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Monday
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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.

26053 **Taxes** Treasury/IRS makes changes to the statement of procedural rules (SPR). The SPR governs the procedures for all taxes administered by IRS as well as certain rules applicable to the Bureau of Alcohol, Tobacco and Firearms.

26094 **Privacy Act Document** DOD/Navy

26224 **Communications** FCC revises applications for the renewal of licenses of commercial and noncommercial AM, FM, and television licensees. (Part II of this issue)

26050 **Federal Trade-Conduct Standards** FTC adopts rules to govern disciplinary actions concerning postemployment conflicts of interest.

26262 **Consumer Protection** CPSC begins the development of a proposed consumer product safety standard for chain saws and their components and replacement parts. This action is being instigated to reduce the risk of injury to consumers caused by kickback. (Part IV of this issue)

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Highlights

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Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

26224 **Continental Shelf** Interior/BLM provides affected States an opportunity to review the proposed sale notice for Sale No. 60 in the offshore waters of the Lower Cook Inlet/Shelik of Strait area. (Part II of this issue)

26058 **Pesticides** EPA grants to qualifying States the primary enforcement responsibility for pesticide use violations.

26086 **Navigation** DOT/CG solicits the public's comments and suggestions regarding the identification of constraints on bridge navigational visibility.

26065 **Wildlife** USDA/APHIS proposes procedures for the approval of commercial bird quarantine facilities and recovery of costs of services.

26213 **Sunshine Act Meetings**

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Rules and Regulations

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

Agricultural Marketing Service

7 CFR Part 982

Filberts/Hazelnuts Grown in Oregon and Washington; Order Amending Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the filbert marketing agreement and order program to improve its operation and effectiveness. The amendment was favored by the required two-thirds majority of growers voting in a referendum. The most significant change would improve the method for adopting and implementing marketing policy and volume regulation. The amendment is based on proposals submitted by the Board which works with AMS in administering the program. These proposals were considered at a public hearing last July. The referendum was conducted by the Department by mail ballot March 28–April 6, 1981.

EFFECTIVE DATE: May 11, 1981.

FOR FURTHER INFORMATION CONTACT: J. S. Miller, Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447–5697. An impact statement relative to this action is available on request from J. S. Miller.

SUPPLEMENTARY INFORMATION: Prior documents in this proceeding: Notice of Hearing—Issued June 18, 1980, and published June 24, 1980 (45 FR 42315).

Notice of Recommended Decision—Issued January 7, 1981, and published January 12, 1981 (46 FR 2622).

Final Decision—Issued March 18, 1981, and published March 23, 1981 (46 FR 18040).

Correction to Final Decision—Published April 2, 1981 (46 FR 19948).

This administrative action is governed by the provisions of Sections 556 and 557 of Title 5 of the United States Code, and thereof, is excluded from the requirements of Executive Order 12291.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities because it would result in only minimal costs being incurred by the regulated nine handlers.

Findings and determinations. The findings and determinations hereinafter set forth are supplementary, and in addition, to the findings and determinations previously made in connection with the issuance of the aforesaid order and each previously issued amendment thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed amendment of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington.

Upon the basis of the record it is found that:

(1) The order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The order, as amended, and as hereby further amended, regulates the handling of filberts grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of filberts grown in the production area which make necessary different terms and provisions applicable to different parts of such area, and

(5) All handling of filberts grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is necessary and in the public interest to make all of the amendatory provisions effective upon publication in the **Federal Register**. Any delay beyond that date would interfere with effective order administration. The amendatory order provides for a marketing year beginning May 1, 1981, and the improvements in program operations and procedures provided by that order should be utilized from the start of the 1981–82 season. Further, the amendatory order provides that Filbert/Hazelnut Marketing Board nominations for grower, handler, and public members whose terms begin May 1, 1981, shall be made and submitted to the Secretary as soon as practicable following the beginning of the 1981–82 marketing year. A prompt effective date would be consistent with fulfilling that requirement.

In view of the foregoing, it is hereby found and determined that good cause exists for making this amendatory order effective upon publication in the **Federal Register**, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the **Federal Register** (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551–559).

(c) *Determinations.* It is hereby determined that:

(1) The "Marketing Agreement, as Amended, Regulating the Handling of FILBERTS/HAZELNUTS, Grown in Oregon and Washington" [1] upon which the aforesaid public hearing was held has been signed by handlers (excluding

[1] Marketing agreement filed as part of the original document.

cooperative associations of producers who are not engaged in processing, distributing, or shipping covered by the said order, as amended, and as hereby further amended) who, during the period August 1, 1979 through July 31, 1980, handled not less than 50 percent of the volume of such filberts covered by the said order, as amended, and as hereby further amended, and

(2) The issuance of this amendatory order, amending the aforesaid order, as amended, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who during the period August 1, 1979 through July 31, 1980 (which has been deemed to be a representative period), have been engaged within Oregon and Washington, in the production of filberts for market, such producers having also produced for market at least two-thirds of the volume of such commodity represented in the referendum.

Order Relative to Handling

It is therefore ordered, That on and after the effective date hereof, the handling of filberts shall be in conformity to and in compliance with the terms and conditions of the said order, as amended, and as hereby further amended, as follows:

1. The title of the part is revised to read as follows:

PART 982—FILBERTS/HAZELNUTS GROWN IN OREGON AND WASHINGTON

2. Section 982.17 is revised to read as follows:

§ 982.17 Marketing year.

"Marketing year" means the 12 months from May 1 to the following April 30, both inclusive, or such other period of time as may be recommended by the Board and established by the Secretary.

§§ 982.1-982.88 [Nomenclature change]

3. The terms "marketing policy year" and "fiscal year" are changed to "marketing year" wherever they appear in §§ 982.1 through 982.88.

4. Section 982.18 is revised to read as follows:

§ 982.18 Board.

"Board" means the Filbert/Hazelnut Marketing Board established pursuant to § 982.30.

5. Section 982.19 is redesignated § 982.20 and a new § 982.19 is added to read as follows:

§ 982.19 Disappearance.

"Disappearance" means the difference between orchard-run production and the available supply of merchantable filberts and merchantable equivalent of shelled filberts.

§ 982.20 [Renumbered from § 982.19]

6. Section 982.30(g) is revised to read as follows:

§ 982.30 Establishment and membership.

* * * * *

(g) One public member who is neither a grower nor a handler.

7. Section 982.32 (e) and (f) are revised to read as follows:

§ 982.32 Nomination.

* * * * *

(e) All votes cast by cooperative handlers, independent handlers, or for cooperative growers, shall be weighted according to the tonnage of certified merchantable filberts and, when shelled filbert grade and size regulations are in effect, the inshell equivalent of certified shelled filberts (computed to the nearest whole ton) recorded by the Board as handled by each such handler or cooperative grower group during the preceding marketing year and if less than one ton is recorded for any such handler or cooperative grower group, the vote shall be weighted as one vote. All votes cast by independent growers shall be given equal weight. Nominations received in the foregoing manner by the Board shall be reported to the Secretary at least 60 days prior to the beginning of each marketing year, together with a certificate of all necessary data and other information deemed by the Board to be pertinent or requested by the Secretary: *Provided*, That the nominations of the persons who would serve for terms beginning May 1, 1981, together with such certificate and other information, shall be reported as soon as practicable after May 1. If such nominations of any group are not submitted to the Secretary by that time, the Secretary may select the representatives of that group without nomination.

(f) Nominees for the public member and alternate member positions specified in § 982.30(g) shall be chosen by the other eight members who are to serve on the Board during the ensuing marketing year. If nominations for such member or alternate are not submitted within 30 days after the beginning of the marketing year, the Secretary may select such member or alternate without nomination: *Provided*, That the nominations for such member and alternate member whose terms would begin May 1, 1981, shall be submitted as soon as practicable after May 1.

* * * * *

8. Section 982.33(b)(1) is revised to read as follows:

§ 982.33 Selection and term of office.

* * * * *

(b) *Term of office.* (1) The term of office of each member and alternate member shall be two marketing years from the beginning of the marketing year, except that (i) the terms of office of one of the grower members and the member's alternate specified in § 982.30 (a) and (b) shall expire at the end of the first even numbered marketing year following the year of selection, and the terms of office of all other members and alternate members shall expire at the end of the first odd-numbered marketing year following the year of selection; (ii) if the representation on the Board in an ensuing marketing year will, by reason of change in representation pursuant to § 982.30 (c) and (f), be different from that in the current marketing year, the terms of office of all grower and handler members and alternate members shall expire at the end of the current marketing year and successor members and alternate members shall be nominated and selected in conformance with §§ 982.30 and 982.33; (iii) if the districts for independent grower representation in an ensuing marketing year will be different from that in the current marketing year, the terms of office of all independent grower members and alternate members specified in § 982.30 (e) and (f) shall expire at the end of the current marketing year, and persons nominated to succeed them shall be nominated and selected so as to conform with such changed representation.

* * * * *

9. Section § 982.34 is revised to read as follows:

§ 982.34 Qualification.

(a) Any person selected to serve as a member or an alternate member of the Board shall qualify by filing with the Secretary a written acceptance of appointment. Any member or alternate member who at the time of selection was a member or employed by a member of the group which nominated that person shall, upon ceasing to be such a member or employee, become disqualified to serve further and that position on the Board shall be deemed vacant. In the event any member or alternate member of the Board qualified and selected, in accordance with the provisions of §§ 982.30 and 982.32, to represent independent growers should

during that person's term of office handle filberts produced by other growers or become an employee of a handler, that position on the Board shall thereupon be deemed to be vacant.

(b) No person nominated to serve as a public member or alternate shall have a financial interest in any filbert growing or handling operation.

10. Section 982.39(f) is revised to read as follows:

§ 982.39 Duties.

* * * * *

(f) To cause the books of the Board to be audited by one or more public accountants approved by the Board at least once for each marketing year and at such other times as the Board deems necessary or as the Secretary may request, and to file with the Secretary reports of all audits made;

* * * * *

11. Section 982.40 is revised to read as follows:

§ 982.40 Marketing policy and volume regulation.

(a) *General.* As provided in this section, for each marketing year the Board may hold meetings for the purpose of computing its marketing policy for that year and shall do so for the purpose of submitting any recommendations on its policy to the Secretary. The Board may designate one of its employees to compute and announce the preliminary computed and final computed free and restricted percentages.

(b) *Trade demand.* Prior to August of a marketing year, the Board shall recommend establishment of an inshell trade demand for that year to the Secretary. The inshell trade demand shall equal the average of the trade acquisitions of inshell filberts during the proceding three years. If the trade acquisitions during any one or all of those years was abnormally low because of crop conditions, the Board may use a more representative prior year or years in determining the three-year average. If the Secretary finds, on the basis of the Board's recommendation or other information that limiting the quantity of merchantable filberts which may be handled during a marketing year through application of the free and restricted percentages to that trade demand as provided in paragraph (c) of this section would tend to effectuate the declared policy of the act, the Secretary shall establish that trade demand.

(c) *Inshell allocation*—(1) *Preliminary computed percentages.* Prior to September 20 of that marketing year, the Board shall compute and announce preliminary computed free and restricted percentages for that year, to release 70 percent of the inshell trade demand computed for that year. The preliminary computed free percentage shall be computed by multiplying that trade demand, adjusted by the declared carryin, by 70 percent and dividing by the most recent official estimate of orchard-run production less the average disappearance during the preceding three years, plus the undeclared carryin. The difference between 100 percent and the preliminary free percentage shall be the preliminary computed restricted percentage.

(2) *Final computed percentages.* The Board upon determining that a firm field price has been established for filberts for that marketing year shall compute and announce final computed free and restricted percentages for that year, to release 80 percent of the inshell trade demand computed for that year. The final computed free percentage shall be computed by multiplying that trade demand, adjusted by the declared carryin, by 80 percent and dividing by the most recent official estimate of orchard-run production less the average disappearance during the preceding three years plus the undeclared carryin. The difference between 100 percent and the final computed free percentage shall be the final computed restricted percentage.

(3) *Final percentages.* On or before November 15 the Board shall meet to recommend to the Secretary the final free and restricted percentages to release 100 percent or up to 110 percent if market conditions justify of the inshell trade demand previously established by the Secretary for the marketing year. The recommendation shall include the following:

(i) The estimated tonnage of merchantable filberts expected to be produced during the marketing year.

(ii) The estimated tonnage of inshell filberts held by handlers on the first day of the marketing year which may be available for handling as inshell filberts thereafter.

(iii) Any other pertinent factors bearing on the marketing of filberts during the marketing year. Whenever the Secretary finds, on the basis of the recommendation of the Board or other available information that to establish the final free and restricted percentages would tend to effectuate the declared policy of the act, the Secretary shall establish such percentages.

(d) *Grade and size regulations.* Prior to September 20 the Board may consider grade and size regulations in effect and may recommend modificatons thereof to the Secretary.

(e) *Revison of marketing policy.* At any time prior to February 15 of the marketing year the Board may recommend to the Secretary revisons in the marketing policy for that year: *Provided,* That in no event shall any revison result in free and restricted percentages which would release more than 110 percent of the inshell trade demand computed for that marketing year. At any time during the period December 1 through February 10 at the request of two or more handlers who during the preceding marketing year handled at least 10 percent of all filberts handled the Board shall meet to determine whether the marketing policy should be revised.

12. Section 982.41 is revised to read as follows:

§ 982.41 Free and restricted percentages.

The free and restricted percentages computed by the Board or established by the Secretary pursuant to § 982.40, shall apply to all merchantable filberts handled during the current marketing year. Until the preliminary or final computed free and restricted percentages are computed by the Board for the current marketing year, the percentages in effect at the end of the previous marketing year shall be applicable.

§ 982.50 [Amended]

13. Sections 982.50(a) (1) and (d) are amended by adding the word "applicable" before the words "free percentage" and "reserve percentage" whenever they appear.

14. Sections 982.54(a) and (c) are revised to read as follows:

§ 982.54 Deferment of restricted obligation.

(a) *Bonding.* Compliance by any handler with the requirements of § 982.50 as to the time when restricted filberts shall be withheld shall be temporarily deferred to any date required by the handler, but not later than 60 days prior to the end of the marketing year, upon the voluntary execution and delivery by such handler to the Board before handling any merchantable filberts of such marketing year of a written undertaking secured by a bond or bonds with a surety or sureties acceptable to the Board that on or prior to such date the handler will have fully satisfied the restricted obligation required by § 982.50: *Provided,* That for the marketing period August 1, 1980, through April 30, 1981, compliance with any restricted

obligation may be deferred to April 30, 1981.

* * * * *

(c) *Bonding rate.* Said bonding rate for each pack shall be an amount per pound representing the season's domestic price for such pack net to handler f.o.b. shipping point which shall be computed at the opening price for such pack announced by the handler or handlers who during the preceding marketing year handled more than 50 percent of the total volume handled. If such opening prices involve different prices announced by two or more handlers for respective packs the price so announced shall be averaged on the basis of the quantity of such packs handled during the preceding marketing year by each such handler. Until bonding rates for a marketing year are fixed the rates in effect for the preceding marketing year shall continue in effect, and when such new rates are fixed necessary adjustments should be made.

* * * * *

15. Section 982.62 (a) and (b) are revised to read as follows:

§ 982.62 Accounting.

(a) *Operating reserve.* The Board with the approval of the Secretary may establish and maintain an operating monetary reserve in an amount not to exceed approximately one marketing year's operational expenses or such lower limits as the Board with the approval of the Secretary may establish.

(b) *Refunds.* At the end of a marketing year funds in excess of the marketing year's expenses and reserve requirements shall be refunded to handlers from whom collected and each handler's share of such excess funds shall be the amount of assessments the handler paid in excess of the handler's pro rata share of expenses of the Board. However, excess funds may be maintained and used by the Board until December 1 following the end of any such marketing year: *Provided,* That the Board shall refund to each handler upon request, or credit to the handler's account with the Board, the handler's share of such excess prior to January 1.

* * * * *

16. Section 982.65 is revised to read as follows:

§ 982.65 Carryover reports.

As of January 1, May 1, and August 1, or such other dates as the Board may recommend and the Secretary approve, each handler shall report within 10 days to the Board the handler's inventory of inshell and shelled filberts. Such reports shall be certified to the Board and the Secretary as to their accuracy and completeness and shall show, among other items, the following: (a) Certified merchantable filberts on which the restricted obligation has been met; (b) merchantable filberts on which the restricted obligation has not been met; (c) the merchantable equivalent of any filberts intended for handling as inshell filberts; and (d) restricted filberts withheld.

17. Section 982.86(b)(3) is revised to read as follows:

§ 982.86 Effective time, termination or suspension.

* * * * *

(b) *Suspension or termination.* * * *

(3) The Secretary shall terminate the provisions of this subpart at the end of any marketing year whenever the Secretary finds that such termination is favored by a majority of the producers of filberts who during the preceding marketing year have been engaged in the production for marketing of filberts in the States of Oregon and Washington: *Provided,* That such majority have during such period produced for market more than 50 percent of the volume of such filberts produced for market within said States; but such termination shall be effected only if announced 30 days or more before the end of the then current marketing year.

* * * * *

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

Effective May 11, 1981.

Signed at Washington, D.C., on May 5, 1981.

C. W. McMillan,

Assistant Secretary for Marketing and Transportation.

[FR Doc. 81-14045 Filed 5-8-81; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Part 92

Procedures for the Withdrawal or Denial of Approval of a Commercial Bird Quarantine Facility

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document provides additional grounds and revises the procedures for the withdrawal or denial of approval of a commercial bird quarantine facility. The intended effect of this action is to terminate the Department's approval or to refuse approval of such facility when certain persons that operate or are responsibly connected with the business of the facility are determined to be unfit to engage in such business. This action is necessary because it is believed that the present procedures may not be adequate to insure the proper operation of quarantine facilities involved in the importation of certain birds.

EFFECTIVE DATE: June 11, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. S. S. Richeson, USDA, APHIS, VS, Federal Building, Room 815, Hyattsville, MD 20782, 301–436–8170.

SUPPLEMENTARY INFORMATION: This Final action has been reviewed in conformance with Executive Order 12291 and has been determined not to be a "major rule." The Department has determined that this rule will not have a significant effect on the economy; that it will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

On Thursday, November 20, 1980, there was published in the **Federal Register** (45 FR 76689–76691), a proposed rule which provided additional grounds and revised the procedures for the withdrawal or denial of approval of a commercial bird quarantine facility.

A 60-day comment period which expired January 19, 1981, was provided to permit public participation in the rulemaking process. A total of 14 comments were received, all in support of the proposal with the following suggested changes.

One respondent suggested that the statement, "Such birds represent a potential to introduce communicable animal diseases into the United States if not properly handled.", appearing in the Supplementary Information section of the proposed rule be modified to specify "Viscerotropic Velogenic Newcastle Disease", in the interest of honesty.

VVND is not the only disease which is of concern to the Department. Both poultry and birds are refused entry if any communicable disease of poultry is detected, i.e., avian influenza or fowl plague.

One respondent suggested that the proposed rule change be modified to include violations by all personnel employed in a quarantine facility. The Department feels that such action would be too restrictive. Additionally, provisions presently exist in the regulations (9 CFR 92.11(f)(8)(A)(4)), whereby operators of approved facilities

agree to suspend employees in specified situations in which the employee has demonstrated his unfitness to be employed at a quarantine facility. Therefore, no change in this regard is necessary with respect to the rule presently under consideration.

