be published a notice of approval or disapproval in the same newspapers as the original notice of request for approval of the Submission was published. The Approval Authority shall identify in any notice of POTW Pretreatment Program approval any authorization to modify categorical Pretreatment Standards which the POTW may make, in accordance with § 403.7, for removal of pollutants subject to Pretreatment Standards.

§ 403.12 [Amended]

72. Section 403.12 is amended by revising the first part of paragraph (b) to read as follows:

(b) *Reporting Requirements for Industrial Users.* Within: (i) 180 days after the promulgation of a categorical Pretreatment Standard under section 307(b) or (c) of the Act; or (ii) 180 days of the effective date of 40 CFR Part 403 where 307(b) or (c) Categorical Pretreatment Standards are promulgated before the effective date of 40 CFR Part 403, existing Industrial Users subject to such Categorical Pretreatment Standards and currently discharging in or scheduled to discharge into a POTW will be required to submit to the Control Authority a report which contains the information listed in subparagraphs (1)-(7) of this paragraph.

73. Section 403.12 is amended by revising paragraph (b)(4) to read as follows:

(b) * * *
(4) The measured average and maximum flow of the discharge from such Industrial User to the POTW, in gallons per day, or, where approved by the Control Authority due to cost or feasibility considerations, the average and maximum flow of the discharge as estimated by verifiable techniques;

74. Section 403.12 is amended by revising paragraph (b)(5) to read as follows:

(b) * * *
(5) The nature and concentration of pollutants in the discharge from each regulated process from such Industrial User and identification of the applicable Pretreatment Standards and Requirements. The concentration shall be reported as a maximum or average level as provided for in the applicable Pretreatment Standard. If an equivalent

concentration limit has been calculated in accordance with § 403.6(e), this adjusted concentration limit shall also be submitted to the Control Authority for approval.

75. Section 403.12 is amended by revising paragraph (e) to read as follows:

(e)(1) Any Industrial User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the Control Authority during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Control Authority or the Approval Authority, a report indicating the nature and concentration, of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the discharge reported in paragraph (b)(4) of this section, except that, the Control Authority may require more detailed reporting of flows.

[Comment: Authority to require more detailed reporting of flow should, in most cases, be preserved for those cases where the Industrial User is a major source of inflow to the POTW Treatment Plant or is a significant contributor of pollutants.]

At the discretion of the Control Authority and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Control Authority may agree to alter the months during which the above reports are to be submitted.

(2) The Control Authority may impose mass limitations on Industrial Users which are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subparagraph (1) of this paragraph shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the Industrial User.

76. A new section, § 403.15, will be added as follows:

§ 403.15 *Net/Gross Calculation.*

Categorical Pretreatment Standards may be adjusted to reflect the presence of pollutants in the Industrial Users' intake water in accordance with the provisions of paragraphs (a)-(d) below:

(a) Any industrial User wishing to obtain a credit for intake pollutants must make application therefore within 60 days after the effective date of the applicable Categorical Pretreatment Standard. Application shall be made to the EPA Regional Enforcement Office wherein the User is located. Upon request of the Industrial User, the applicable standard will be calculated on a "net" basis, i.e., adjusted to reflect credit for pollutants in the intake water, if the User demonstrates:

(1) Its intake water is drawn from the same body of water into which the discharge from its publicly owned treatment works is made; provided, however, no net-gross credit shall be given for pollutants found in city water even if the water originates from the same source to which the the User's POTW discharges; and

(2) The pollutants present in the intake water will not be entirely removed by the treatment system operated by the User; and

(3) The pollutants in the intake water do not vary chemically or biologically from the pollutants limited by the applicable standard; and

(4) The User does not significantly increase concentrations of pollutants in the intake water, even if the total amount of pollutants remains the same.

(b) Standards adjusted under this paragraph shall be calculated on the basis of the amount of pollutants present after any treatment steps have been performed on the intake water by or for the discharger. Adjustments under this paragraph shall be given only to the extent that pollutants in the intake water which are limited by this standard are not removed by the treatment technology employed by the User.

(c) The User shall notify the Regional Enforcement Office if there are any significant changes in the quantity of the pollutants in the intake water or in the level of treatment provided.