One comment suggested the proposal was somewhat vague and provides the Department unfettered authority to close down a facility at the Deputy Administrator's whim. The respondent suggested the suspension be time limited, be restricted to substantive violations, be restricted to only violations that breach USDA quarantine requirements and not "include crimes regarding the importation or quarantine of any animal or bird," and that the Deputy Administrator in determining whether to refuse or withdraw an approval take into account the nature, circumstances, extent and gravity of the prohibited act. The respondent also commented that the policy that a "tainted" person shall not ever be associated with the approved quarantine facility, as reflected in the regulations, does not provide the flexibility needed to permit rehabilitated persons to be associated with such facilities.

The comment that the proposal was vague did not state in what respect the proposal was vague. The Department believes that the proposal is specific and not vague since it delineates what action will be taken on the basis of what violations and provides that an affected person will be given notice and opportunity for a hearing concerning the actions contemplated concerning any such violation. Therefore, no change in the regulation has been made on the basis of this comment.

The Department does not believe that the proposed regulation provides the Department with unfettered authority to close down a facility at the Deputy Administrator's whim. The regulations provide for notice to the operator of the facility or the applicant for approval of the action contemplated and the reasons for such action, and opportunity for a hearing, before approval is withdrawn or refused, except when the Deputy Administrator determines that immediate withdrawal of approval pending a final decision is necessary to protect the public health, interest or safety. With respect to all such actions, the operator or applicant is given an opportunity for a hearing with respect to the merits or validity of the action and will have the opportunity to have any such action reviewed administratively and judicially in accordance with rules of practice adopted for any such proceeding. The Department believes these procedures will accord due process to any affected person and will protect such person from any abuse of discretion by the Department.

Concerning the comment that the suspension be limited in time, it should be noted that the term suspension was not used in the proposed regulations. However, as indicated above, withdrawal of approval would be effective immediately, pending a final decision after opportunity for a hearing, when the Deputy Administrator determines that such action is necessary to protect the public health, interest or safety. As noted in the proposal, such emergency authority is necessary because quarantined birds represent a potential to introduce communicable animal diseases into the United States if not properly handled. Since the withdrawal isn't finalized until an opportunity for a hearing is afforded the operator of the facility, this temporary withdrawal is limited in time to the final decision in the proceeding.

Concerning the comment that the Department's action be limited to substantive violations, the Department is not certain of the meaning of this comment. The Department in the regulations has specified the violations or convictions of crimes or particular classes of crimes which will be considered as a basis for withdrawal or denial of approval of a facility. These are substantive violations of law.

The Department believes that a person who has been convicted of violating any law or regulation concerning the importation or quarantining of any animal or bird has demonstrated a lack of the integrity needed to operate a quarantine facility. It would be naive and an undue risk to the livestock and poultry industries of the United States to assume that a person convicted of violating other laws or regulations of other agencies concerning the importation of any animal or bird would not also consider violating the laws enforced by this Department and this Department's regulations concerning the importation or quarantining of birds.

Concerning the comment that the regulations do not provide the flexibility needed to permit rehabilitated persons to be associated with an approved bird quarantine facility, the Department agrees that no specific provision has been made to permit rehabilitated persons to be associated with a facility. However, the regulations do not state that approval *must* be refused or withdrawn if anyone responsibly connected with a facility has been convicted of certain crimes. The regulations state that the approval of any such facility may be refused or withdrawn by the Deputy Administrator for such convictions. In deciding whether or not the conviction should be the basis for denying or withdrawing approval of such a facility, the Deputy Administrator will consider the nature, circumstances, extent and gravity of the prohibited Act. Therefore, the Department believes the regulations do provide flexibility to permit rehabilitated persons to be associated with such facilities.

The Department is aware of and does consider the nature, circumstances and gravity, of violations of prohibited actions, but must also consider the potential effect of continued violations on the livestock and poultry industries of the United States. These considerations provided the basis for the Department to develop the proposed amendment.

Therefore, the amendment is adopted as proposed without change.

Accordingly, Part 92, Title 9, Code of Federal Regulations, is amended in the following respects:

1. In § 92.1, new paragraphs (y) and (z) are added to read:

§ 92.1 Definitions.

* * * * *

(y) *Persons.* Any individual, corporation, company, association, firm, partnership, society or joint stock company.

(z) *Operator.* For the purposes of § 2.11, any person operating a quarantine facility.

2. In § 92.11(f)(6), the first sentence is moved to the end of paragraph (f)(5) of this section, and paragraph (f)(6) is revised to read:

§ 92.11 Quarantine requirements.

* * * * *

(f) * * *

(6)(i) Approval of any facility may be refused and approval of any approved quarantine facility may be withdrawn at any time by the Deputy Administrator, Veterinary Services, for any of the reasons provided in paragraph (f)(6)(ii) of this section. Before such action is taken, the operator of the facility will be informed of the reasons for the proposed action and, upon request, shall be afforded an opportunity for a hearing with respect to the merits or validity of such action, in accordance with rules of practice which shall be adopted for the proceeding. However, such withdrawal shall become effective pending final determination in the proceeding, when the Deputy Administrator determines that such action is necessary to protect

the public health, interest or safety. Such withdrawal shall be effective upon oral or written notification, whichever is earlier, to the operator of the facility. In the event of oral notification, written confirmation shall be given to the operator of the facility as promptly as circumstances permit. This withdrawal shall continue in effect pending the completion of the proceeding and any judicial review thereof, unless otherwise ordered by the Deputy Administrator.

(ii) Except as provided in paragraph (f)(6)(iv) of this section, the approval of a commercial bird quarantine facility may be denied or withdrawn if:

(A) Any requirement of this section is not complied with, or

(B) The operator or a person responsibly connected with the business of the quarantine facility is or has been convicted of any crime under any law regarding the importation or quarantine of any animal or bird, or

(C) The operator or a person responsibly connected with the business of the quarantine facility is or has been convicted of any crime involving fraud, bribery, or extortion or any other crime involving a lack of integrity needed for the conduct of operations affecting the importation of commercial birds, research birds or zoological birds.

(iii) For the purposes of this section, a person shall be deemed to be responsibly connected with the business of the quarantine facility if a partner, officer, director, holder or owner of 10 per centum or more of its voting stock, or an employee in a managerial or executive capacity.

(iv) The denial or withdrawal referenced in this subparagraph (6), shall not be solely based upon the convictions of those persons responsibly connected with an approved commercial bird quarantine facility if, after issuance of a complaint and upon receipt of notification of such action from the Deputy Administrator, the operator of the approved quarantine facility enters into a consent agreement with the Deputy Administrator, Veterinary Services, in which it is agreed that the responsibly connected person identified in the notification shall not ever be associated with the approved quarantine facility and the operator complies with the provisions of the agreement. Violation of the consent agreement shall constitute independent grounds for withdrawal of approval of an approved quarantine facility.

(Sec. 2 of the Act of February 2, 1903, as amended; and secs. 2, 3, 4, and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 134a, 134b, 134c, and 134f))

Done at Washington, D.C., this 5th day of May 1981.

J. K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 81-14161 Filed 5-8-81; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 81-EA-7; Amdt. 39-4112]

Airworthiness Directives; DeHavilland DHC-6

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment issues a new airworthiness directive applicable to DHC-6 DeHavilland type airplanes. The AD requires a repetitive inspection of the elevator root rib in the vicinity of the torque tube attachment for cracks and repair or replacement where necessary. Failure of the rib can result in additional structural failure to the elevator with possible loss of elevator effectiveness and control of the airplane.

EFFECTIVE DATE: May 14, 1981. Compliance is required as set forth in the AD.

ADDRESSES: DeHavilland Service Bulletins may be acquired from the manufacturer at Downsview, Ontario, Canada M3K 145.

FOR FURTHER INFORMATION CONTACT: V. Barsamian, Airframe Section, AEA-212, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. 212-995-2875.

SUPPLEMENTARY INFORMATION: The manufacturer determined that after the incorporation of a 1972 Bulletin (S.B. 6/287) to alleviate cracks in the same elevator root rib area, cracks were still occurring in some airplanes. Therefore, it has issued a new service bulletin requiring an inspection and alteration where necessary. Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

Adoption of the Amendment

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

DeHavilland: Applies to all DHC-6 series aircraft certificated in all categories.

To prevent failure of the elevator root rib (P/N C 6TE 1022) due to cracking accomplish the following:

Within the next 50 hours service after the effective date of this Airworthiness Directive, unless already accomplished within the last 550 hours in service, and at intervals thereafter, not to exceed 600 hours in service, accomplish the following or an approved equivalent.

(a) Inspect the elevator root rib (P/N C 6TE 1022) in the area of the torque tube attachment for cracks with a ten-power magnifying glass in accordance with DeHavilland Service Bulletin No. 6/399, dated December 5, 1980, Accomplishment Instructions (1), (2) and (4).

(b) If cracking is evident, replace damaged components in accordance with Service Bulletins No. 6/399 and 6/287 dated April 24, 1972, prior to next flight.

(c) Alternative inspections, alterations or repairs which provide an equivalent level of safety may be used when approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(d) Compliance times may be increased by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, upon receipt of substantiating data submitted through an FAA maintenance inspector.

Effective Date: This amendment is effective May 14, 1981.

(Sections 313(a), 601 and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, 1423, and 1431(b); Sec. 6(c), Department of Transportaion Act, 49 U.S.C. 1655(c) and 14 CFR 11.89)

Note.—The Federal Aviation Administration has determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981, and an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "For Further Information Contact."

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Jamaica, New York, on April 30, 1981.

Murray E. Smith,

Director, Eastern Region.

[FR Doc. 81-14049 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Airworthiness Docket No. 81-ASW-18; Amdt. 39-4108]

Airworthiness Directives; Bell Model 212 Helicopter

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires a periodic 10-flight-hour inspection of Bell Helicopter Textron Model 212 helicopters that have swashplate support part number (P/N) 204-011-404-017 installed. This AD also reduces the retirement life of swashplate support P/N 204-011-404-017 from 1,000 to 400 flight hours and requires mandatory replacement of swashplate support P/N 204-011-404-017 with P/N 204-011-404-121 prior to April 30, 1982. The manufacturer has received reports of nine cracked/fractured support lugs as of February 3, 1981. The AD is needed to prevent the possible loss of main rotor control.

DATES: Effective May 14, 1981. Compliance required as indicated in the AD.

ADDRESSES: Alert Service Bulletin 212-81-22 may be obtained from Bell Helicopter Textron, P.O. Box 482, Fort Worth, Texas 76101, Attention: Product Support.

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

FOR FURTHER INFORMATION CONTACT: H. A. Armstrong, Airframe Section, Engineering and Manufacturing Branch, ASW-212, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone (817) 624-4911, extension 517.

SUPPLEMENTARY INFORMATION: Bell Model 212 Helicopter Serial Number 30940 and subsequent had swashplate support P/N 204-011-404-017 installed prior to delivery. Further, this part number has been supplied as a spare part since March 1979. As of February 3, 1981, there have been nine reports of fractures/cracks of inboard gimbal attachment lugs on the swashplate support. Failures have been reported at times ranging from 401 to 920 flight hours. To assure early identification of this problem, an inspection of the support lugs every 10 flight hours is now considered mandatory. Further, a reduction in retirement life and eventual mandatory replacement of the swashplate support with an improved design are also considered mandatory. No previous inspection was required. Undetected lug fractures could lead to total gimbal attachment failure and possible loss of main rotor control.

The time to perform the inspection of the swashplate support is approximately 15 minutes. The reduction in life to 400 hours may result in some operators reaching the replacement time before improved design swashplate support P/N 204-011-404-121 is available. In order to continue operations, these operators would have to install another eligible 204-011-404-017 part.

Since a situation exists that requires immediate adoption of this AD, it is found that notice and public procedure are impracticable and good cause exists for making this amendment effective immediately to all U.S. Owners and Operators of Bell Model 212 helicopters.

Adoption of the Amendment

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

Bell Helicopter Textron (BHT): Amendment 39-4108. Applies to all Model 212 series helicopters which have swashplate support part number (P/N) 204-011-404-017 installed (Airworthiness Docket No. 81-ASW-18).

To prevent possible loss of main rotor control, accomplish the following:

(a) Within the next 10 flight hours following the effective date of this AD and continuing at intervals not to exceed 10 flight hours, thoroughly clean the 204-011-404-017 swashplate support-to-gimbal-ring attachment lugs. Using an inspection mirror and flashlight, inspect the lugs for cracks. Particular attention should be given to both inner attachment lugs. If a crack is found, remove and replace the swashplate support.

(b) The inspection is not required after swashplate support P/N 204-011-404-017 is replaced with P/N 204-011-404-121.

(c) Effective June 1, 1981, the retirement life of swashplate support P/N 204-011-404-017 is reduced from 1,000 flight hours to 400 flight hours when used on the Model 212 helicopter. The new retirement life shall be recorded on the appropriate helicopter maintenance record.

(d) Prior to April 30, 1982, all swashplate support assemblies P/N 204-011-404-017 on Bell Model 212 helicopters must be replaced with P/N 204-011-404-121.

(e) Bell Helicopter Textron Alert Service Bulletin 212-81-22 applies for inspection techniques and areas to be inspected.

Note.—Swashplate supports P/N 204-011-404-017 may have been installed on Model 204 or 205 helicopters and subsequently removed and installed on Model 212 helicopters. For those parts having such a history, determine the equivalent hours as follows:

Take the time the part has been installed on a Model 204 or 205 helicopter and divide this time by 2.5; to this result, add the time the part has been on a Model 212 helicopter. The answer is the equivalent hours on the part, and this number must not exceed 400 hours.

(f) Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration.

(g) In accordance with FAR 21.197, flight is permitted to a base where the inspection and repairs required by this AD may be accomplished.

This amendment becomes effective May 14, 1981.

(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)); 14 CFR 11.89)

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

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Fort Worth, Texas, on April 27, 1981.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 81-14050 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 80-NE-39]

Description of the Concord, New Hampshire 700-Foot Transition Area Amended and the Laconia, New Hampshire 700-Foot Transition Area Deleted

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This amendment changes the Concord, New Hampshire, 700-foot transition area so as to provide additional airspace for radar vectoring in the terminal area.

EFFECTIVE DATE: June 11, 1981.

FOR FURTHER INFORMATION CONTACT: Charles Taylor, Operations Procedures and Airspace Branch, ANE-535, Federal Aviation Administration, Air Traffic Division, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7285.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking was published in the **Federal Register** [46 FR 12003, 12004, February 12, 1981] stating that the FAA proposed to amend the description of the Concord, New Hampshire 700-Foot Transition Area so as to provide additional airspace for radar vectoring in the terminal area.

This additional airspace, approximately four hundred (400) square miles, encompasses the Laconia, New Hampshire, 700-Foot Transition Area, therefore, the Laconia 700-Foot Transition Area will be deleted in its entirety.

Interested persons were invited to participate in the rulemaking process by submitting written comments on the proposal to the FAA. No objections were received.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of the Federal Aviation Regulations [14 CFR Part 71] as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the entire description of the Concord, New Hampshire 700-Foot Transition Area and substitute in lieu thereof:

That airspace extending upward from 700 feet above the surface bounded by a line beginning at 43°23'00" N., 71°11'50" W. to 43°09'00" N.,71°11'50" W. to 43°03'00" N., 71°05'00" W. to 42°50'00" N., 71°05'00" W. to 42°38'00" N., 71°20'00" W. to 42°40'00" N., 71°35'00" N., 42°43'00" N., 71°36'00" W. to 42°45'00" N., 71°38'25" W. to 42°54'30" N., 72°00'00" W. to 43°41'00" N., 72°00'00" W. to 43°41'00" N., 71°26'00" W. to 43°38'00" N., 71°14'00" W. to 43°34'00" N., 71°14'00" W. to 43°23'00" N., 71°06'00" W. to point of beginning, excluding that portion within the Lebanon, New Hampshire; Keene, New Hampshire; and Boston, Massachusetts, transition areas.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Laconia, New Hampshire, 700-Foot Transition Area in its entirely.

It has been determined under the criteria of the Regulatory Flexibility Act that this proposed Rule, at promulgation, will not have significant impact on a substantial number of small entities.

(Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 USC 1348(a) and 1354(c); Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c) and 14 CFR 11.69))

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Burlington, Massachusetts, on April 29, 1981.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 81-14043 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 80-ANW-24]

Alteration of Eugene, Oregon, Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action provides for controlled airspace for aircraft to operate on direct routes or on radar vectors throughout west central Oregon at altitudes lower than the existing floor of controlled airspace.

EFFECTIVE DATE: July 9, 1981.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, Airspace Specialist (ANW-534), Operations, Procedures, and Airspace Branch, Air Traffic Division, Federal Aviation Administration, Northwest Region, FAA Building, Boeing Field, Seattle, Washington 98108; telephone (206) 767-2610.

SUPPLEMENTARY INFORMATION:

History

On February 17, 1981, a Notice of Proposed Rulemaking was published in the **Federal Register** (46 FR 12500) stating that the Federal Aviation Administration proposed to alter transition areas at Eugene, Salem, and Corvallis, Oregon. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. No comments were received objecting to the proposal.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 540) is amended, effective 0901 GMT, July 9, 1981, as follows:

Eugene, Oregon

1. Delete entire description and substitute "That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at latitude 45°10'00" N, longitude 122°30'00" W, thence south to latitude 44°30'00" N, longitude 122°30'00" W, south to latitude 44°06'00" N, longitude 122°31'30" W, thence clockwise via the Eugene, Oregon, VOR 34.5 mile arc to latitude 44°16'00" N, longitude 123°53'30" W, thence north to latitude 45°10'00" N, longitude 123°30'00" W, direct to point of beginning."

Salem, Oregon

2. Delete entire description.

Corvallis, Oregon

3. Delete entire description.

(Sec. 307(a), 313(a), and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1354(c), and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current and promote flight safety. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Seattle, Washington, April 30, 1981.

Jonathan Howe,

Acting Director, Northwest Region.

[FR Doc. 81-14041 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Parts 71 and 73

[Airspace Docket No. 80-ASO-74]

Amendment to Restricted Area, Fort Stewart, Ga.

Correction

In FR Doc. 81-12010 appearing at page 23046 in the issue of Thursday, April 23, 1981, make the following changes:

1. On page 23046, third column, under "Part 73—SPECIAL USE AIRSPACE", in the amendatory paragraph "20" "R-3005C" should be corrected to read "R-3005A".

2. On page 23046, third column, under "Part 73—SPECIAL USE AIRSPACE", in the land description following amendatory paragraph "3.", in the 11th line, reading "thence south along Georgia Highway 144" should be corrected to read "thence southwest along Georgia Highway 144".

3. On page 23047, first column, in the 17th line, in the land description, "R-300D Fort Stewart, Ga." should be corrected to read "R-3005D Fort Stewart, Ga."

BILLING CODE: 1505-01-M

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14 CFR Part 95

[Docket No. 21713; Amdt. No. 95-298]

IFR Altitudes; Miscellaneous Amendments.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rule) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. These regulatory actions are needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

EFFECTIVE DATE: June 11, 1981.

FOR FURTHER INFORMATION CONTACT: Donald K. Funai, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 95 of the Federal Aviation Regulations (14 CFR Part 95) prescribes new, amended, suspended, or revoked IFR altitudes governing the operation of all aircraft in IFR flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in Part 95. The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference.