(d) The EPA Regional Enforcement Office shall require the User to conduct additional monitoring (i.e., for flow and concentration of pollutants) as necessary to determine continued eligibility for and compliance with any adjustments. The EPA Regional Enforcement Office shall consider all timely applications for credits for intake pollutants plus any additional evidence that may have been submitted in response to the EPA's request. The EPA office shall then make a written determination of the applicable credit(s), if any, state the reasons for its determination, state what additional monitoring is necessary, and send a copy of said determination to the applicant and the applicant's PTOW.

The decision of the Regional Enforcement Office shall be final.

77. A new section, § 403.16, will be added as follows:

§ 403.16 Upset Provision.

(a) For the purposes of this section, "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) *Effect of an Upset.* An Upset shall constitute an affirmative defense to an action brought for noncompliance with Categorical Pretreatment Standards if the requirements of paragraph (c) are met.

(c) *Conditions necessary for a demonstration of Upset.* An Industrial User who wishes to establish the affirmative defense of Upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An Upset occurred and the Industrial User can identify the specific cause(s) of the Upset;

(2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;

(3) The Industrial User has submitted the following information within 24 hours of becoming aware of the Upset (if this information is provided orally, a written submission must be provided within five days):

(i) A description of the indirect discharge and cause of noncompliance.

(ii) The period of noncompliance, including exact dates and times or if not corrected the anticipated time the noncompliance is expected to continue;

(iii) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.

(d) *Burden of proof.* In any enforcement proceeding the Industrial User seeking to establish the occurrence of an Upset shall have the burden of proof.

(e) In the usual exercise of prosecutorial discretion, Agency enforcement personnel should review any claims that noncompliance was caused by an Upset. No determinations made in the course of the review constitute final Agency action subject to judicial review. Industrial Users will

have the opportunity for a judicial determination on any claim of Upset only in an enforcement action brought for noncompliance with Categorical Pretreatment Standards.

(f) The Industrial User shall control production and all discharges upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of treatment facility is reduced, lost or fails.

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY*	USDA/ASCS		DOT/SECRETARY*	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

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

*NOTE: As of July 2, 1979, all agencies in the Department of Transportation, will publish on the Monday/Thursday schedule.

REMINDERS

The items in this list were editorially compiled as an aid to **Federal Register** users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.

Rules Going Into Effect Today

AGRICULTURE DEPARTMENT

Food Safety and Quality Service—

- 55810 9-28-79 / Designation of the Commonwealth of the Northern Mariana Islands under the Federal Meat Inspection and Poultry Products Inspection Acts

COMMODITY FUTURES TRADING COMMISSION

- 55820 9-28-79 / Temporary moratorium regarding leverage transactions on commodities other than gold and silver bullion or bulk coins

CONSUMER PRODUCT SAFETY COMMISSION

- 55815 9-28-79 / Banning of aluminized polyester film kits as hazardous articles

ENERGY DEPARTMENT

Federal Energy Regulatory Commission—

- 55887 10-11-79 / Requirements for collection of cost of service information

FEDERAL COMMUNICATIONS COMMISSION

- 55879 9-28-79 / Availability of certain frequencies for port operations purposes in the Coast Guard designated New Orleans vessel traffic services area
- 55882 9-28-79 / Availability of certain frequencies to the aeronautical radionavigation service and sharing of certain bands by aeronautical and maritime radionavigation services
- 55573 9-27-79 / Equipment authorization program; single system of identification for all devices

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Human Development Services Office—

- 55878 9-28-79 / Vocational rehabilitation program provisions

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner—

- 56927 10-3-79 / Multifamily housing mortgage insurance; special eligibility provisions for existing projects in target preservation areas

NATIONAL CREDIT UNION ADMINISTRATION

- 51191 8-31-79 / Organization and operations of Federal credit unions

NUCLEAR REGULATORY COMMISSION

- 55811 9-28-79 / Exemptions from Privacy Act provisions

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last Listing October 26, 1979