The reasons and circumstances which create the need for this amendment involve matters of flight safety, operational efficiency in the National Airspace System, and are related to published aeronautical charts that are essential to the user and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment is unnecessary, impracticable, or contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

Adoption of the Amendment

Accordingly and pursuant to the authority delegated to me by the Administrator, Part 95 of the Federal Aviation Regulations (14 CFR Part 95) is amended as follows effective at 0901 GMT, June 11, 1981.

(Secs. 307 and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.49(b)(3))

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C. on May 5, 1981.

John S. Kern,

Chief, Aircraft Programs Division.

BILLING CODE 4910-13-M

§95.1001 DIRECT ROUTES - U.S.

is amended to delete:

FROM	TO	MEA
Acins INT, Calif.	Deway INT, Calif.	9500 MAA-17500
Deway INT, Calif.	Palm Springs, Calif. VORTAC	9500 MAA-17500
Folso INT, Ala. *2500 – MOCA	Rocket, Ala. VOR	*3000
Hobbi INT, Ala. *2600 - MOCA	Rocket, Ala. VOR	*3000
Paradise, Calif. VORTAC	Acins INT, Calif.	7000E 5000W MAA-17500

§95.1001 DIRECT ROUTES–U.S.

is amended to read:

FROM	TO	MEA
Rocket, AL VOR	Rome, GA VOR	6000

§95.1001 DIRECT ROUTES–U.S.

is added to read:

FROM	TO	MEA
Indee INT, BH *1200-MOCA	Penco INT, BH	*2000
Penco INT, BH 1300-MOCA	Grand Turk, BH NDB	*2000

§95.1001 DIRECT ROUTES–U.S.

is added to read:

FROM	TO	MEA
	Atlantic Routes	
A 699		
Jesse INT, BH	Nucar INT, FL	24000 MAA-45000
Nucar INT, FL	Bluft INT, FL	24000 MAA-45000

§95.6008 VOR FEDERAL AIRWAY 8

is amended to read in part:

FROM	TO	MEA
Mormon Mesa, NV VOR	Hunch INT, UT E-bound W-bound	 12000 9000
Hunch INT, UT	Bryce Canyon, UT VOR	12000

§95.6013 VOR FEDERAL AIRWAY 13

is amended to read in part:

FROM	TO	MEA
Texarkana, AR VOR *5000-MRA **1700-MOCA	*Pandy INT, AR	**2300

§95.6016 VOR FEDERAL AIRWAY 16

is amended to read in part:

FROM	TO	MEA
Los Angeles, CA VOR	Prado INT, CA	4000

§95.6016 VOR FEDERAL AIRWAY 16

is amended to read in part:

FROM	TO	MEA
Quitman, TX VOR	Reder INT, TX	2300
Reder INT, TX *1700-MOCA	Texarkana, AR VOR	*2300

§95.6020 VOR FEDERAL AIRWAY 20

is amended to read in part:

FROM	TO	MEA
Pelze INT, SC	Spartanburg, SC VOR	2900

§95.6025 VOR FEDERAL AIRWAY 25

is amended to read in part:

FROM	TO	MEA
Laped INT, CA *5500-MCA Greny INT, S-bound	*Greny INT, CA	9000

§95.6028 VOR FEDERAL AIRWAY 28

is amended to read in part:

FROM	TO	MEA
Altam INT, CA	Haire INT, CA	4500

§95.6029 VOR FEDERAL AIRWAY 29

is amended to read in part:

FROM	TO	MEA
Salisbury, MD VOR	Fatima, DE VOR	1800
Fatima, DE VOR	Modena, PA VOR	2000

§95.6032 VOR FEDERAL AIRWAY 32

is amended to read in part:

FROM	TO	MEA
Elko, NV VOR Via N alter.	*Wells, NV VOR Via N alter.	13000
*11800-MCA Wells VOR, SW-bound		

§95.6047 VOR FEDERAL AIRWAY 47

is amended to read in part:

FROM	TO	MEA
Sacko INT, IN *2300-MOCA	Heals INT, IN	*3500
Heals INT, IN *2300-MOCA	Nabb, IN VOR	*3000

§95.6054 VOR FEDERAL AIRWAY 54

is amended to read in part:

FROM	TO	MEA
Quitman, TX VOR	Reder INT, TX	2300
Reder INT, TX *1700-MOCA	Texarkana, AR VOR	*2300

§95.6064 VOR FEDERAL AIRWAY 64

is amended to read in part:

FROM	TO	MEA
Thermal, CA VOR	Blythe, CA VOR	7000

§95.6066 VOR FEDERAL AIRWAY 66

is amended to read in part:

FROM	TO	MEA
Sulphur Springs, TX VOR Via S alter.	Reder INT, TX Via S alter.	2300
Reder INT, TX Via S alter. *1700-MOCA	Texarkana, AR VOR Via S alter.	*2300

§95.6077 VOR FEDERAL AIRWAY 77

is amended to delete:

FROM	TO	MEA
Oklahoma City, Okla. VOR Via E alter.	Pioneer Okla. VOR Via E alter.	3000

§95.6107 VOR FEDERAL AIRWAY 107
is amended to read in part:

FROM	TO	MEA
Imply INT, CA	Oakland, CA VOR	
	SE-bound	7000
	NW-bound	4500

§95.6143 VOR FEDERAL AIRWAY 143
is amended to read in part:

FROM	TO	MEA
Pottstown, PA VOR	Yardley, PA VOR	5000

§95.6157 VOR FEDERAL AIRWAY 157
is amended to read in part:

FROM	TO	MEA
Kenton, DE VOR	Fatima, DE VOR	1800
Fatima, DE VOR	Robinsville, NJ VOR	2000

§95.6166 VOR FEDERAL AIRWAY 166
is amended to read in part:

FROM	TO	MEA
Belay INT, MD	Fatima, DE VOR	2000
Fatima, DE VOR	Woodstown, NJ VOR	1800
Woodstown, NJ VOR	Brief INT, NJ	1900
Brief INT, NJ	Sea Isle, NJ VOR	1800

§95.6170 VOR FEDERAL AIRWAY 170
is amended to read in part:

FROM	TO	MEA
Modena, PA VOR	Kerno INT, MD	2000

§95.6210 VOR FEDERAL AIRWAY 210
is amended to read in part:

FROM	TO	MEA
Peach Springs, AZ VOR	Grand Canyon, AZ VOR	10000

§95.6259 VOR FEDERAL AIRWAY 259
is amended to read in part:

FROM	TO	MEA
Grand Strand, SC VOR	*Kooke INT, SC	2000
*3000-MRA		
Kooke INT, SC	Florence, SC VOR	2000

§95.6278 VOR FEDERAL AIRWAY 278
is amended to read in part:

FROM	TO	MEA
Texarkana, AR VOR	Weebr INT, AR	*2200
*1700-MOCA		
Weebr INT, AR	Warla INT, AR	2200

§95.6289 VOR FEDERAL AIRWAY 289
is amended to read in part:

FROM	TO	MEA
Texarkana, AR VOR	*Provo INT, AR	**2500
*5000-MRA		
**1700-MOCA		

§95.6291 VOR FEDERAL AIRWAY 291
is amended to read in part:

FROM	TO	MEA
Winslow, AZ VOR	*Frisy INT, AZ	
Via N alter.	Via N alter.	9000
*10500-MCA Frisy INT, W-bound		

§95.6301 VOR FEDERAL AIRWAY 301
is amended to read in part:

FROM	TO	MEA
*Kloge INT, CA	Williams, CA VOR	7000
*6000-MCA Kloge INT, NE-Bound		

§95.6309 VOR FEDERAL AIRWAY 309
is amended to read in part:

FROM	TO	MEA
Charleston, WV VOR	Rande INT, WV	5000
Rande INT, WV	Burgs INT, WV	7000

§95.6354 VOR FEDERAL AIRWAY 354
is amended by adding:

FROM	TO	MEA
Oklahoma City, OK VOR	Trump INT, OK	3800
Trump INT, OK	Pioneer, OK	3000

§95.6388 VOR FEDERAL AIRWAY 388
is added to read:

FROM	TO	MEA
Paradise, CA VOR	Acins INT, CA	
	E-bound	7000
	W-bound	5000
Acins INT, CA	*Palm Springs, CA VOR	9500
*6300-MCA Palm Springs, VOR W-bound		

§95.6433 VOR FEDERAL AIRWAY 433
is amended to read in part:

FROM	TO	MEA
Swann INT, MD	Kerno INT, MD	2500
Kerno INT, MD	Fatima, DE VOR	2000
Fatima, DE VOR	Yardley, PA VOR	2400
Fatima, DE VOR	Mulla INT, NJ	
Via E alter.	Via E alter	2000
Mulla INT, NJ	Yardley, PA VOR	
Via E alter.	Via E alter.	2500

§95.6485 VOR FEDERAL AIRWAY 485
is amended to read in part:

FROM	TO	MEA
Hener INT, CA	Fellows, CA VOR	9000

§95.6405 HAWAII VOR FEDERAL AIRWAY 5
is amended to read in part:

FROM	TO	MEA
Moana INT, HI	*Rowin INT, HI	
Via W alter.	Via W alter	**4000
*5500-MCA Rowin INT N-bound		
**1200-MOCA		
Rowin INT, HI	Maken INT, HI	
Via W alter.	Via W alter	*7000
**6100-MOCA		

§95.6409 HAWAII VOR FEDERAL AIRWAY 9
is amended to read in part:

FROM	TO	MEA
Makai INT, HI	Soldo INT, HI	*2000
*1200-MOCA		
Soldo INT, HI	Honolulu, HI VOR	
	N-bound	4000
	S-bound	2000

§95.6416 HAWAII VOR FEDERAL AIRWAY 16
is amended to read in part:

FROM	TO	MEA
Honolulu, HI VOR	Soldo INT, HI	
	N-bound	4000
	S-bound	2000
Soldo INT, HI	Makai INT, HI	*2000
*1200-MOCA		

§95.7005 is amended to delete:

FROM	TO	MEA	
Seal Beach, Calif,VORTAC	Porterville, Calif. VORTAC	18000	45000
Porterville, Calif. VORTAC	Reno, Nev. VORTAC	18000	45000

§95.7005 JET ROUTE NO. 5 is amended by adding:

FROM	TO	MEA	MAA
Los Angeles, CA VORTAC	Bakersfield, CA VORTAC	18000	45000
Bakersfield, CA VORTAC	Reno, NV VORTAC	#18000	45000

#MEA established with gap in navigation.

§95.7010 JET ROUTE NO. 10 is amended by adding:

FROM	TO	MEA	MAA
Gunnison, CO VORTAC	Shrew INT, CO	18000	45000
Shrew INT, CO	Byson INT, CO	18000	45000
Byson INT, CO	Denver, CO VORTAC	18000	45000
Denver, CO VORTAC	North Platte, NE VORTAC	18000	45000

§95.7040 JET ROUTE NO. 40 is amended to read in part:

FROM	TO	MEA	MAA
Richmond, VA VORTAC	INT Gordonsville VORTAC 065M rad & Fatima VORTAC 233M rad	18000	45000
INT Gordonsville VORTAC 065M rad & Fatima VORTAC 233M rad	Fatima, DE VORTAC	18000	45000

§95.7044 JET ROUTE NO. 44 is added to read:

FROM	TO	MEA	MAA
Shrew INT, CO	Byson INT, CO	18000	45000
Byson INT, CO	Denver, CO VORTAC	18000	45000

§95.7130 JET ROUTE NO. 130 is amended by adding:

FROM	TO	MEA	MAA
Castel INT, CO	Shrew INT, CO	18000	45000
Shrew INT, CO	Byson INT, CO	18000	45000
Byson INT, CO	Denver, CO VORTAC	18000	45000

§95.7189 JET ROUTE NO. 189 is amended to delete:

FROM	TO	MEA	MAA
Int 129 M rad Avenal, Calif. VORTAC & 158 M rad Fresno, Calif. VORTAC	Fresno, Calif. VORTAC	18000	45000
Fresno, Calif. VORTAC	Linden, Calif. VORTAC	18000	45000

§95.7189 JET ROUTE NO. 189 is amended by adding:

FROM	TO	MEA	MAA
Avenal, CA VORTAC	Linden, CA VORTAC	18000	45000

2. By amending Sub-part D as follows:

§95.8003 VOR FEDERAL AIRWAYS CHANGEOVER POINTS

AIRWAY SEGMENT FROM	TO	CHANGEOVER POINTS DISTANCE	FROM
V-5 is added to read:			
Cincinnati, OH VORTAC	Appleton, OH VORTAC	64	Cincinnati
V-14 is added to read:			
Muncie, IN VOR	Findlay, OH VORTAC	44	Muncie
V-31 is amended to delete:			
Rochester, NY VOR	Elmira, NY VOR	30	Rochester
V-34 is amended to delete:			
Rochester, N.Y. VOR	Ithaca, N.Y. VOR	30	Rochester
V-104 is amended to read in part:			
Berlin, NH VOR	Bangor, ME VOR	25	Berlin
V-317 is added to read:			
Poggi, CA VOR	Imperial, CA	25	Poggi

[FR Doc. 81-14040 Filed 5-8-81; 8:45 am]
BILLING CODE 4910-13-C

FEDERAL TRADE COMMISSION

16 CFR Part 5

Standards of Conduct

AGENCY: Federal Trade Commission.

ACTION: Final rules.

SUMMARY: The Commission is adopting rules to govern disciplinary actions concerning postemployment conflicts of interest. These regulations, which have been approved by the Office of Government Ethics, establish procedures for determining alleged violations of 18 U.S.C. 207 (a), (b), and (c). They establish a procedure whereby the Commission's General Counsel may conduct an investigation of the allegedly improper conduct which may culminate in the Commission issuing an order to show cause and ordering a trial-type hearing to determine whether disciplinary action is warranted.

EFFECTIVE DATE: May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Barry R. Rubin, Assistant General Counsel, Federal Trade Commission, Washington, D.C. 20580, 202–523–3520.

SUPPLEMENTARY INFORMATION: These rules provide a mechanism for Commission discipline for violations of the postemployment conflict of interest standards of the Ethics in Government Act. At the direction of the Commission, its General Counsel will conduct a nonpublic investigation to determine whether further Commission action is appropriate. If the Commission determines that reasonable cause exists to believe that a former employee violated 18 U.S.C. 207, the Commission may issue an order requiring the former employee to show cause why disciplinary sanctions should not be improved. The former employee would then have the right to be heard at a trial-type hearing conducted by an Administrative Law Judge in accordance with the Commission's adjudicative procedures. At the close of the hearing, the ALJ would issue an initial decision which could then be appealed to the Commission. The sanctions that may be imposed include reprimand, suspension from practice before the Commission, or prohibiting the former employee from communicating with the Commission with the intent to influence it for a period not to exceed five years.

Accordingly, the Commission amends its rules of practice by adding Subpart E to Part 5 to read as follows:

Subpart E—Disciplinary Actions Concerning Postemployment Conflict of Interest

Sec.

5.51 Scope and applicability.
5.52 Nonpublic proceedings.
5.53 Initiation of investigation.
5.54 Referral to the Office of Government Ethics and to the Department of Justice.
5.55 Conduct of investigation.
5.56 Disposition.
5.57 Order to show cause.
5.58 Answer and request for a hearing.
5.59 Presiding official.
5.60 Scheduling of hearing.
5.61 Perhearing procedures; motions; interlocutory appeals; summary decision; discovery; compulsory process.
5.62 Hearing rights of respondent.
5.63 Evidence; transcript; in camera orders; proposed findings of fact and conclusions of law.
5.64 Initial decision.
5.65 Review of initial decision.
5.66 Commission decision and reconsideration.
5.67 Sanctions.
5.68 Judicial review.

Authority: 15 U.S.C. 41 et seq.

Subpart E—Disciplinary Actions Concerning Postemployment Conflict of Interest

§ 5.51 Scope and applicability.

These regulations establish procedures for investigating and determining alleged violations of 18 U.S.C. 207 (a), (b) and (c) (Postemployment restrictions applicable to federal employees) or regulations issued by the Office of Personnel Management set forth in 5 CFR Part 737, reflecting the joint views of the Office of Government Ethics and the Department of Justice as to the requirements of 18 U.S.C. 207.

§ 5.52 Nonpublic proceedings.

Any investigation or proceedings held under this Part shall be nonpublic unless the respondent specifically requests otherwise, except to the extent required by the Freedom of Information Act (5 U.S.C. 552) or by the Sunshine Act (5 U.S.C. 552b). However, the presiding official's initial decision and any final decision of the Commission shall be placed on the public record, except that information may be designated *in camera* in accordance with § 3.45 of the Commission's Rules of Practice.

§ 5.53 Initiation of investigation.

(a) Investigations under this Part may be initiated upon the submission by any person of a written statement to the Secretary setting forth sufficient information to indicate a possible violation of 18 U.S.C. 207 or by the Commission on its own initiative when a possible violation is indicated by information within the Commission's possession.

(b) At the direction of the Commission, the General Counsel shall investigate any alleged violation of 18 U.S.C. 207.

§ 5.54 Referral to the Office of Government Ethics and to the Department of Justice.

(a) The General Counsel shall make a preliminary determination of whether the matter appears frivolous and, if not, shall expeditiously transmit any available information to the Director of the Office of Government Ethics and to the Criminal Division, Department of Justice.

(b) Unless the Department of Justice communicates to the Commission that it does not intend to initiate criminal prosecution, the General Counsel shall coordinate any investigation or proceeding under this Part with the Department of Justice in order to avoid prejudicing criminal proceedings.

§ 5.55 Conduct of investigation.

(a) The General Counsel may (1) exercise the authority granted in § 2.5 of the Commission's Rules of Practice to administer oaths and affirmations; and (2) conduct investigational hearings pursuant to Part 2 of these rules. He may also recommend that the Commission issue compulsory process in connection with an investigation under this section.

(b) Witnesses in investigations shall have the rights set forth in § 2.9 of the Commission's Rules of Practice.

§ 5.56 Disposition.

(a) Upon the conclusion of an investigation under this Part, the General Counsel shall forward to the Commission a summary of the facts disclosed by the investigation along with a recommendation as to whether the Commission should issue an order to show cause pursuant to § 5.57.

(b) When the former government employee involved is an attorney, the General Counsel shall also recommend whether the matter should be referred to the disciplinary committee of the bar(s) of which the attorney is a member.

§ 5.57 Order to show cause.

(a) Upon a Commission determination that there exists reasonable cause to believe a former government employee has violated 18 U.S.C. 207, the Commission may issue an order requiring the former employee to show cause why sanctions should not be imposed.

(b) The show cause order shall contain (1) the statutory provisions

alleged to have been violated and a clear and concise description of the acts of the former employee that are alleged to constitute the violation; (2) notice of the respondent's right to submit an answer and request a hearing, and the time and manner in which the request is to be made; and (3) a statement of the sanctions that may be imposed pursuant to § 5.67 of this Part.

(c) Subsequent to the issuance of an order to show cause, any communications to or from the Commission or any member of the Commission shall be governed by the *ex parte* provisions of § 4.7 of the Commission's Rules of Practice. 16 CFR 4.7.

§ 5.58 Answer and request for a hearing.

(a) An answer and request for a hearing must be filed with the Secretary of the Commission within thirty (30) days after service of the order to show cause.

(b) In the absence of good cause shown, failure to file an answer and request for a hearing within the specified time limit (1) will be deemed a waiver of the respondent's right to contest the allegations of the show cause order or request a hearing and (2) shall authorize the Commission to find the facts to be as alleged in the show cause order and enter a final decision providing for the imposition of such sanctions specified in § 5.67 as the Commission deems appropriate.

(c) An answer shall contain (1) a concise statement of the facts or law constituting each ground of defense and (2) specific admission, denial, or explanation of each fact alleged in the show cause order or, if the respondent is without knowledge thereof, a statement to that effect. Any allegations of a complaint not answered in this manner will be deemed admitted.

(d) Hearings shall be deemed waived as to any facts in the show cause order that are specifically admitted or deemed to be admitted as a result of respondent's failure to deny them. Those portions of respondent's answer, together with the show cause order, will provide a record basis for initial decision by the Administrative Law Judge or for final decision by the Commission.

(e) If all material factual allegations of the show cause order are specifically admitted or have been deemed admitted in accordance with paragraph (c) of this Section, the Commission will decide the matter on the basis of the allegations set forth in the show cause order and respondent's answer.

§ 5.59 Presiding official.

(a) Upon the receipt of an answer and request for a hearing, the Secretary shall refer the matter to the Chief Administrative Law Judge, who shall appoint an Administrative Law Judge to preside over the hearing and shall notify the respondent and the General Counsel as to the person selected.

(b) The powers and duties of the presiding official shall be as set forth in § 3.42(b)–(h) of the Commission's Rules of Practice.

§ 5.60 Scheduling of hearing.

The presiding official shall fix the date, time and place of the hearing. The hearing shall not be scheduled earlier than fifteen days after receipt of the respondent's answer and request for a hearing. In fixing the time, date and place of the hearing, the presiding official shall give due regard to the respondent's need for adequate time to prepare a defense and an expeditious resolution of allegations that may be damaging to his or her reputation.

§ 5.61 Prehearing procedures; motions; interlocutory appeals; summary decision; discovery; compulsory process.

Because of the nature of the issues involved in proceedings under this Part, the Commission anticipates that extensive motions, prehearing proceedings and discovery will not be required in most cases. For this reason, detailed procedures will not be established under this Part. However, to the extent deemed warranted by the presiding official, prehearing conferences, motions, interlocutory appeals, summary decisions, discovery and compulsory process shall be permitted and shall be governed, where appropriate, by the provisions set forth in Subparts C and D, Part 3, of the Commission's Rules of Practice.

§ 5.62 Hearing rights of respondent.

In any hearing under this subpart, the respondent shall have the right (a) to be represented by counsel; (b) to present and cross-examine witnesses and submit evidence; (c) to present objections, motions, and arguments, oral or written; and (d) to obtain a transcript of the proceedings on request.

§ 5.63 Evidence; transcript; in camera orders; proposed findings of fact and conclusions of law.

Sections 3.43, 3.44, 3.45, and 3.46 of the Commission's Rules of Practice shall govern, respectively, the receipt and objections to admissibility of evidence, the transcript of the hearing, *in camera* orders and the submission and consideration of proposed findings of fact and conclusions of law except that (a) a copy of the hearing transcript shall be provided the respondent; and (b) the Commission has the burden of establishing, by a preponderance of the evidence on the record as a whole, the allegations stated in the order to show cause.

§ 5.64 Initial decision.

Section 3.51 of the Commission's Rules of Practice shall govern the initial decision in proceedings under this subpart, except that the determination of the Administrative Law Judge must be supported by a preponderance of the evidence.

§ 5.65 Review of initial decision.

Appeals from the initial decision of the Administrative Law Judge or review by the Commission in the absence of an appeal shall be governed by §§ 3.52 and 3.53 of the Commission's Rules of Practice except that oral arguments shall be nonpublic subject to the exceptions stated in § 3.52 of this Part.

§ 5.66 Commission decision and reconsideration.

The Commission's decision and any reconsideration or reopening of the proceeding shall be governed by §§ 2.51, 3.54, 3.55, 3.71 and 3.72 of the Commission's Rules of Practice, except that (a) if the initial decision is modified or reversed, the Commission shall specify such findings of fact and conclusions of law as are different from those of the presiding official; and (b) references therein to "court of appeals" shall be deemed for purposes of proceedings under this Part to refer to "district court."

§ 5.67 Sanctions.

In the case of any respondent who fails to request a hearing after receiving adequate notice of the allegations pursuant to § 5.57 or who is found in the Commission's final decision to have violated 18 U.S.C. 207 (a), (b), or (c), the Commission may order such disciplinary action as it deems warranted, including: (a) reprimand; (b) suspension from participating in a particular matter or matters before the Commission; or (c) prohibiting the respondent from making, with the intent to influence, any formal or informal appearance before, or any oral or written communication to, the Commission or its staff on any matter or business on behalf of any other person (except the United States) for a period not to exceed five (5) years.

§ 5.68 Judicial review.

A respondent against whom the Commission has issued an order imposing disciplinary action under this

Part may seek judicial review of the Commission's determination in an appropriate United States District Court by filing a petition for such review within sixty (60) days of receipt of notice of the Commission's final decision.

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-14176 Filed 5-8-81; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

21 CFR Part 5

Raising the Level of Rulemaking Authority of the Food and Drug Administration in Matters Involving Significant Public Policy; Response to Executive Order 12291

AGENCY: Office of the Secretary, HHS.

ACTION: Rule (Notice of Reservation of Authority).

SUMMARY: The President's Executive Order on Federal Regulation, Executive Order 12291, requires each Federal agency to minimize regulatory burdens on the public. This notice, raising the level of the rulemaking authority of the Food and Drug Administration in matters involving signficant public policy to the Secretary, is part of HHS' response to that Executive Order.

EFFECTIVE DATE: May 6, 1981.

FOR FURTHER INFORMATION CONTACT: Robert Brady, Executive Assistant to the Commissioner, Office of the Commissioner (HF-9), Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4124.

SUPPLEMENTARY INFORMATION:

Overview and Purpose

On February 17, 1981, President Reagan issued Executive Order 12291. The Executive Order establishes a government-wide framework for carrying out the President's policy of providing regulatory relief to the public. HHS is fully committed to this objective and will soon be establishing a number of Department-wide policies to assure its successful implementation.

Among the actions HHS will take are revisions to the Department's regulations development processes to assure consistency with the objectives of the President's regulatory relief program in all of the Department's regulatory actions. Included in the revisions will be steps to maximize coordination and consultation with the President's Task Force on Regulatory Relief and the Director of the Office of Management and Budget, as required by the Executive Order.

Under the terms of the Order, all regulations, except several categories specifically exempted, must be reviewed by the Director of the Office of Management and Budget, subject to the direction of the President's Task Force on Regulatory Relief, chaired by the Vice President, and composed of a number of Cabinet members.

Under existing practice, all regulations issued by operating components of HHS, with the exception of the Food and Drug Administration, are approved by the Secretary prior to review by the Director of OMB. In order to effectively carry out HHS' substantive responsibilities under the Executive Order, as well as the procedural requirements pertaining to review by the Director of OMB, FDA regulations involving significant public policy must receive similar Secretarial consideration and approval.

Therefore, this document amends previous delegations of authority to issue regulations of the Food and Drug Administration by providing that the Secretary reserves the authority vested in him by applicable statutes to approve FDA regulations involving significant public policy, except regulations to which the formal rulemaking procedures of the Administrative Procedure Act apply.

More specifically, regulations which establish procedural rules applicable to a general class of foods, drugs, cosmetics, medical devices, or other subjects of regulation, or which present highly significant public issues involving the quality, availability, marketability or cost of one or more foods, drugs, cosmetics, medical devices, or other subjects of regulation, shall be reserved for Secretarial approval.

This reservation of authority is designed to continue previous delegations of authority to the Commissioner of Food and Drugs with respect to all other activities of the agency, including the approximately 1,000 regulatory actions taken annually by FDA regarding specific foods, drugs, cosmetics, medical devices, and other subjects of regulation not involving significant public policy. This reservation of authority is intended only to improve the internal management of the Department, and is not intended to create any legal right or benefit. Regulations issued by FDA without approval of the Secretary are to be conclusively viewed as falling outside the scope of this reservation of authority. Moreover, it is the policy of the Secretary that with respect to those FDA regulations for which the Secretary hereby reserves approval authority, the Commissioner of Food and Drugs will be the Secretary's principal advisor.

This reservation of authority, set forth below, is effective this date.

Dated: May 6, 1981.

Richard S. Schweiker,

Secretary.

Title 21, Part 5 of the Code of Federal Regulations, is amended as follows:

§ 5.1 [Redesignated as § 5.10]

1. By redesignating § 5.1 as § 5.10;

2. By adding after § 5.10 the following new § 5.11:

§ 5.11 Reservation of authority.

(a) Notwithstanding provisions of § 5.10 or any previous delegations of authority to the contrary, the Secretary reserves the authority to approve regulations of the Food and Drug Administration, except regulations to which sections 556 and 557 of Title 5 of the United States Code apply, which:

(1) Establish procedural rules applicable to a general class of foods, drugs, cosmetics, medical devices, or other subjects of regulation; or

(2) Present highly significant public issues involving the quality, availability, marketability or cost of one or more foods, drugs, cosmetics, medical devices, or other subjects of regulation.

(b) This reservation of authority is intended only to improve the internal management of the Department of Health and Human Services, and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, the Department of Health and Human Services, the Food and Drug Administration, any agency, officer, or employee of the United States, or any person. Regulations issued by the Food and Drug Administration without the approval of the Secretary are to be conclusively viewed as falling outside the scope of this reservation of authority.

§ 5.10 [Amended]

3. By inserting in redesignated § 5.10(a)(15), after the word "Administration," a comma and the following: "except as provided in § 5.11."

[FR Doc. 81-14183 Filed 5-8-81; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 601

Statement of Procedural Rules; Miscellaneous Amendments

AGENCY: Internal Revenue Service, Treasury.

ACTION: Amendment of statement of procedural rules.

SUMMARY: This document contains miscellaneous amendments to the statement of procedural rules (SPR). The SPR sets forth the procedural rules of the Internal Revenue Service for all taxes administered by the Service as well as certain rules that apply to the Bureau of Alcohol, Tobacco & Firearms. These amendments update the SPR and make certain changes in the Service's procedure.

DATE: The amendments are effective May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Carolyn Swift of the Legislation & Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, Attention: CC:LR:T (202-566-3458, not a toll-free number).

SUPPLEMENTARY INFORMATION: This document contains amendments to the SPR (26 CFR Part 601). The amendments are issued under the authority contained in 5 U.S.C. sections 301 and 552.

These amendments fall into several categories. A description of the most significant amendments in each category follows:

Conforming Amendments

Several amendments reflect the addition of a tax on certain generation-skipping transfers by the Tax Reform Act of 1976 (Pub. L. 94-455). For example, the change in § 601.102(a)(2)(B) reflects the addition of the tax on generation-skipping transfers to the list of taxes collected principally by assessment.

Several amendments to § 601.203 conform the rules to the delegation of authority to the Regional Counsel to review and dispose of offers in compromise and the redelegations made by the Regional Counsel pursuant thereto. For example, paragraph (c)(4) is amended to reflect the authority of the Regional Counsel to review recommendations for acceptance of offers in compromise involving unpaid liability of $100,000 or more. Other amendments reflect delegations by the Commissioner pursuant to Delegation Order No. 11 (Rev. 12). Other changes to § 601.203 include an amendment to paragraph (c)(1) to reflect the authority of Regional Commissioners to perform a post review of offers involving liabilities of $5,000 or more.

Amendments Updating the SPR

Section 601.201 (e)(2) and (s)(2) are amended to include references to new revenue procedures and update citation of existing revenue procedures. For example, § 601.201(e)(2) is amended to reflect the addition of Revenue Procedures 79-4 and 79-12 relating to requests for advance rulings under sections 103 and 7478 of the Code. Section 601.201(e)(2) also is broken down into 12 subdivisions to make the provision easier to read.

Amendments Clarifying the SPR

Section 601.203(a)(2) is amended to eliminate possible confusion caused by use of the term "ad valorem" penalties. The term "delinquency" penalties is used instead to more accurately reflect the nature of the penalties.

A document can be submitted which meets the § 601.501(a)(3) definition of a tax information authorization, but fails to specify that the representative is to receive copies of notices and communications addressed to the taxpayer. Paragraph (a) is amended to make clear that unless the taxpayer specifically authorizes a representative to receive copies of notices and communications (other than rulings), the Service will send copies of those items only to the taxpayer. If a taxpayer does not designate a representative to receive rulings, the Service will continue to send copies to the first representative named on the latest power of attorney.

Section 601.602 (relating to forms and instructions) is revised to make that section easier to read. No substantive changes are made to that section.

Amendment Reflecting Changes in Procedure

Section 601.201(e)(19) is amended to include a rule for determining the date on which a protest is considered made to an adverse ruling under section 367. The amendment also contains the address to which the protest letter must be directed.

Drafting Information

The principal author of these amendments to the statement of procedural rules was Richard L. Mull of the Legislation & Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service participated in developing the amendments both on matters of substance and style.

Adoption of Amendments to Statement of Procedural Rules

Accordingly, 26 CFR Part 601 is amended as follows:

Paragraph 1. Paragraph (b)(1) of 601.102 is amended by removing subdivision (iv) and inserting instead a new subdivision (iv) and (v) to read as set forth below:

§ 601.102 Classification of taxes collected by the Internal Revenue Service.

* * * * *

(b) *Assessed taxes.* * * *

(1) * * *

(iv) The tax on generation-skipping transfers imposed by chapter 13 of the 1954 Code.

(v) Taxes imposed by chapters 41 through 44 of the 1954 Code.

* * * * *

§ 601.103 [Amended]

Par. 2 Paragraph (b) of § 601.103 is amended by inserting "generation-skipping transfer," between "gift," and "or" in the last sentence.

§ 601.105 [Amended]

Par. 3. Paragraphs (b)(4) and (h) of § 601.105 are amended by inserting "generation-skipping transfer," between "gift," and "or" each place it appears.

§ 601.106 [Amended]

Par. 4. Section 601.106 is amended as follows:

1. Paragraph (a)(1)(ii)(*1a*) is amended by inserting "generation-skipping transfer," between "gift," and "or".

2. Paragraph (d)(2)(ii) is amended by inserting "generation-skipping transfer," between "estate," and "or gift tax," in the first sentence.

3. Paragraph (g)(1) is amended by inserting "generation-skipping transfer," between "estate," and "or gift tax," in the first sentence.

Par. 5. Section 601.201 is amended as follows:

1. The portion of paragraph (e)(2) beginning with "If the request for an advance ruling under section 367" and ending with "Internal Revenue Service file which cannot be returned." is revised to read as set forth below.

2. Paragraph (e)(8) is amended by removing "T:PS:T" and inserting instead "T:FP:T".

3. Paragraph (e)(19) is amended by inserting after the second sentence "A protest is considered made on the date of the postmark of a letter of protest or the date of the postmark of a letter of protest or the date that such letter is hand delivered to any Internal Revenue

Service office, including the National Office. The protest letter must be addressed to the Assistant Commissioner (Technical), Attention: T:FP:T.".

4. Paragraph (s)(2) is amended by removing "Rev. Proc. 72–9, 1972–1 C.B. 718" in the third sentence and inserting instead "Rev. Proc. 80–22, 1980–1 C.B. 654).".

§ 601.201 Rulings and determination letters.

* * * * *

(e) *Instructions to taxpayers.* * * *

(2) * * *

The following list contains references to revenue procedures for advance ruling requests under certain sections of the Code.

(i) For ruling requests under section 103 of the Code, see Rev. Proc. 79–4, 1979–1 C.B. 483, as amplified by Rev. Proc. 79–12, 1979–1 C.B. 492. Revenue Procedure 79–12 sets forth procedures for submitting ruling requests to which sections 103 and 7478 of the Code apply.

(ii) For ruling requests under section 367 of the Code, see Rev. Proc. 68–23, 1968–1 C.B. 821, as amplified by Rev. Proc. 76–20, 1976–1 C.B. 560, Rev. Proc. 77–5, 1977–1 C.B. 536, Rev. Proc. 78–27, 1978–2 C.B. 526, and Rev. Proc. 78–28, 1978–2 C.B. 526. Revenue Procedure 68–23 contains guidelines for taxpayers and their representatives in connection with issuing rulings under section 367. Revenue Procedure 76–20 explains the effect of Rev. Rul. 75–561, 1975–2 C.B. 129, on transactions described in section 3.03(1)(c) of Rev. Proc. 68–23. Revenue Procedure 77–5 sets forth procedures for submitting ruling requests under section 367, and the administrative remedies available to a taxpayer within the Service after such rulings have been issued. Revenue Procedure 78–27 relates to the notice requirement set forth in the setion 367(b) temporary regulations. Revenue Procedure 78–28 relates to the timely filing of a section 367(a) ruling request.

(iii) For ruling requests under section 351 of the Code, see Rev. Proc. 73–10, 1973–1 C.B. 760, and Rev. Proc. 69–19, 1969–2 C.B. 301. Revenue Procedure 73–10 sets forth the information to be included in the ruling request. Revenue Procedure 69–19 sets forth the conditions and circumstances under which an advance ruling will be issued under section 367 of the Code that an agreement which purports to furnish technical know-how in exchange for stock is a transfer of property within the meaning of section 351.

(iv) For ruling requests under section 332, 334(b)(1), or 334(b)(2) of the Code, see Rev. Proc. 73–17, 1973–2 C.B. 465. Revenue Procedure 73–17 sets forth the information to be included in the ruling request.

(v) See Rev. Proc. 77–30, 1977–2 C.B. 539, and Rev. Proc. 78–18, 1978–2 C.B. 491, relating to rules for the issuance of an advance ruling that a proposed sale of employer stock to a related qualified defined contribution plan of deferred compensation will be a sale of the stock rather than a distribution of property.

(vi) For ruling requests under section 302 or section 311 of the Code, see Rev. Proc. 73–35, 1973–2 C.B. 490. Revenue Procedure 73–35 sets forth the information to be included in the ruling request.

(vii) For ruling requests under section 337 of the Code (and related section 331) see Rev. Proc. 75–32, 1975–2 C.B. 555. Revenue Procedure 75–32 sets forth the information to be included in the ruling request.

(viii) For ruling requests under section 346 of the Code (and related sections 331 and 336), see Rev. Proc. 73–36, 1973–2 C.B. 496. Revenue Procedure 73–36 sets forth the information to be included in the ruling request.

(ix) For ruling requests under section 355 of the Code, see Rev. Proc. 75–35, 1975–2 C.B. 561. Revenue Procedure 75–35 sets forth the information to be included in the ruling request.

(x) For ruling requests under section 368(a)(1)(E) of the Code, see Rev. Proc. 78–33, 1978–2 C.B. 532. Revenue Procedure 78–33 sets forth the information to be included in the ruling request.

(xi) For ruling requests concerning the classification of an organization as a limited partnership where a corporation is the sole general partner, see Rev. Proc. 72–13, 1972–1 C.B. 735. See also Rev. Proc. 74–17, 1974–1 C.B. 438, and Rev. Proc. 75–16, 1975–1 C.B. 676. Revenue Procedure 74–17 announces certain operating rules of the Service relating to the issuance of advance ruling letters concerning the classification of organizations formed as limited partnerships. Revenue Procedure 75–16 sets forth a checklist outlining required information frequently omitted from requests for rulings relating to classification of organizations for Federal tax purposes.

(xii) For ruling requests concerning the creditability of a foreign tax under section 901 or 903 of the Code, see Rev. Rul. 67–308, 1967–2 C.B. 254, which sets forth requirements for establishing that translations of foreign law are satisfactory as evidence for purposes of determining the creditability of a particular foreign tax.