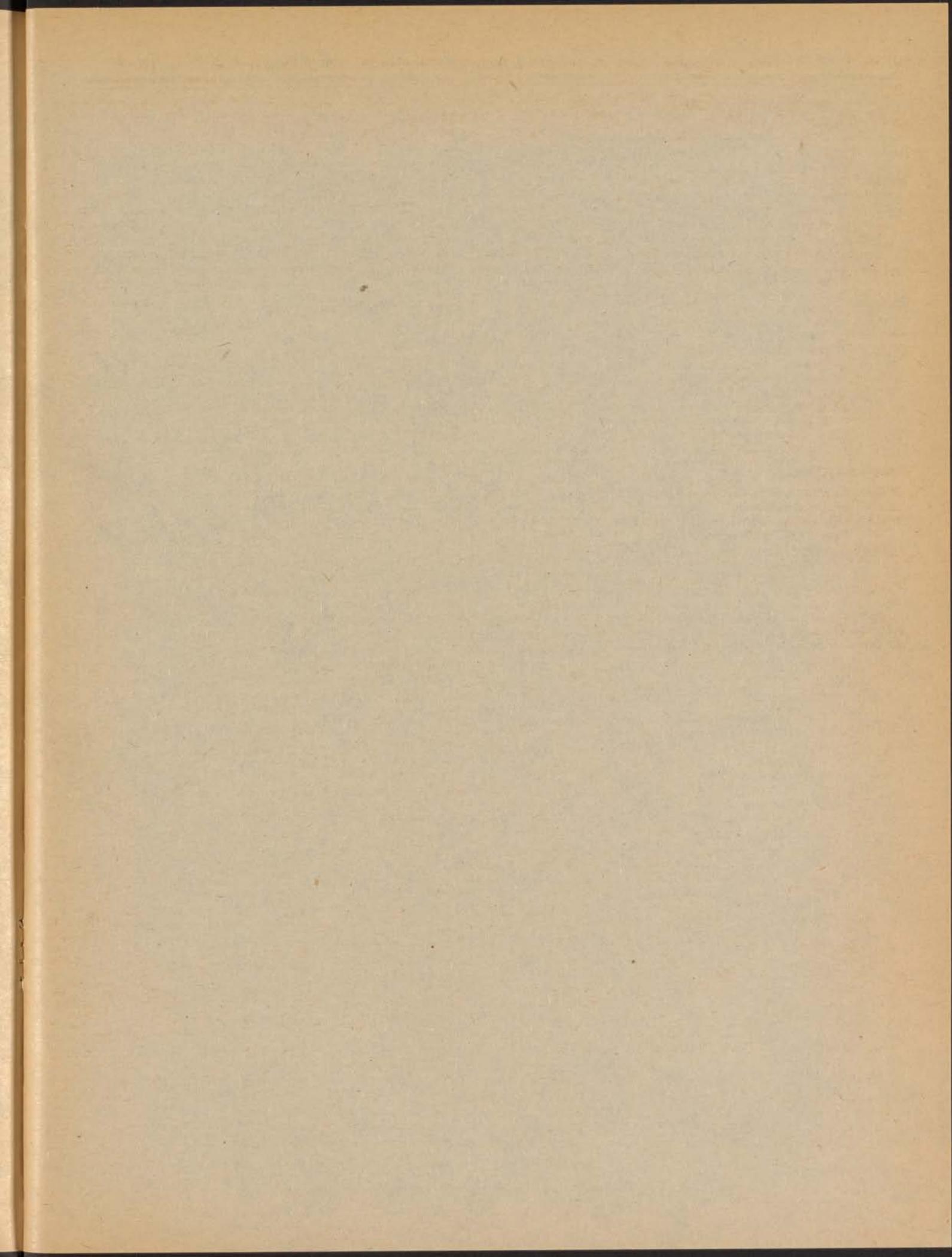
**THE FEDERAL REGISTER: WHAT IT IS
AND HOW TO USE IT**