Original documents should not be submitted because documents and exhibits become a part of the Internal Revenue Service file which cannot be returned. * * *

* * * * *

Par. 6. Section 601.203 is amended as follows:

1. The seventh sentence of paragraph (a)(1) is removed and "These functions are performed in the District Counsel, Regional Counsel, or National Office as appropriate." is inserted instead.

2. Paragraph (a)(2) is amended by removing "ad valorem" and inserting instead "delinquency" in the first sentence and by removing the words "ad valorem" from the second sentence.

3. Paragraph (c)(1) is amended by removing "Regional" in subdivision (iii) and inserting instead "District", and by deleting "National Office" in subdivision (iv) and inserting instead "Regional Commissioner".

4. Paragraph (c)(2) is amended as follows:

a. So much of subdivision (i) as precedes (*a*) is amended by removing "Regional" and inserting instead "District".

b. Subdivision (ii) is amended to read as set forth below.

c. Subdivision (iv) is amended by removing "Regional Counsel" and inserting instead "District Counsel".

d. Subdivision (v) is removed.

5. Paragraph (c)(3) is amended by removing "and chiefs, accounting and adjustment divisions" in the first sentence and inserting instead "Regional Directors of Appeals, and Chiefs and Associate Chiefs, Appeals Offices", by deleting "Chief Counsel, regional counsel" in the second sentence and inserting instead "District Counsel, Regional Counsel, or Office of Chief Counsel in Washington", and by revising the last two sentences to read as set forth below.

6. Paragraph (c)(4) is amended by inserting "or Regional Office, as appropriate" between "Office" and "for" in the first sentence, by removing "Office of the Chief Counsel" wherever it appears and inserting instead "Regional Counsel or Office of Chief Counsel in Washington, as appropriate,", and by removing "Commissioner" in the third sentence and inserting instead "Assistant Commissioner (Compliance), Director, Collection Division, or Regional Commissioner, as appropriate".

§ 601.203 Offers in compromise.

* * * * *

(c) *Consideration of offer.* * * *

(2) * * *

(ii) The District Counsel considers and processes offers submitted in cases described in paragraph (c)(2)(i) (*a*) through (*h*) of this section and forwards those offers to the district director, service center director, Regional Counsel, or Office of Chief Counsel in Washington, as appropriate.

* * * * *

(3) * * * Each Regional Commissioner will perform a post review of offers accepted, rejected, or withdrawn in the district director's office if the offer covers liabilities of $5,000 or more. The post review will cover a sampling of cases processed by the Collection function and all cases processed by the Examination function.

* * * * *

Par. 7. Paragraph (a) of § 601.506 is amended as follows:

1. The second sentence is amended by inserting at the end thereof "and, except with respect to a ruling, which specifically authorizes the representative to receive such notices and communications".

2. The sixth sentence is amended by removing "desingated" and inserting instead "designated".

3. The seventh sentence is revised and a new sentence is added immediately after the seventh sentence. The new and revised provisions read as set forth below.

4. The last sentence is amended by removing "designated" and inserting instead "designate".

§ 601.506 Notices to be given to recognized representatives; delivery of refund checks to recognized representatives.

(a) *Notices.* * * * In a case in which the taxpayer does not specifically authorize a representative to receive notices (other than rulings), it will be the practice of the Revenue Service to give copies only to the taxpayer. With respect to a ruling, if the taxpayer does not designate a representative to receive copies, it will be the procedure of the Revenue Service to give copies of rulings to the representative first named on the instrument which reflects the latest date. * * *

* * * * *

Par. 8. Section 601.602 is revised to read as set forth below.

§ 601.602 Tax forms and instructions.

(a) *Tax return forms and instructions.* The Internal Revenue Service develops forms and instructions that explain the requirements of the Internal Revenue Code and regulations. The Service distributes the forms and instructions to help taxpayers comply with the law. The tax system is based on voluntary compliance, and the taxpayers complete and return the forms with payment of any tax owed.

(b) *Other forms and instructions.* In addition to tax return forms, the Internal Revenue Service furnishes the public copies of other forms and instructions developed for use in complying with the laws and regulations. These forms and instructions lead the taxpayer step-by-step through data needed to accurately report information required by law.

(c) *Where to get forms and instructions.* The Internal Revenue Service mails tax return forms to taxpayers who have previously filed returns. However, taxpayers can call or write to district directors or directors of service centers for copies of any forms they need. These forms are described in Publication 676, *Catalog of Federal Tax Forms, Form Letters, and Notices,* which the public can buy from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

These amendments to the statement of procedural rules are issued under the authority contained in 5 U.S.C. 301 and 552.

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

[FR Doc. 81-14175 Filed 5-8-81; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD2 81-01]

Safety Zone: Upper Mississippi River, Mile 633.7 to 636.7

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment to the Coast Guard's Safety Zone Regulations establishes the Upper Mississippi River, Mile 633.7 to 636.7 including the Marquette-Joliet Highway 18 Bridge at Mile 634.7 near Prairie Du Chien, Wisconsin, as a safety zone. The discovery of potential structural defects resulted in the Wisconsin Department of Transportation closing the bridge to vehicle and pedestrian traffic. With the onset of the navigation season certain safety precautions are required to reduce the possibility of vessel or cargo loss, or damage to life, property, or the marine environment. This safety zone, with its special regulations, is intended to meet this requirement by placing restrictions upon certain vessels navigating the affected portion of the Upper Mississippi River. Vessels affected by the rule include tows with loaded barges containing petroleum and hazardous materials as listed in 46 CFR Table 151.01–10(b) and 46 CFR Table 151.01–10(d). The effect of these regulations is to reduce the possibility of damage to the bridge or vessels and minimize the possibility of a release of oil or a hazardous cargo.

EFFECTIVE DATE: This amendment becomes effective at 1800 on March 23, 1981.

FOR FURTHER INFORMATION CONTACT: Commander L. Z. Katcharian, c/o Marine Safety Office, Minneapolis/St. Paul, P.O. Box 3428, St. Paul, Minnesota 55165, telephone (612) 725–7452.

ADDRESSES: Comments should be mailed to Commander(m), Second Coast Guard District, 1430 Olive Street, St. Louis, Missouri 63103. The comments and other material related to this amendment will be available for inspection or copying at the Office of Commander, Second Coast Guard District, Room 310, 1430 Olive Street, St. Louis, Missouri. Normal office hours are between 7:45 a.m. and 4:15 p.m., Monday through Friday, except holidays. Comments may be mailed or hand delivered to this office.

SUPPLEMENTARY INFORMATION: This amendment is issued without publication of a notice of proposed rulemaking and is effective in less than 30 days from the date of publication because public procedures on this amendment are impractical due to the immediate and present hazard posed by the present structural condition of the Marquette-Joliet Highway 18 Bridge. These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. In addition, these regulations are considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5–22–80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with Section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is also certified that these rules will not have a significant economic impact on a substantial number of small entities.

Drafting Information

The principal persons involved in drafting this amendment are LCDR J. L. ROBINSON, USCG, Project Officer, c/o Commander, Second Coast Guard

District, 1430 Olive Street, St. Louis, Missouri 63103, telephone (314) 425–4655, and LT R. A. KNEE, USCG, Project Attorney, c/o Commander, Second Coast Guard District, 1430 Olive Street, St. Louis, Missouri 63103, telephone (314) 425–4624.

Comments: Although this Safety Zone is published as a final rule without prior notice, public comment is nevertheless desirable to ensure that the regulation is both workable and reasonable. Accordingly, persons wishing to comment may do so by submitting written comments to the office listed under "Addresses" in this preamble. Commenters should include their names and addresses, identify the docket number, and give reasons for their comments. Based upon comments received and experience gained under the rule, the amendment may be changed. Any persons desiring acknowledgment of their written comments should include a self-addressed stamped postcard or envelope.

Final Regulations

In consideration of the foregoing, Part 165 of Title 33, Code of Federal Regulations, is amended by adding § 165.211, to read as follows:

§ 165.211 Upper Mississippi River, Mile 633.7 to 636.7.

(a) *Safety Zone.* All the waters of the Upper Mississippi River from Mile 633.7 to 636.7, including the Marquette-Joliet Highway 18 Bridge at Mile 634.7 are a Safety Zone.

(b) *Special Regulations.* (1) All tows transporting petroleum and hazardous materials as listed in 46 CFR Table 151.01–10(b) and 46 CFR 151.01–10(d) must comply with the following regulations when transiting within the Safety Zone.

(i) All such towboats and barges shall be inspected by the person-in-charge of the towboat prior to entry into the zone to ensure cargo integrity, and that all equipment affecting vessel safety, propulsion, and control is operating properly.

(ii) No person shall navigate such tow within the Safety Zone during adverse weather (severe thunderstorms, tornado warnings, etc.) or adverse river conditions (high flow rates, floods, etc.).

(iii) All tows containing loaded anhydrous ammonia barges shall, in addition to the above:

(A) Notify Coast Guard authority at (612) 725–7453 or (314) 425–4614 at least twenty-four (24) hours in advance of the estimated time of arrival at the Marquette-Joliet Highway 18 bridge.

(B) Contact Coast Guard authority on channel 16, VHF–FM and receive positive clearance from said authority prior to entering the safety zone.

(C) Be limited to no more than three barges, in a one barge wide configuration.

(D) Transit the safety zone during daylight hours only.

(2) Coast Guard on scene authority may issue verbal orders via channels 13 and 16, VHF–FM to limit traffic to one way in the safety zone during those times a tow containing a loaded anhydrous ammonia barge is transiting the zone. All vessels shall comply with such orders.

(92 Stat. 1475 (33 U.S.C. 1225); 92 Stat. 1477 (33 U.S.C. 1231); 49 CFR 1.46(n)(4))

Dated: April 3, 1981.

L. Z. Katcharian,

Commander, U.S. Coast Guard, Captain of the Port, Minneapolis/St. Paul, MN.

[FR Doc. 81–14172 Filed 5–8–81; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF EDUCATION

34 CFR Part 776

Library Career Training Program (Title II–B HEA); Correction

AGENCY: Department of Education.

ACTION: Final regulations; correction.

SUMMARY: This document corrects final regulations for the Library Career Training Program that appeared at page 85422 in the **Federal Register** of Wednesday, December 24, 1980 (45 FR 85422). The action is necessary to correct errors relating to the Education Department General Administrative Regulations and typographical errors in citations, cross references, and in the text of the regulations.

ADDRESSES: Send any questions regarding these regulations, their effective date, or project grants to: Chief, Library Education and Postsecondary Resources Branch, Division of Library Programs, Office of Libraries and Learning Technologies, U.S. Department of Education (Room 3622, Regional Office Building 3), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Frank A. Stevens, Telephone (202) 245–9530.

The following corrections are made in the final regulations for the Library Career Training Program appearing on 85422 in the issue of December 24, 1980:

1. On page 85422, column three, in "Authority" the line "* * * Education Amendments of 1980, 94 Stat. 1383 * * *" is corrected to read "* * * Education Amendments of 1980 (Pub. L. 96–374), 94 Stat. 1383 * * *".

2. On page 85423, column one, in § 776.3(a), "the Education Division General Administrative Regulations (EDGAR) 34 CFR Parts 75 and 77" is corrected to read "The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 75 (Direct Grant Programs) and 77 (Definitions)".

3. On page 85424, column one, in § 776.10(b), "libary and information science" is corrected to read "library and information science".

4. On page 85424, column two, in § 776.21, the paragraph is deleted and a new paragraph is added to read "One applies for a grant under the procedures of EDGAR §§ 75.100 through 75.129.".

5. On page 85425, column one, in § 776.34(b)(1)(ii)(E)(*1*), change colon (:) to semi-colon (;) at end of sentence.

6. On page 85425, column one, in § 776.34(b)(2)(ii)(C) the phrase, "each person referred to in paragraphs (b)(9)(ii) (A) and (B)" is corrected to read "each person referred to in paragraph (b)(2)(ii) (A) and (B)".

7. On page 85425, column three, in § 776.36(b) the phrase, "The Secretary looks for" is corrected to read "the Secretary looks for".

8. On page 85426, column one, the citation "(Section 222; 20 U.S.C. 1032)" appearing at the end of § 776.36 is corrected to read "(Section 222 of the Act; 20 U.S.C. 1032)".

9. On page 85427, column one, "Section 222 of the Act; 20 U.S.C. 1032)" is added at the end of § 776.44

10. On page 85427, column one, the duplicate paragraph (b) in § 776.45 is removed.

11. On page 85427, column one, the citation ("Section 222 of the Act; 20 U.S.C.)" appearing at the end of § 776.45 is corrected to read "(Section 222 of the Act; 20 U.S.C. 1032)".

Dated: April 29, 1981.

T. H. Bell,

Secretary of Education.

[FR. Doc. 81–14177 Filed 5–8–81; 8:45 am]

BILLING CODE 4000–01–M

34 CFR Part 735

Minority Institutions Science Improvement Program; Correction

AGENCY: Department of Education.

ACTION: Final regulations; correction.

SUMMARY: This document corrects final regulations implementing the Minority Institutions Science Improvement

Program that appeared at page 3873 in the **Federal Register** of Friday, January 16, 1981 (46 FR 3873). The action is necessary to correct errors relating to the Education Department General Administrative Regulations and typographical errors in the preamble and the regulations.

ADDRESSES: Send any questions regarding these regulations, their effective date, or project grants to: Program Director, Minority Institutions Science Improvement Program, U.S. Department of Education, Room 2083, Federal Office Building 6, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Dr. Argelia Velez-Rodriguez, Telephone (202) 245–8118.

The following corrections are made in the preamble and final regulations for the Minority Institutions Science Improvement Program, appearing on page 3873 in the issue of January 16, 1981:

1. On page 3874, column one in "For Further Information Contact:", "Telephone: (202) 282–7760" is corrected to read "Telephone: (202) 245–8118.".

2. On page 3875, column one, in § 735.4(a), the word at the end, "(General)" is corrected to read "(Definitions)".

3. On page 3875, column one, § 735.5(b), the definition of "Minority" is corrected by adding the word "Cuban" to read as follows:

§ 735.5 What definitions apply to the Minority Institutions Science Improvement Program?

* * * * *

(b) *Definitions that apply to this part:*

* * * * *

"Minority" means American Indian, Alaskan Native, black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Pacific Islander or other ethnic group underrepresented in science and engineering.

* * * * *

4. On page 3876, column one, in § 735.14(d), the reference at the end of the paragraph, "§ 735.5(d)," is corrected to read "§ 735.5(b).".

5. On page 3876, column one, after Subpart C, add the following heading:

§ 735.20 Application procedures.

* * * * *

Dated: April 29, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-14179 Filed 5-8-81; 8:45 am]

BILLING CODE 4000-01-M

34 CFR Part 797

Pre-College Teacher Development in Science Program; Correction

AGENCY: Department of Education.

ACTION: Final regulations; correction.

SUMMARY: This document corrects final regulations for the Pre-College Teacher Development in Science Program that appeared at page 86372 in the **Federal Register** of Tuesday, December 30, 1980 (45 FR 86372). The action is necessary to correct errors relating to the citations of the Education Department General Administrative Regulations and typographical and editorial errors in the preamble and text of the regulations.

ADDRESSES: Send any question regarding these regulations, their effective date, or project grants to: Director, Pre-College Teacher Development in Science Program, U.S. Department of Education, 1832 M Street, N.W. (Room 819, Riviere Building), Washington, D.C. 20236.

FOR FURTHER INFORMATION CONTACT: Mary G. Lewis; telephone (202) 653–5983.

The following corrections are made in the preamble and final regulations for the Pre-College Teacher Development in Science Program appearing on page 86372 in the issue of December 30, 1980:

1. On page 86372, column two, comment on § 797.2, the word "rule" is corrected to read "role".

2. On page 86372, column two, response to comment on § 797.2, paragraph two, sentence four, "Since a further objective of the program is part * * * teachers. These institutions * * *" is corrected to read "Since a further objective of the program in part is * * * teachers, these institutions * * *".

3. On page 86373, column three, in § 797.3(a), "The Education Division General Administrative Regulations (EDGAR) in 34 CFR Part 75 (Direct Grant Programs) and 34 CFR Part 77 (General)" is corrected to read "The Education Department General Administrative Regulations (EDGAR) in 34 CFR Part 75 (Direct Grant Programs) and 34 CFR Part 77 (Definitions)".

4. On page 86374, column one, § 797.10, line four, the comma after science is deleted and the phrase, "social science, mathematics, and engineering" is also deleted.

5. On page 86374, column one, § 797.10(a), the words "and mathematics" are removed.

6. On page 86374, column one, § 797.11(c)(1), the words "and mathematics" are deleted.

7. On page 86374, column three, in § 797.31(b)(2)(iv), "* * * groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, and handicapped persons" is corrected to read "* * * groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly."

8. On page 86375, column two, in § 797.41(a), "* * * Subpart E of the Education Division General Administrative Regulations (EDGAR) in 34 CFR Part 75 §§ 75.530–568." is corrected to read "* * * Subpart E of the Education Department General Administrative Regulations (EDGAR) in 34 CFR §§ 75.530 through 75.568".

Dated: April 29, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-14180 Filed 5-8-81; 8:45 am]

BILLING CODE 4000-01-M

34 CFR Part 778

Strengthening Research Library Resources Program (Title II–C HEA); Correction

AGENCY: Department of Education.

ACTION: Final regulations; correction.

SUMMARY: This document corrects final regulations implementing the Strengthening Research Library Resources Program that appeared at page 85430 in the **Federal Register** of Wednesday, December 24, 1980, (45 FR 85430). The action is necessary to correct typographical errors in cross-references and in the text of the regulations.

ADDRESSES: Send any questions regarding these regulations, their effective date, or project grants to: Chief, Library Education and Postsecondary Resources Branch, Division of Library Programs, Office of Libraries and Learning Technologies, U.S. Department of Education (Room 3622, Regional Office Building 3), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Frank A. Stevens, Telephone (202) 245–9530.

The following corrections are made in the final regulations for the Strengthening Research Library Resources Program appearing on page 85430 in the issue of December 24, 1980:

1. On page 85430, column three, in "Authority" the line "* * * Education Amendments of 1980, 94 Stat. 1383

* * *" is corrected to read "* * * Education Amendments of 1980 (Pub. L. 96-374), 94 Stat. 1383 * * *".

2. On page 85431, column three, in § 778.7(a)(1)(ii), the line "* * * expended in Federal and/or other" is corrected to read "* * * expended in Federal or other * * *".

3. On page 85433, column one, in § 778.8(a) the phrase, "evaluation criteria in § 778.6" is corrected to read "selection criteria in § 778.7".

4. On page 85433, column one, in § 778.8(b) the phrase, "The Secretary will pilot" is corrected to read "The Secretary will plot".

Dated: April 29, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-14178 Filed 5-8-81; 8:45 am]

BILLING CODE 4000-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 173

[EN-FRL 1750-5]

Procedures Governing the Rescission of State Primary Enforcement Responsibility for Pesticide Use Violations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Sections 26 and 27 of the Federal Insecticide, Fungicide, and Rodenticide Act authorize EPA to grant to a qualifying State the primary enforcement responsibility for pesticide use violations, and to rescind such responsibility if the State's pesticide enforcement program is inadequate. This rule sets forth procedures designed to ensure that rescission proceedings are conducted in an orderly and uniform manner.

EFFECTIVE DATE: This rule will not take effect before the end of 60 calendar days of continuous session of Congress after the date of publication. EPA will publish a notice of the actual effective date of this rule. See supplementary information for further details.

FOR FURTHER INFORMATION CONTACT: Laura Campbell (EN-342), Pesticides and Toxic Substances Enforcement Division, U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, (202) 755-0970.

SUPPLEMENTARY INFORMATION:

Background

The 1978 Amendments to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) require States to be accorded the primary responsibility for the enforcement of pesticide use violations within the State in certain situations. States can obtain primacy if they enter into a cooperative agreement with the Environmental Protection Agency (EPA) under section 23 of FIFRA or if their use enforcement programs are found by the Administrator of EPA to be adequate under section 26(a).

Section 27(b) of FIFRA authorizes EPA to rescind a State's primacy if the Administrator determines that the State is not adequately discharging its use enforcement responsibilities. Under section 27(b), whenever the Administrator makes such a determination he must send a notice to the State specifying the deficiencies in the State's use enforcement program. If after ninety days from receipt of a notice by a State the Administrator finds that the State has not corrected the deficiencies set forth in the notice, the Administrator may rescind, in whole or in part, the State's primary enforcement responsibility for pesticide use violations.

On October 3, 1980 these procedures were proposed in the **Federal Register** (45 FR 65633) and comments were requested by December 2, 1980. After consideration of the comments received, EPA has decided not to change section 173. The significant comments are discussed below.

Comments Received

Five comments were submitted in response to the proposal of the rescission procedures. Environmental groups submitted two of the comments and a pesticide company, a State Department of Agriculture and a pesticide trade association each submitted one. None of the comments received suggested any substantive changes in the regulation as proposed. Several of the commentors urged EPA to adopt the proposed procedures and use them where appropriate. One commentor suggested that informal procedures should be available to resolve disputes about the adequacy of a State's pesticide use enforcement program. Section 173.4 of the regulation as proposed set forth an informal mechanism for resolving such disputes. The remaining comments were insubstantial or irrelevant.

Initiation of Rescission Proceedings

The rule promulgated today provides the procedures by which EPA intends to effectuate rescission where appropriate. A rescission proceeding is initiated by the issuance of a notice of intent to rescind. Before such a formal step is taken, however, the Administrator, as a matter of policy, will confer with the State and attempt to resolve the matter through informal negotiations.

The Administrator will issue a notice of intent to rescind if he determines, on the basis of information gathered by the Agency or submitted to EPA by other reliable sources, and after consultation with the appropriate Regional Administrator, that the State is not carrying out, or cannot carry out due to the lack of adequate legal authority, its use enforcement responsibility. (Further discussion of the criteria for making this determination will be contained in an interpretive rule which will soon be proposed for comment). The notice of intent to rescind will list the deficiencies that the Administrator has found in the State program. The notice will also detail the basis for each of the findings.

State Response to Notice of Intent To Rescind

States can respond to the receipt of a notice of intent to rescind in one of several ways. First, a State can correct the deficiencies specified in the notice. Second, the State can present evidence to the Administrator at an informal conference which shows that the determinations made in the notice are unfounded. Third, the State and EPA can agree that the State will take the steps necessary to remedy the deficiencies in the State program according to an agreed upon time schedule. This agreement would then be embodied in a written and signed document. Finally, the State, within 60 days of the issuance of the notice, could request a public hearing on the Administrator's determination to rescind its primary enforcement responsibility for pesticide use violations.

If the State corrects the deficiencies in its program, agrees to do so in a written settlement agreement, or convinces the Administrator that the findings made in the notice are not supported by the facts, the Administrator will issue an order withdrawing the notice of intent to rescind and terminating the proceeding. If sixty days elapse from the date of notice of intent was served upon the State without the Administrator issuing such an order, the notice of intent to rescind will be published in the Federal Register. The public may submit comments on the matters discussed in the notice of intent to rescind.

Hearings

Upon request of the State within sixty (60) days of the issuance of the notice of intent to rescind, a hearing will be

scheduled and the date for the hearing will be published along with the notice of intent to rescind. Parties, for purposes of proceedings have been defined in the definitions sections as the State and the Agency's Office of Enforcement. However, at the hearing, representatives from the State, EPA, and the public will be able to present evidence relating to the adequacy of the State's pesticide use enforcement program. A presiding officer will preside over the hearing and upon its termination will make a recommended decision on the adequacy of the State's pesticide use enforcement program. The Presiding Officer has the option to recommend that the Administrator (1) find that the State has corrected, or agreed to correct, the deficiencies in its program, (2) find that the State has shown that the determinations made in the notice of intent to rescind were unfounded, or (3) rescind the State's primary enforcement responsibility for pesticide use violations in whole or in part.

Agency Decision

The recommended decision of the Presiding Officer will become final 45 days after it is issued unless either of the parties appeal the initial decision to the Administrator or unless the Administrator elects to review the decision on his own initiative (*sua sponte*). After an appeal or *sua sponte* review, the Administrator will issue a final order which adopts, modifies, or sets aside the recommendations made in the Presiding Officer's decision.

The Agency believes that the procedures promulgated today will encourage States and EPA to cooperate in resolving any problems in a State's use enforcement program.

Effective Date

On December 17, 1980, President Carter signed the Federal Insecticide, Fungicide and Rodenticide Act Extension Bill (Pub. L. 96-539). This bill amended several sections of FIFRA, including section 25 on rulemaking. Section 4 of the Extension Act adds a new paragraph to FIFRA, section 25(e), which requires EPA to submit final regulations to Congress for review before the regulation becomes effective. In accordance with this requirement, copies of this rule have been transmitted to the appropriate offices in both Houses of Congress. The rule will not take effect before the end of 60 calendar days of continuous session of Congress after the date of its publication in the **Federal Register**. Because the length of this waiting period may be affected by Congressional action, it is not possible, at this time, to specify a date on which this regulation will become effective. EPA will publish a notice in the **Federal Register** announcing the end of this "report and wait" period to notify the public of the actual effective date of this regulation.

Compliance With the Regulatory Flexibility Act

I hereby certify that this rule will not have a significant economic impact on small entities. The rule only affects States, which are not small entities under the Regulatory Flexibility Act, 5 U.S.C. sec. 601 *et seq.*

Compliance With Executive Order 12291

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not Major because it is entirely procedural in nature, and thus

(1) Does not have an annual effect on the economy of $100 million or more;

(2) Will not increase costs to consumers, industry, or government; and

(3) Will not have a significant adverse effect on competition, employment, investment, productivity, or innovation.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

Accordingly, under the authority of sections 25(a) and 27(b) of the Federal insecticide, Fungicide, and Rodenticide Act, the new Part 173 set forth below is hereby added to 40 CFR.

Dated: April 8, 1981.

Walter C. Barber,

Acting Administrator.

PART 173—PROCEDURES GOVERNING THE RESCISSION OF STATE PRIMARY ENFORCEMENT RESPONSIBILITY FOR PESTICIDE USE VIOLATIONS

Sec.

173.1 Applicability.
173.2 Definitions.
173.3 Initiation of rescission proceedings.
173.4 Informal conference and settlement.
173.5 Request for hearing.
173.6 Publication of the notice; scheduling the hearing.
173.7 Hearing and recommended decision.
173.8 Final order.
173.9 Judicial review.

Authority: Secs. 25(a) and 27(b) of the Federal Insecticide, Fungicide, and Rodenticide Act, (7 U.S.C. 136w and 136w-2).

§ 173.1 Applicability.

These procedures govern any proceeding to rescind a State's primary enforcement responsibility for pesticide use violations conducted under section 27(b) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (FIFRA), 7 U.S.C. 136 *et seq.*

§ 173.2 Definitions.

For purposes of this part:

(a) "Administrator" means the Administrator of the United States Environmental Protection Agency or his delegate.

(b) "Notice of intent to rescind" means a notice to a State issued under § 173.3 which initiates a proceeding to rescind the State's primary enforcement responsibility for pesticide use violations.

(c) "State" means the agency or agencies primarily responsible for enforcing pesticide use laws or regulations within the State or jurisdiction undergoing rescission proceedings.

(d) "Party to the proceeding" shall mean the State or the Agency's Office of Enforcement.

(e) "Presiding Officer" means an attorney appointed by the Administrator to conduct the rescission proceeding. The Presiding Officer shall be an employee or representative of the Agency and shall not have had prior direct connection with the specific proceeding except in circumstances where subsequent hearings are in order.

§ 173.3 Initiation of rescission proceedings.

(a) Whenever the Administrator determines that a State having primary enforcement responsibility for pesticide use violations is not carrying out such responsibility, or cannot carry out such responsibility due to the lack of adequate legal authority, the Administrator shall notify the State in writing of his intent to rescind its primary enforcement responsibility, in whole or in part, by serving upon the State a notice of intent to rescind.

(b) The notice of intent to rescind shall:

(1) Specify those aspects of the State's pesticide use enforcement program determined to be inadequate;

(2) Specify the facts which underlie the findings contained in the rescission notice;

(3) Have attached thereto copies of any relevant documents discoverable under the Federal Rules of Civil Procedure and the Freedom of Information Act which contain data relied upon by the Administrator in making his decision to issue the notice;

(4) Have attached thereto a copy of this Part; and

(5) Be sent to the State by certified mail, return receipt requested.

(c) The State may respond in writing to the findings specified in the notice of intent to rescind.

§ 173.4 Informal conference and settlement.

(a) After receipt of a notice of intent to rescind, the State may request that an informal conference be held between appropriate State and EPA officials to discuss the findings made in the notice of intent to rescind. The informal conference shall then be held in the State. If the Administrator finds, on the basis of information submitted by the State at the conference, that the deficiencies specified in the notice did not exist or were corrected by the State, the Administrator shall issue an order withdrawing the notice of intent to rescind and terminating the rescission proceeding.

(b) At any time after receipt of a notice of intent to rescind and before the issuance of a final order, the State and EPA may resolve the issues raised in the notice by agreement. Any settlement agreement shall be in writing and signed by the parties and shall:

(1) Detail the deficiencies found in the State program;

(2) Specify the steps the State has taken or will take to remedy the deficiencies; and

(3) Set forth a precise schedule for each remedial action yet to be initiated.

(c) If a written agreement is signed by the parties, the Administrator shall issue an order withdrawing the notice of intent to rescind and terminating the rescission proceeding. If the State does not comply with the terms of the settlement agreement, the Administrator may reissue the notice of intent to rescind.

§ 173.5 Request for hearing.

A State may request a hearing before a Presiding Officer not later than sixty (60) days after receipt of a notice of intent to rescind.

§ 173.6 Publication of the notice; scheduling the hearing.

(a) If the Administrator has not issued an order terminating the rescission proceeding within sixty (60) days after service of the notice of intent to rescind upon the State, the Administrator shall publish the notice of intent to rescind in the **Federal Register**. The Administrator may modify the original notice of intent to rescind before its publication by deleting those deficiencies listed in the original notice which have been corrected or which were shown not to have existed. The public may submit comments upon the matters specified in the published notice of intent to rescind within the time specified therein.

(b) Concurrently with the publication of the notice of intent to rescind, the Administrator shall schedule a hearing in the State if one has been requested by the State. The date, time, and location of the hearing shall be published in the **Federal Register** along with the notice of intent to rescind.

(c) If a hearing is requested and the Administrator has not issued an order terminating the rescission proceeding, the Administrator shall provide for a hearing as scheduled. Representatives of the State, EPA, and the public may present evidence at the hearing. The Administrator shall appoint a Presiding Officer who shall preside over the hearing and make a recommended decision regarding the adequacy of the State's pesticide use enforcement program. The Administrator, after consultation with the State, may prescribe additional procedures governing the conduct of the hearing.

(d) If a termination order is issued or the hearing is rescheduled after the notice of intent to rescind is published in the **Federal Register**, such order or notice rescheduling the hearing shall also be published in the **Federal Register**.

§ 173.7 Hearing and recommended decision.

(a) The Presiding Officer shall:

(1) Conduct a fair and impartial hearing, without unnecessary delay;

(2) Ensure that the facts are fully elicited; and

(3) Consider all evidence, comment, and argument which is submitted by persons who will be affected by the outcome of the proceeding and which is not irrelevant, immaterial, unduly repetitious, or otherwise unreliable or of little probative value. The Presiding Officer may require any prospective witness to make available, in advance of the hearing, a brief summary of his or her testimony.

(b) If, following the close of the hearing, the Presiding Officer finds that the State has corrected, or has agreed in writing to correct, the deficiencies specified in the notice of intent to rescind or has shown that such deficiencies do not exist, the Presiding Officer shall issue a decision recommending that the notice of intent to rescind be withdrawn and that the rescission proceeding be terminated.

(c) If, following the close of the hearing, the Presiding Officer finds that the State has not corrected the deficiencies in its program, the Presiding Officer shall issue a decision recommending that the State's primary enforcement responsibility for pesticide use violations be rescinded in whole or in part.

(d) The recommended decision of the Presiding Officer shall become final Agency action forty-five (45) days after its service upon the parties and without further proceedings unless (1) an appeal to the Administrator is taken from it by a party to the proceeding, or (2) the Administrator elects, sua sponte, to review the recommended decision.

§ 173.8 Final order.

(a) If the State does not request a hearing within the sixty-day time period and the Administrator has not issued an order withdrawing the notice of intent to rescind, the Administrator shall issue a final order as soon as practicable after the time for public comment on the notice of intent to rescind has elapsed. The final order shall either withdraw the notice of intent to rescind and terminate the proceeding or rescind, in whole or in part, the State's primary enforcement responsibility for pesticide use violations.

(b) If a hearing has been held and the Presiding Officer has made a recommended decision, then either the Office of Enforcement or the State may appeal the recommended decision to the Administrator or the Administrator may elect to review the recommended decision on his own initiative.

(c) After an appeal or sua sponte review the Administrator shall issue a final order terminating the rescission proceeding or rescinding, in whole or in part, the State's primary enforcement responsibility for pesticide use violations.

(d) In no event may the Administrator issue his final decision sooner than ninety (90) days after service of the notice of intent to rescind on a State.

(e) Any final order, or a recommended decision which becomes a final order under § 173.7(c), shall be published in the **Federal Register**.

§ 173.9 Judicial review.

The State may appeal an order rescinding, in whole or in part, its primary enforcement responsibility for pesticide use violations to the appropriate federal court pursuant to section 16 of FIFRA.

[FR Doc. 81-14128 Filed 5-8-81; 8:45 am]

BILLING CODE 6560-33-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch.1

[FPR Temp. Reg. 45, Supplement 3]

Fair and Equitable Compensation to Professional Employees; Temporary Regulation

AGENCY: General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This supplement extends the expiration date of Federal Procurement Regulations Temporary Regulation 45 (43 FR 27235, June 23, 1978). The extension reflects the Office of Federal Procurement Policy (OFPP) Policy Letter 78–2, dated March 28, 1978. The effect will be to continue the policies in OFPP Policy Letter 78–2, regarding wage busting for professionals.

DATES: Effective date: April 1, 1981.

Expiration date: This regulation will continue in effect until April 1, 1983, unless canceled earlier.

FOR FURTHER INFORMATION CONTACT: Philip G. Read, Director, Federal Procurement Regulations Directorate (VR), Office of Acquisition Policy 703–557–8947.

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

In 41 CFR Chapter 1, FPR Temporary Regulation 45, Supplement 3 is added to the appendix at the end of the chapter.

May 1, 1981.

[Federal Procurement Regs.; Temporary Reg. 45, Supplement 3]

Fair and Equitable Compensation to Professional Employees Under Federal Contracts for Services

1. *Purpose.* This supplement extends the expiration date of FPR Temporary Regulation 45, as previously extended by Supplement 2.

2. *Effective date.* This supplement is effective April 1, 1981.

3. *Expiration date.* FPR Temporary Regulation 45 and this supplement will expire on April 1, 1983, unless canceled earlier.

4. *Explanation of changes.* Paragraph 3 of FPR Temporary Regulation 45 is revised to delete the expiration date of April 1, 1981, and to prescribe the revised expiration date which appears in paragraph 3. The change prescribed in paragraph 4 of Supplement 2 continues in effect.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 81–14127 Filed 5–8–81; 8:45 am]

BILLING CODE 6820–61–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 5861

[NM 36466—OKLA]

Restoration of Lands to Ownership of the Kiowa, Comanche and Apache Tribes; Oklahoma

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This action will terminate the withdrawal of 115.41 acres of ceded public lands and restore them to the ownership of the Kiowa, Comanche and Apache Tribes.

EFFECTIVE DATE: May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Stella Gonzales, New Mexico State Office, 505–988–6211.

By virtue of the authority contained in Section 3 of the Act of June 18, 1934, 25 U.S.C. 463, and pursuant to the recommendations of the Tribal Council and the Acting Deputy Assistant Secretary of Indian Affairs, and a finding of the Secretary of the Interior that such action is in the public interest, it is ordered as follows:

The following described lands, ceded by the Kiowa, Comanche and Apache Tribes of Indians to the United States pursuant to agreement ratified by the Act of June 6, 1900, 31 Stat. 672, 676, having been reserved for use by the Bureau of Indian Affairs for school, agency, cemetery and administrative purposes and not needed for such uses, are hereby restored to tribal ownership for use and benefit of the Kiowa, Comanche and Apache Tribes of Indians and are added to and made a part of the existing reservation, subject to valid existing rights:

Indian Meridian

T. 2. N., R. 11 W.

A parcel situated in the NW¼ of Sec. 29; SW¼ Sec. 20: Beginning at the Southwest Quarter corner of the said Section 20 (or the Northwest Quarter of said Sec. 29); thence N. 00°00'49" E. a distance of 1,371.87 feet; thence N. 88°33'09" W. a distance of 1,288.07 feet; thence S. 00°53'28" E. a distance of 394.05 feet; thence N. 88°31'10" W. a distance of 790.04 feet; thence S. 05°25'58" W. a distance of 122.16 feet; thence S. 31°42'19" W. a distance of 24.02 feet; thence S. 22°58'47" W. a distance of 72.41 feet; thence S. 01°12'25" W. a distance of 719.89 feet; thence S. 09°32'45" E. a distance of 108.64 feet; thence S. 01°27'40" E. a distance of 331.60 feet; thence S. 08°47'14" E. a distance of 36.94 feet; thence S. 08°47'14" E. a distance of 193.83 feet; thence S. 12°39'53" E. a distance of 325.16 feet; thence S. 14°03'46" E. a distance of 328.25 feet; thence S. 05°47'48" E. a distance of 142.10 feet; thence S. 13°20'06" E. a distance of 100.56 feet; thence N. 64°27'13" E. a distance of 1,104.64 feet; thence S. 88°00'16" E. a distance of 843.68 feet; thence N. 76°20'40" E. a distance of 55.08 feet; thence N. 00°25'12" E. a distance of 979.22 feet; to point of beginning.

The area described aggregates 115.41 acres in Comanche County.

James G. Watt,

Secretary of the Interior.

May 6, 1981.

[FR Doc. 81–14174 Filed 5–8–81; 8:45 am]

BILLING CODE 4310–84–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA–6036]

Communities With Minimal Flood Hazard Areas; for the National Flood Insurance Program; Nebraska, et al.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: The Federal Insurance Administrator, after consultation with local officials of the communities listed below, has determined, based upon analysis of existing conditions in the communities, that these communities' Special Flood Hazard Areas are small in size, with minimal flooding problems. Because existing conditions indicate that the area is unlikely to be developed in the forseeable future, there is no immediate need to use the existing detailed study methodology to determine the base flood elevations for the Special Flood Hazard Areas.