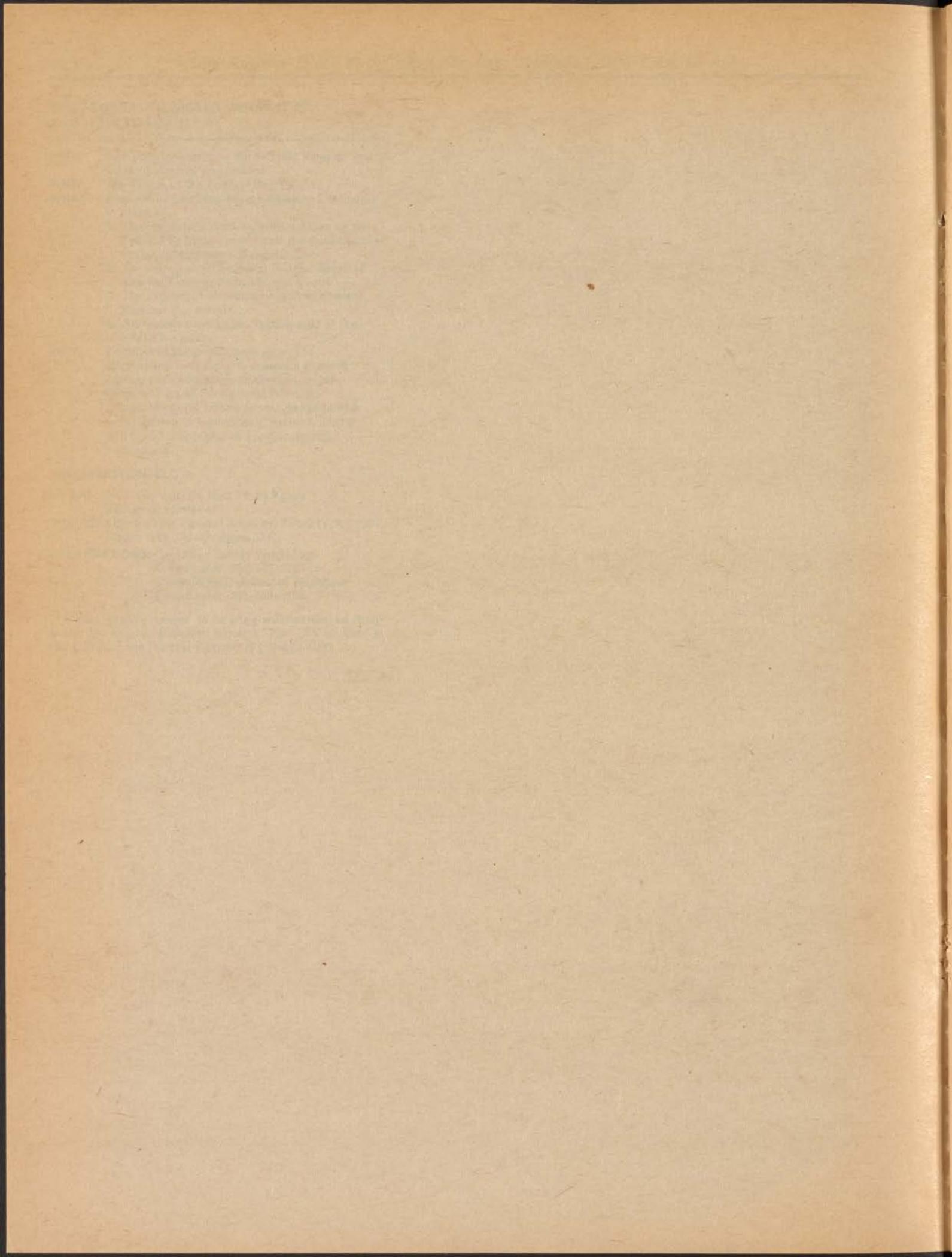
- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** The Office of the Federal Register.
- WHAT:** Free public briefings (approximately 2½ hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
 2. The relationship between Federal Register and the Code of Federal Regulations.
 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them, as part of the General Services Administration's efforts to encourage public participation in Government actions. There will be no discussion of specific agency regulations.