Therefore, the Administrator is converting the communities listed below to the Regular Program of the National Flood Insurance Program (NFIP) without determining base flood elevations.

EFFECTIVE DATE: Date listed in fourth column of List of Communities with Minimal Flood Hazard Areas.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 755–5585, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: In these communities, the full limits of flood insurance coverage are available at actuarial, non-subsidized rates. The rates will vary according to the zone designation of the particular area of the community.

Flood insurance for contents, as well as structures, is available. The maximum coverage available under the Regular Program is significantly greater than that available under the Emergency Program.

Flood insurance coverage for property located in the communities listed can be purchased from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program. The effective date of conversion to the Regular Program will not appear in the Code of Federal Regulations except for the page number of this entry in the **Federal Register.**

The entry reads as follows:

§ 65.7 List of Communities with Minimal Flood Hazard Areas.

State	County	Community name	Date of conversion to regular program
Nebraska	Colfax	Village of Howells.	June 2, 1981.
Missouri	Wright	City of Mansfield	June 16, 1981.
Alabama	Jefferson	Town of Kimberly.	June 19, 1981.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Federal Insurance Administrator)

Issued: April 23, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-10427 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

FOREIGN CLAIMS SETTLEMENT COMMISSION

45 CFR Parts 500 and 531

Vietnam Claims Program

AGENCY: Foreign Claims Settlement Commission.

ACTION: Amendment of Regulations.

SUMMARY: Pursuant to Public Law 96–606, approved December 28, 1980, which added Title VII to the International Claims Settlement Act of 1949, the Foreign Claims Settlement Commission is authorized to receive and determine claims against Vietnam for losses incurred as a result of nationalization, expropriation or other takings of property interests of nationals of the United States. The administration of this program of claims pursuant to the provisions of Public Law 96–606, known as the Vietnam Claims Program pursuant to notice of commencement published on February 26, 1981 in the **Federal Register** [FR 14230], necessitates the amendment of certain Regulations of the Foreign Claims Settlement Commission to include this new class of claims within their scope.

EFFECTIVE DATE: May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Karl D. Klauck, Deputy General Counsel, Foreign Claims Settlement Commission, Room 414, 1111 20th Street, N.W., Washington, D.C. 20579 (202) 653–6166.

The regulations of the Foreign Claims Settlement Commission are amended as follows:

1. Section 500.3(c) of the Commission's regulations is hereby amended by removing the "or" before "Title VI" and inserting the words ", or Title VII" thereafter so that the paragraph reads as follows:

§ 500.3 Fees.

* * * * *

(c) The total remuneration on account of services rendered or to be rendered to or on behalf of any claimant in connection with any claim falling within Title I, Title IV, Title VI, or Title VII of the International Claims Settlement Act shall not exceed ten per centum of the total amount paid on account of such claim.

2. Section 531.1 of the Commission's regulations is hereby amended by adding paragraph (j) which reads as follows:

§ 531.1 Time for filing.

* * * * *

(j) Claims under Title VII of the Act against Vietnam shall be filed on or before July 31, 1982.

3. Section 531.2 of the Commission's regulations is hereby amended by redesignating paragraph (j) as paragraph (k), redesignating paragraph (k) as paragraph (l), and inserting a new paragraph (j) which reads as follows:

§ 531.2 Form, content and filing of claims.

* * * * *

(j) FCSC Form 606—Statement of Claim against Vietnam.

* * * * *

These amendments are effective May 11, 1981.

This publication is exempt from Executive Order 12291 because it involves internal management procedure.

Dated at Washington, D.C. on May 5, 1981.

Richard W. Yarborough,

Chairman.

[FR Doc. 81-14071 Filed 5-8-81; 8:45 am]

BILLING CODE 6770-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 78–253; FCC 81–173]

Inquiry Into the Future Role of Low Power Television Broadcasting and Television Translators in the National Telecommunications System

AGENCY: Federal Communications Commission.

ACTION: Modification of interim policy statement.

SUMMARY: This Order discontinues acceptance of new TV translator applications, including those seeking waivers for low power features and applications for major amendments to existing TV translator licenses and pending applications. Three categories of applications would be excepted: TV translator applications meeting one of the two specified service priorities in Docket Nos. 8736 and 8974, 9175 and 8976 and major amendment applications from existing translators seeking to change frequency to avoid interference to or from full service stations or to move from Channels 70 through 83 will continue to be accepted. As its reasons for this action, the Commission cites the great volume of applications currently on file and the insufficient number of staff available to process pending applications.

EFFECTIVE DATE: April 9, 1981.

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

FOR FURTHER INFORMATION CONTACT: Molly Pauker, Broadcast Bureau (202) 632–7792.

SUPPLEMENTARY INFORMATION:

In the matter of an inquiry into the future role of low-power television broadcasting and television translators in the national telecommunications system; BC Docket No. 78–253; *Order.*

Adopted: April 9, 1981.

Released: April 13, 1981.

By the Commission: Chairman Ferris not participating.

1. It has been our policy to continue accepting TV translator applications during the pendency of the rule making proceeding on low power television. *See, Notice of Proposed Rule Making,*

BC Docket No. 78–253, 45 FR 69178, October 17, 1980 ("NPRM"). As of March 25, 1981, 3,646 TV translator applications were on file, among them numerous applications accompanied by requests for waiver to include low power features. Of these, 3,078 were filed on or before February 17, 1981, the cut-off date for the first two translator cut-off lists, which comprised over 250 applications. We estimate that an additional 1,568 applications were filed as of March 31, 1981, the cut-off date for the third cut-off list, composed of nearly 100 applications. We are continuing to receive applications at a steady rate. Many of these applications, indeed, the vast majority, propose operations that are mutually exclusive to other applications. As we stated in the NPRM, resolution of mutually exclusive applications will be deferred until adoption of a Report and Order in this proceeding.

2. The burdens on the staff, with respect to processing these great numbers of applications, are onerous. They range from housekeeping tasks, such as recording the receipt of each application and associating minor amendments with the proper file, to more complicated analysis, including "loading" the data base and performing exclusivity checks. In order to determine mutual exclusivities among the applications now cut-off, all applications on file must be checked against those on the initial cut-off lists. Much of this work must be done manually because Commission computer capacity is inadequate to contain all the requisite data. We simply do not have sufficient staff to keep abreast of the steady influx of translator applications described above. In view of the unforeseen numbers of applications that are being filed, we believe it is in the public interest for the Commission to discontinue accepting applications for TV translators, including those seeking waivers for low power features, immediately and until further notice.

3. We do not herein propose cessation of interim processing or a moratorium on interim grants of applications that have gone through the cut-off process. Indeed, the purpose of our present action is administrative, to permit the staff to catch up with the backlog of applications that has rapidly accumulated since the NPRM. Only in this way will we be able to determine which, if any, pending applications are subject neither to competing applications nor petitions to deny and are therefore grantable on an interim basis.[1]

4. We are therefore proposing to cease accepting applications for TV translators, with or without waiver petitions for low power features, until further notice. We also will not accept applications for major amendments to pending applications or existing licenses, because such applications would have to be placed on a new cut-off list. Except as indicated in paragraph 5, *infra*, we do not intend to issue additional "A" cut-off lists for TV translators.[2] Any such applications tendered after the adoption of this *Order* will be returned to the applicant without prejudice.

5. We shall continue to accept TV translator applications in any of the following three categories, where we find that the public interest considerations in service override our concerns about the administrative burdens attendant on acceptance of additional applications:

(a) Applications meeting any one of the following service priorities of the *Sixth Report and Order* in Docket Nos. 8736 and 8975, 9174 and 8976, 41 F.C.C. 148, 167 (1952):[3]

(1) To provide at least one TV service to all parts of the United States, and

(2) To provide a choice of at least two TV services to all parts of the United States.[4]

(b) Applications for major modifications filed by existing translator licensees operating on Channels 70 through 83 seeking to change frequency to lower channels, in conformity with established Commission policy to permit land mobile use of Channels 70 through 83. *See, Report and Order* in Docket No. 18861, 47 F.C.C. 2d 628 (1971); *First Report and Order and Second Notice of Inquiry* in Docket No. 18262, 35 Fed. Reg. 8644 (1970) and Section 74.702(i) of the Commission's Rules.

(c) Applications for major modifications filed by licensees of existing translators seeking to change frequency to resolve interference caused to or received from full service stations. The secondary spectrum priority of translators mandates this exception.

We shall continue to accept and place on cut-off lists only applications that provide a detailed affirmative showing that they meet one of the above criteria. Competing applications to these would likewise only be accepted if they meet one of the criteria. We believe that the measures outlined herein will facilitate the continued progress of our interim translator policy and therefore will best serve the public interest.

6. Accordingly, it is ordered, That effective immediately until further notice, the Commission will not accept for filing either new applications for TV translators, including those with low power features, except such applications meeting the specified service priorities of the *Sixth Report and Order* in Docket Nos. 9736 and 8975, 9175 and 8976, or applications seeking major amendments to existing TV translator licenses or pending TV translator applications, including those with low power features, except applications of existing translator licensees seeking to change frequency from Channels 70 through 83 or to resolve interference caused to or received from full service stations.

7. This action is taken pursuant to authority contained in Sections 1, 4(i), 5(d)(1), 303 (c) and (r) and 309(b) of the Communications Act of 1934, as amended.

8. For further information concerning this proceeding, contact Molly Pauker, Broadcast Bureau, (202) 632–7792.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81–14135 Filed 5–8–81; 8:45 am]

BILLING CODE 6712–01–M

[1] Until such time as we are prepared to process applications under the interference standard of Section 74.702(e), or some other standard that ultimately may be adopted in this proceeding, we shall use the fixed mileage separation requirements of Section 74.702(c)(2) to determine, in the first instance, whether applications for translators, including those with low power features, are apparently mutually exclusive with full-service stations or each other. Upon completion of the processing of pending applications under this admittedly strict standard, the Commission may consider, on a case-by-case basis, any applications that may be grantable under the traditional translator standards as set forth in Section 74.702

[2] An "A" cut-off list is one that generates competing applications to the listed applications. We note that our *Memorandum Opinion and Order*, FCC 81–15, released January 16, 1981, (46 FR 10728; February 4, 1981) instructed the staff that "(f)uture cut-off dates for the duration of the rule making will be bi-monthly, beginning with March 1, 1981, May 1, July 1, and so on." The instant *Order* supercedes that instruction.

[3] This would include TV translator applications and those seeking waivers to include low power features.

[4] It is our opinion that, in the context of TV translator and low power stations, these two service priorities of the *Sixth Report and Order* are of paramount importance because they would facilitate service to areas most in need of it, the primary goal of our interim policy. We shall therefore accept translator or low power applications that cover areas that directly receive fewer than two full-service TV stations.

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1034

[Ex Parte No. 376]

Rerouting of Traffic; Correction

AGENCY: Interstate Commerce Commission.

ACTION: Notice of correction to final rule.

SUMMARY: The Commission is adopting rules to permit carriers to reroute traffic without prior Commission authorization for 30 days, when necessary for reasons beyond their control and for additional 30-day increments. The final rules in the Commission's decision of March 27, 1981 (46 FR 21781, 04–14–81) will become effective on May 14, 1981. This notice is to correct an inadvertent omission in 49 CFR 1034.1, Temporary authority, paragraph (c), Notice by rerouting carrier.

EFFECTIVE DATE: May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder or Jane F. Mackall (202) 275–7656.

SUPPLEMENTARY INFORMATION: To correct an inadvertent omission in 49 CFR 1034.1(c), Notice by rerouting carrier, which appears in the **Federal Register** issue of April 14, 1981 (46 FR 21781), the second sentence of paragraph (c) is revised to include the following italicized language:

The originating carrier must notify each shipper at the time each shipment is rerouted or diverted and furnish to each shipper the rerouting, *except when the disability requiring the rerouting occurs after the movement has begun.*

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14021 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register
Vol. 46, No. 90
Monday, May 11, 1981

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

Agricultural Marketing Service

7 CFR Part 930

Cherries Grown in Michigan, New York, Wisconsin, Pennsylvania, Ohio, Virginia, West Virginia, and Maryland; Findings and Determinations With Respect to Continuation of the Marketing Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Determination of referendum results.

SUMMARY: This document contains the determination with respect to continuation of the marketing order regulating cherries grown in designated States. A referendum was conducted among cherry growers and handlers March 22–31, 1981, to ascertain if they favor termination of this regulatory program. The vote in the referendum shows that the required majority of such growers and handlers do not favor termination.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Acting Chief, Fruit Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, telephone (202) 447–5975.

SUPPLEMENTARY INFORMATION: Pursuant to the applicable provisions of Marketing Order No. 930 (7 CFR Part 930), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), notice was given in the March 10, 1981, issue of the **Federal Register** (46 FR 15888) that a referendum would be conducted among the growers who, during the period May 1, 1980, through December 31, 1980 (which period was determined to be a representative period for the purpose of such referendum), were engaged, in the production area, in the production of cherries for market and among handlers who, during the aforesaid period, canned or frozen cherries produced in the production area, to ascertain whether such growers and handlers favor continuation of the marketing order.

Upon the basis of the results of the aforesaid referendum, which was conducted during the period March 22 to March 31, 1981, both dates inclusive, it is hereby found and determined that the termination of the marketing order, regulating the handling of cherries grown in Michigan, New York, Wisconsin, Pennsylvania, Ohio, Virginia, West Virginia, and Maryland, is not favored by the requisite majority of such growers or handlers.

Dated: May 6, 1981.

C. W. McMillan,

Assistant Secretary for Marketing and Transportation.

[FR Doc. 81-14044 Filed 5-8-81; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Part 92

Importation of Birds; Procedures for the Approval of Commercial Bird Quarantine Facilities and Recovery of Costs of Services

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document would amend Title 9, Code of Federal Regulations, Part 92, to make the operator of a quarantine facility for the importation of birds responsible for the maintenance and operation of the quarantine facility and for the cost of services provided by the Department at the quarantine facility. This action is necessary because an operator of an approved quarantine facility for the importation of birds controls the facility, and, therefore, is in a better position than an importer to assure that the quarantine facility is maintained and operated in accordance with the regulations in Title 9, Code of Federal Regulations, Part 92, and to pay for charges for services provided by the Department at the quarantine facility. The effect of this action would be to relieve an importer of birds of the responsibilities presently imposed upon him by the regulations in Title 9, Code of Federal Regulations, Part 92, for the maintenance and operation of an approved quarantine facility for the importation of birds and for the costs for services provided by the Department at the approved quarantine facility. All costs for the use of a facility by an importer could be negotiated with the operator of the facility.

This document would also amend Title 9, Code of Federal Regulations, Part 92, to provide for withdrawal of approval of any approved quarantine facility which has not been used to quarantine birds for a period of one year. This action is necessary to prevent a misallocation of Department personnel which may result when Department personnel are made available to provide services at approved quarantine facilities which remain unused for prolonged periods of time. The effect of this action would be to give the Deputy Administrator the authority to withdraw approval from any approved quarantine facility which has not been used to quarantine birds for a period of one year.

DATE: Comments on or before July 10, 1981.

ADDRESS: Written comments should be submitted to the Deputy Administrator, Veterinary Services, APHIS, USDA, Room 870, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

FOR FURTHER INFORMATION CONTACT: Dr. S. S. Richeson, USDA, APHIS, VS, Import-Export Staff, Room 817, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301–436–8170.

SUPPLEMENTARY INFORMATION: This proposed action has been reviewed in conformance with Executive Order 12291, and has been determined to be not a "major rule". The proposed rule, if adopted, would not have a significant effect on the economy and would not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises, in domestic or export markets.

Dr. Harry C. Mussman, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial

number of small entities. Only 10 of the 93 approved bird quarantine facilities are presently not active. These 10 approved bird quarantine facilities would be affected by this action which would provide the Deputy Administrator with authority to withdraw approval from those facilities which have not been used for one year or longer. This action would also make the operators of approved bird quarantine facilities, rather than the importer of the birds, responsible for the costs and operations of the approved bird quarantine facilities. This should have no significant economic impact on any small entity because operators of these approved quarantine facilities also import birds into the facilities, and, other importers which may use any of the facilities could negotiate all costs for the use of the facilities with operators of the facilities.

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that pursuant to section 2 of the Act of February 2, 1903, as amended, section 11 of the Act of May 29, 1884, as amended, and sections 2, 4, and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 114a, 134a, 134c, and 134f, respectively), and the Act of July 24, 1919 (7 U.S.C. 450b), the Animal and Plant Health Inspection Service is considering amending Part 92, Title 9, Code of Federal Regulations.

The regulations in 9 CFR 92.11(e) require that each lot of commercial birds, zoological birds, or research birds imported into the United States be quarantined for a minimum of 30 days at a USDA quarantine facility or in a facility provided by the importer and approved by the Deputy Administrator. Section 92.11(f) provides that to qualify as an approved quarantine facility and to retain such approval, certain standards for approved quarantine facilities and handling procedures for importation of birds must be met and that the cost of the facility and all costs associated with its maintenance and operation shall be borne by the importer. Section 92.12(a) provides that the Deputy Administrator, Veterinary Services may prescribe rates for the costs to the Department incurred in the care, feed, and handling of the birds, sanitation of the facilities, inspection, and other services as may be required from the time of unloading at a quarantine port to the time of release from quarantine.

On August 9, 1978, there was published in the **Federal Register** (43 FR 35457–35459) a rule that required importers, effective October 1, 1978, to reimburse Veterinary Services for all costs incurred in providing services required at approved quarantine facilities for the importation of birds, and a schedule of fees to be charged importers for such services. Further, the regulations in § 92.11 paragraphs (e) and (f) impose responsibility for the maintenance and operation of approved quarantine facilities upon the importer using such facilities. This document proposes to amend § 92.11 (e), (f), and (g) of the regulations to require that the operator of the facility, rather than the importer, pay for all charges for services provided by Veterinary Services at the approved quarantine facility and bear all costs associated with and be responsible for the maintenance and operation of the facility. This amendment is necessary because an operator of an approved quarantine facility controls the facility and, therefore, is the more logical person upon which to impose such costs and charges and responsibility for the maintenance and operation of the facility in accordance with the applicable regulations.

Presently, § 92.11(e) requires, among other things, that imported birds be quarantined for 30 days at a USDA quarantine facility or in a facility provided by the importer and approved by the Deputy Administrator. This proposal would amend § 92.11(e) to eliminate the requirement that the approved quarantine facility be provided by the importer. The Department does not believe that this requirement is necessary. The Department's concern is that if the birds are not quarantined in a USDA quarantine facility, the birds must be quarantined in a facility approved by the Deputy Administrator.

Presently, §§ 92.11(e) and 92.11(f)(7)(i) of the regulations require, among other things, that when an approved quarantine facility is about to be used, a Cooperative and Trust Fund Agreement as set forth in § 92.11(f)(7) of the regulations must be executed by the importer and the Department and appropriate funds deposited with the Deputy Administrator. Further, § 92.11(f)(7)(ii) of the regulations only authorizes the Deputy Administrator to provide services required by an importer at an approved quarantine facility if the Deputy Administrator determines that the importer has executed a Cooperative and Trust Fund Agreement. This proposal would amend §§ 92.11(e) and 92.11(f)(7)(i) to require that, prior to the use of an approved quarantine facility, the operator rather than the importer must execute the Cooperative and Trust Fund Agreement and deposit appropriate funds with the Deputy Administrator. Further, this proposal would amend § 92.11(f)(7)(ii) to authorize the Deputy Administrator to provide services required by the operator at an approved quarantine facility if the Deputy Administrator determines that the operator has executed a Cooperative and Trust Fund Agreement. The Department believes that these amendments are necessary because the operator is the person in control of the approved quarantine facility and, therefore, is in a better position than an importer to insure that the facility is maintained and the birds are handled in accordance with the terms of the Cooperative and Trust Fund Agreement.