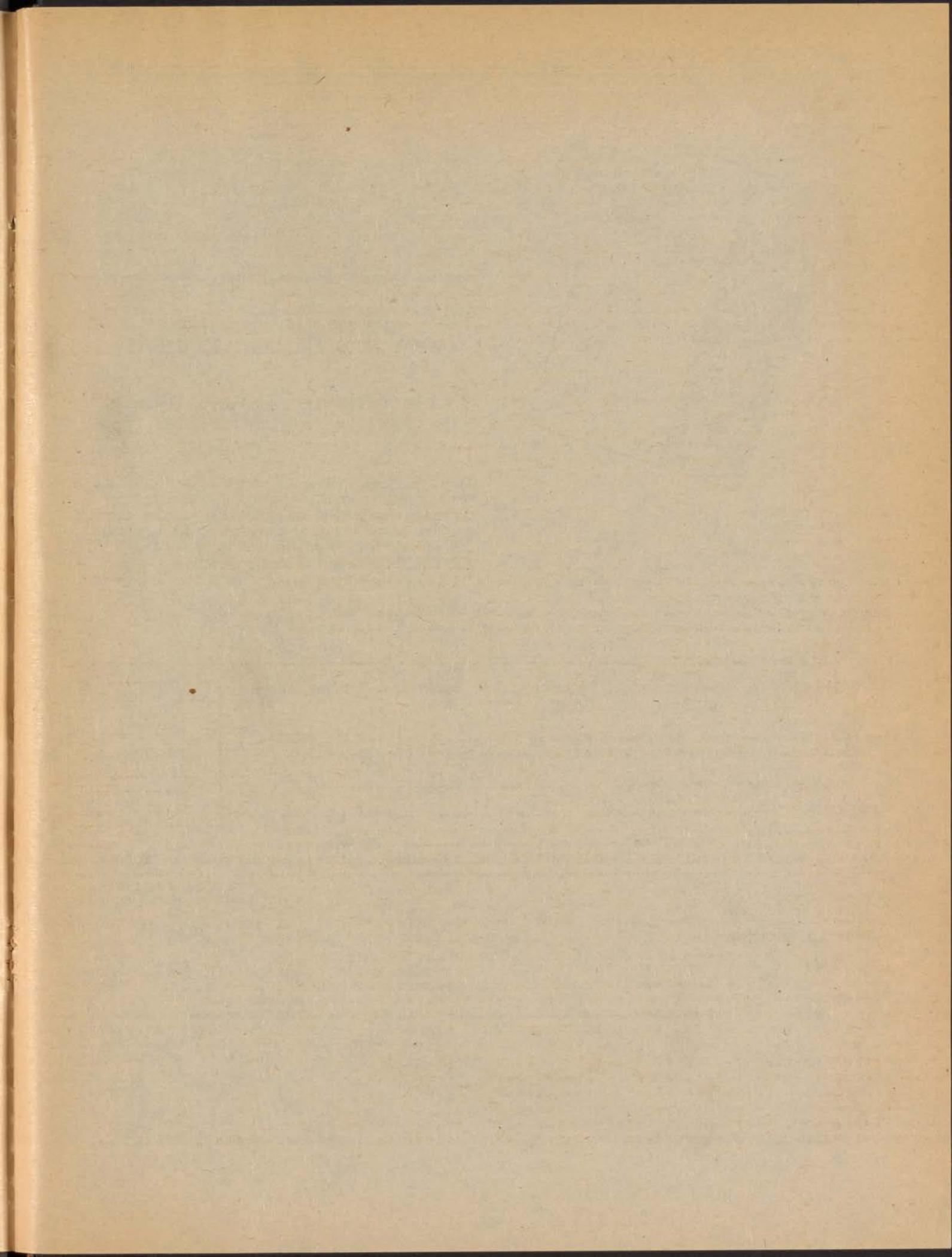
WASHINGTON, D.C.

- WHEN:** Nov. 16,* and 30; Dec. 14; at 9 a.m.
(identical sessions)
- WHERE:** Office of the Federal Register, Room 9409, 1100 L Street N.W., Washington, D.C.
- RESERVATIONS:** Call Mike Smith, Workshop Coordinator, 202-523-5235 or Gwendolyn Henderson, Assistant Coordinator, 202-523-5234.

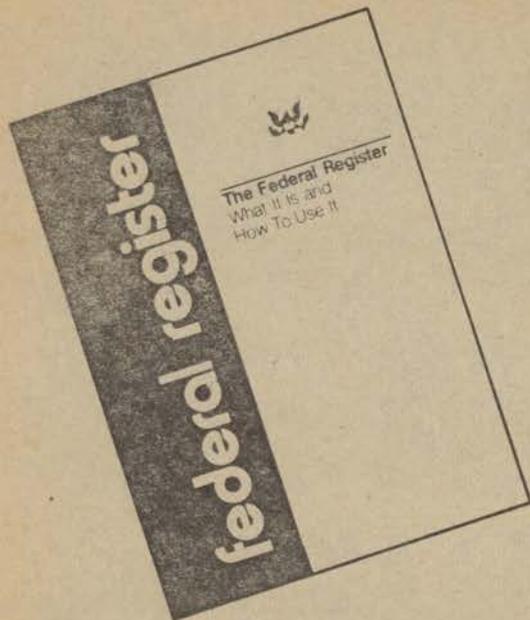
*Note: The November 16 briefing will feature an interpreter for hearing impaired persons. The TTY number at the Office of the Federal Register is 202-523-5239.







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