Presently, § 92.11(f)(7)(iii) sets forth the Cooperative and Trust Fund Agreement which must be executed by the importer and the amount of money which must be deposited with the Veterinary Services. As stated above, this proposal would require that the operator execute the Cooperative and Trust Fund Agreement and deposit agreed upon amounts of money with Veterinary Services. Therefore, this proposal would amend the Cooperative and Trust Fund Agreement set forth in § 92.11(f)(7)(iii) to provide for the execution of such Agreement by the operator of the facility and for the depositing of funds with Veterinary Services by the operator of the facility.

Presently, § 92.11(f)(8) provides for a separate Cooperative Agreement to be executed by the operator of the quarantine facility and the Animal and Plant Health Inspection Service. This proposal would delete § 92.11(f)(8) and place the terms of this agreement in the Cooperative and Trust Fund Agreement in § 92.11(f)(7)(iii). The need for two agreements would no longer be necessary because under this proposal the person who would be required to execute the two agreements are the same. Therefore, the Department would combine the two agreements and thereby reduce the amount of paperwork necessary prior to the use of approved quarantine facilities.

Importers wishing to use a facility should benefit from these amendments by negotiating all costs for the use of the facility with the operator of the facility. The Department would benefit by having a responsible operator with a financial interest provide responsible management of the facility. By adopting this procedure importers applying for a permit would not be required to execute a Cooperative and Trust Fund Agreement nor deposit the required funds with the Department. It would

only be necessary for the applicant to reserve space at an approved facility.

Presently, § 92.11(f)(6) provides that approval of a quarantine facility will only be given after an inspection of the facility to determine if the facility meets the standards set forth in § 92.11(f). Further, approval may be withdrawn or denied if any requirement of § 92.11 is not met. This proposal would amend § 92.11(f)(6) to provide that approval of any facility may be withdrawn by the Deputy Administrator, if the approved quarantine facility has not been used to quarantine birds for a period of one year. The withdrawal of approval would be effective upon receipt by the operator of a notice from the Deputy Administrator of such withdrawal of approval. The Department believes that this additional ground for withdrawal is necessary to prevent a misallocation of personnel which results when the Department makes personnel available to provide services at approved quarantine facilities which remain unused for prolonged periods of time.

The Department has approved 93 privately owned quarantine facilities for the quarantine of imported birds. Of these, 10 facilities have not been used to quarantine birds since being approved.

This proposal would add definitions of the words "person" and "operator" in proposed §§ 92.1(y) and 92.1(z). These definitions would be added to clarify the meaning of those words. Other minor editorial changes would be made for clarity.

Accordingly, Part 92, Title 9, Code of Federal Regulations, would be amended in the following respects:

1. In § 92.1, a new paragraph (y) would be added to read:

§ 92.1 Definitions.

* * * * *

(y) *Person.* Any individual, corporation, company, association, firm, partnership, society or joint stock company.

2. In § 92.1, a new paragraph (z) would be added to read:

* * * * *

(z) *Operator.* For the purposes of § 92.11, any person operating a quarantine facility.

3. In § 92.11(e), the following phrase in the first sentence would be removed:

§ 92.11 Quarantine requirements.

* * * * *

(e) *Birds.* * * * which are provided by the importer and * * *

* * * * *

4. In § 92.11(e), the period at the end of the third sentence would be changed to a comma.

5. In § 92.11(e), the 7th and 8th sentences would be revised to read:

* * * * *

(e) *Birds.* * * * Prior to use of an approved quarantine facility, a Cooperative and Trust Fund Agreement as set forth in paragraph (f)(7) of this section shall be executed by the operator of the facility and the Department and appropriate funds shall be deposited with the Deputy Administrator pursuant to the Cooperative and Trust Fund Agreement. During the quarantine period, the operator of the facility and the importer shall comply with handling procedures (including inspection and testing) as provided in paragraph (f) of this section. * * *

* * * * *

6. In § 92.11(f) introductory text, the second sentence would be revised to read:

* * * * *

(f) *Standards for approved quarantine facilities and handling procedures for importation of birds.* * * * The cost of the facility and all costs associated with the maintenance and operation of the facility shall be borne by the operator in accordance with the provisions of §§ 92.11(g) and 92.12 (a) and (c).

* * * * *

7. In § 92.11(f)(6), the following two sentences would be added at the end of the section:

* * * * *

(f) * * *

(6) * * * Approval of any approved quarantine facility may be withdrawn by the Deputy Administrator, Veterinary Services, if the approved quarantine facility has not been used to quarantine birds for a period of one year. Withdrawal of approval of any approved quarantine facility for not quarantining birds in the approved quarantine facility for a period of one year shall be effective upon the receipt by the operator of a written notice from the Deputy Administrator of the withdrawal of approval.

* * * * *

8. In § 92.11(f)(7)(i), the first sentence would be revised to read:

* * * * *

(f) * * *

(7) *Cooperative and Trust Fund Agreement for services required by importer at approved quarantine facilities for the importation of birds.* (i) When a quarantine facility for the importation of birds is approved by the Deputy Administrator as provided in paragraph (e) of this section, a Cooperative and Trust Fund Agreement as set forth in paragraph (f)(7)(iii) of this section shall be executed by the operator of the facility and the Department and, in conjunction therewith, the operator shall deposit with the Deputy Administrator, Veterinary Services, funds adequate to cover all costs incurred by the Department in providing services required for two complete quarantine periods in accordance with the provisions of the Cooperative and Trust Fund Agreement.

* * * * *

9. Section 92.11(f)(7)(ii), would be revised to read:

* * * * *

(f) * * *

(7) * * *

(ii) The Deputy Administrator is authorized to provide services required by the operator of an approved quarantine facility in conjunction with the importations made through the facility for the importation of birds when he determines that the operator has executed a Cooperative and Trust Fund Agreement specified in paragraph (f)(7)(iii) of this section and has deposited funds in connection therewith as provided in such agreement.

* * * * *

10. In § 92.11(f)(7)(iii), the first sentence and the second sentence up to the first comma would be revised to read:

* * * * *

(f) * * *

(7) * * *

(iii) *Cooperative and Trust Fund Agreement.*

Cooperative and Trust Fund Agreement between ———— (name of operator) and the United States Department of Agriculture, Animal and Plant Health Inspection Service.

This Agreement is made and entered into by and between———— (name of operator), hereinafter referred to as the Cooperator * * *

* * * * *

11. In § 92.11, paragraph (f)(7)(iii)(A) would be revised to read:

* * * * *

(f) * * *

(7) * * *

(iii) * * *

(A) *The Cooperator Agrees:*

(1) To operate the approved quarantine facility in accordance with all Federal Laws and regulations.

(2) To provide a current list of designated personnel employed by the Cooperator who wil be used to handle and care for birds during a quarantine period. The list will include the legal names, current residential addresses, and social security numbers of the designated personnel. The list will be furnished to the port veterinarian at the time an application for an import permit to import

birds into the quarantine facility is submitted to the Service. The list will be updated for any changes in or additions to the designated personnel in advance of such personnel working in the quarantine facility.

(3) To furnish to the Service a signed statement from each of the designated personnel employed by the Cooperator which provides that such personnel agree that for a period of seven days from their most recent contact with birds in the approved quarantine facility, such personnel will refrain from having contact with other birds and poultry. Such condition shall not be applicable from the date that the birds are released from quarantine.

(4) To not permit any designated personnel which the Service determines to be unfit to be employed at a quarantine facility upon written notice from the Service. Such determination shall be based upon such employee's committing or adding and abetting in the commission of any violation of Title 9, Code of Federal Regulations, Part 92. The Cooperator further agrees to suspend any designated employee from working at a quarantine facility when the Service has reason to believe that such employee has violated any provision of Title 9, Code of Federal Regulations, Part 92, and the Deputy Administrator has determined that the actions of such employee constitute a severe threat to introduce or disseminate a communicable disease of poultry into the United States. Such action shall be made upon receipt of notice from the Service requiring such action by the Cooperator.

(5) To allow the unannounced entry into the quarantine facility of Service personnel or other persons authorized by the Service for the purpose of inspecting birds in quarantine, the operations at the quarantine facility and to ascertain compliance with the Standards for approved quarantine facilities and handling procedures for importation of birds contained in Title 9, Code of Federal Regulations, § 92.11(f).

(6) To provide permanent restrooms in both the clean and the quarantine areas of the approved quarantine facility.

(7) To provide a T.V. monitoring system or a window or windows sufficient to provide a full view of the quarantine area excluding the clothes changing area.

(8) To install a communication system between the clean and quarantine areas of the approved quarantine facility. Such communication system shall not interfere with the maintenance of the biological security of the quarantine area.

(9) To secure all windows and any openings in the quarantine facility in a manner satisfactory to the Department which will insure the biological security of the quarantine facility and prevent the unauthorized removal of birds.

(10) To install tamperproof hasps and to install hinges on doors from which the pins cannot be removed.

(11) To install a hood with a viewing window over the necropsy table.

(12) To bag waste material in leakproof bags. Such material shall be handled in a manner that spoilage is kept to a minimum and control of pests is maintained. Such material shall be disposed of by incineration or by public sewer or other method authorized by the Deputy Administrator to prevent the spread of disease. The disposition of such material shall only be under the direction and supervision of the Service.

(13) To feed chlortetracycline to psittacine birds, upon their arrival in the facility, in accordance with the guidelines of the United States Public Health Service to reduce the risk of infecting Service employees, as well as other individuals having contact with the birds. If non-psittacine species are quarantined in the same facility with psittacine species, they will all be fed the chlortetracycline-medicated feed.

(14) To install an electronic security system which is coordinated through or with the local police so that monitoring of the quarantine facility is maintained whenever Service personnel are not at the facility or, in lieu of such electronic monitoring system to arrange for continuous guarding of the facility with personnel from a bonded, security company. *Provided,* That, if exotic Newcastle disease is diagnosed in any of the birds in the quarantine facility, continuous guarding of the facility with personnel from a bonded security company shall be maintained by the Cooperator. The electronic security system if installed shall be of the "silent type" and shall be triggered to ring at the monitoring site and not at the facility. The electronic system shall be approved by Underwriters's Laboratories.

Written instructions shall be provided to the monitoring agency which shall require that upon activation of the alarm, the police and a representative of the Service designated by the Service shall be notified by the monitoring agency. Such instructions, as well as any changes in such instructions, shall be filed in writing with the Deputy Administrator, Veterinary Services. The Cooperator shall notify the Service whenever a break in security occurs or is suspected of occurring.

(15) To not have non-Service personnel in the quarantine area when birds are in the quarantine facility unless Service personnel are present.

(16) To have seals of the Service placed on all entrances and exits of the facility when determined necessary by the Service and to take all necessary steps to insure that such seals are only broken in the presence of Service personnel.

(17) To decide what the disposition of a lot of birds will be within 48 hours following official notification that such a lot is infected with or exposed to velogenic viscerotropic Newcastle disease. Final disposition of the infected or exposed lot is to be accomplished within 4 working days following official notification. Disposition of the birds will be under the supervision of the Service.

(18) To furnish a telephone number or numbers to the Service at which the Cooperator can be reached on a daily basis or furnish the same for an agent or representative that can act and make decisions on the Cooperator's behalf.

(19) To deposit with the Service upon execution of this agreement the amount of $——— (equal to the approximate cost to the Department for two 30-day quarantine periods) to be used by the Service to defray all expenses incurred by the Service in providing services required, and as funds from that amount are obligated, monthly bills for costs incurred based on official accounting records will be issued to restore the deposit to its original level.

(20) To provide for the maintenance and operation of the approved quarantine facility in accordance with standards for approved quarantine facilities and handling procedures for importation of birds as provided in Part 92 of 9 CFR.

* * * * *

12. In § 92.11(f)(7)(iii)(B), paragraphs (3)–(7) would be added to read:

* * * * *

(f) * * *

(7) * * *

(iii) * * *

(B) *The Service Agrees:*

* * * * *

(3) To issue or validate permits on a timely basis depending upon the availability of personnel.

(4) To inform the Cooperator when a diagnosis of VVND has been made in any facility.

(5) To promptly inform the Embassy or Consulate of the foreign country to which lots of birds, refused entry into the United States due to a diagnosis of VVND, are to be shipped.

(6) To notify in writing the Cooperator of any designated employee which the Service believes should be suspended from work at the approved quarantine facility and the basis for such action. Similar notice shall be afforded to the designated employee. Subsequent to such suspension, the designated employee shall have the right to request an immediate review of such action by the Deputy Administrator, Veterinary Services, including presenting his views to the Deputy Administrator in an informal conference. If the Deputy Administrator makes a final determination that grounds existed to suspend such employee, he shall notify the Cooperator and the suspended employee of his decision and such employee shall be discharged by the Cooperator.

(7) Prior to any final determination being made by the Service concerning the discharge of any designated personnel employed by the Cooperator, the Service will inform, in writing, the Cooperator and the designated personnel of the basis for such action. If such person contests such action he or she shall be permitted to present his or her views to the Deputy Administrator, Veterinary Services, provided such request is made within 30 days of the receipt of the aforementioned written notice. If a final determination is made by the

Deputy Administrator that such personnel should be discharged, he shall notify such personnel and the Cooperator of such determination.

* * * * *

13. In § 92.11(f)(7)(iii)(C), paragraphs (1), (2), and (3) would be renumbered (3), (4), and (5) respectively, and new paragraphs (1) and (2) would be added to read:

* * * * *

(f) * * *

(7) * * *

(iii) * * *

(C) *It is Mutually Agreed and Understood:*

(1) That a maximum capacity will be established for each approved quarantine lot. This will be based upon the capacity of the approved quarantine facility to handle the birds. The number of birds on the permits will not exceed this capacity.

(2) If the seals referred to in A.16. are broken by other than Service personnel, it will be considered a breach in security and an immediate accounting of all birds in the facility shall be made by the Service. If any birds are determined to be missing from the facility, the quarantine period will be extended for at least an additional 30-day period.

* * * * *

14. In § 92.11(f)(7)(iii)(C), the paragraph following the signature block would be removed.

15. Section 92.11(f)(8) would be removed.

16. In § 92.11(g), the introductory language up to the colon would be amended to read:

* * * * *

(g) *Charges for services.* The charges to be borne by the operator for services provided for quarantine facilities approval in accordance with paragraph (f) of this section shall be:

* * * * *

All written submissions made pursuant to this notice will be made available for public inspection at the Federal Building, 6505 Belcrest Road, Room 870, Hyattsville, MD, during regular hours of business (8 a.m. to 4:30 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27(b)).

Comments submitted should bear a reference to the date and page number of this issue in the **Federal Register.**

Done at Washington, D.C., this 5th day of May, 1981.

J. K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 81-13954 Filed 5-8-81; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket Nos. 80-NW-21-AD, 80-WE-9-AD, 80-WE-10-AD, 80-WE-11-AD, 80-WE-12-AD]

Airworthiness Directives: Fortner Engineering and Manufacturing, Inc.; Hydraulic Components Repaired or That Contain Parts Produced and Installed in the Following Series Aircraft; Boeing Models 707/720/727/737/747, McDonnell Douglas Models DC-8/DC-9/DC-10; and Lockheed Model L-1011

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Withdrawal of Notices of proposed rulemaking.

SUMMARY: This document withdraws several Notices of Proposed Rulemaking (NPRMs) that proposed the adoption of Airworthiness Directives (ADs) that would have required the removal of certain hydraulic components that had been repaired or contain parts produced by Fortner Engineering and Manufacturing, Inc., of Glendale, California (hereinafter referred to as Fortner) and installed in Boeing 707/720/727/737/747, McDonnell Douglas DC-8/DC-9/DC-10, or Lockheed L-1011 aircraft. This action was initiated as a result of a finding that the components had not been shown to conform to FAA-approved design data and that improper operation of these components could affect safety of flight; consequently, the airworthiness of airplanes on which they were subsequently installed was questionable. Upon further consideration and in light of comments received and additional findings, the FAA has determined that the proposed ADs are not required at this time and accordingly the NPRMs are withdrawn.

DATES: Effective May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Quam, Aerospace Engineer, ANW-110, FAA, Northwest Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 767-2565.

SUPPLEMENTARY INFORMATION: *Public Participation:* Proposals to amend Part 39 of the Federal Aviation Regulations to include airworthiness directives requiring removal of certain hydraulic components used on these aircraft that have been repaired by or contain parts manufactured by Fortner Engineering and Manufacturing, Inc., of Glendale, California were published in the **Federal Register** as follows:

1. NPRM dated April 9, 1980, 45 FR 26075 (Docket 80-NW-21-AD).

2. NPRM dated March 11, 1980, 45 FR 18941 (Docket 80-WE-9-AD).

3. NPRM dated March 11, 1980, 45 FR 18942 (Docket 80-WE-12-AD).

4. NPRM dated March 11, 1980, 45 FR 18943 (Docket 80-WE-11-AD).

5. NPRM dated March 11, 1980, 45 FR 18945 (Docket 80-WE-10-AD).

As announced in the **Federal Register** of October 20, 1980 (45 FR 69332), the Northwest Region of the FAA assumed new authority as certificating region for transport category airplanes, including the McDonnell Douglas and Lockheed airplanes, effective November 1, 1980. This action, therefore, consolidates the actions proposed in all five of the outstanding NPRMs inasmuch as they relate to products for which this region now holds certification responsibility.

The FAA received numerous comments from the Air Transport Association of America (ATA), operators, and airframe and parts manufacturers. Due consideration has been given to all comments received.

Subsequent to publishing the NRPMs, the ATA requested an extension to the comment period and a meeting to provide public input. The request for extension was granted (45 FR 37221-37223 and 45 FR 58133) and a public meeting was held on September 18, 1980. Comments from that meeting have also been considered. In addition, following the public meeting and prior to this action, preliminary drafts of a summary of the industry comments and proposed FAA responses were coordinated with affected manufacturers and user groups for completeness and accuracy.

History of Proposals

During an overhaul test, an operator discovered that a Boeing 737 rudder power control unit (PCU) exhibited reverse control. The problem was isolated to a PCU dual servo valve (S/N 18X) that had been repaired by Fortner Engineering and Manufacturing, Inc., of Glendale, California. This valve and two other overhauled valves were returned to Fortner for overhaul tests. Data gathered from these and other tests indicated that not all the overhaul tests had been conducted as directed by the Fortner overhaul specification. The valves were overhauled by Fortner Engineering by honing out the housing that contains the primary and secondary slides, and replacing the primary and secondary slides with slides manufactured by Fortner in accordance with Fortner data. These data had not received FAA approval.

For the above reasons a Telegraphic Airworthiness Directive (T80NW-4) dated January 29, 1980, was issued to

require the removal from service of the Boeing 737 rudder PCU servo valves that had been overhauled by Fortner Engineering and Manufacturing, Inc. Subsequently and following additional investigation, the FAA issued an Airworthiness Directive (Docket 80–NW–9–AD), 45 FR 20055, March 27, 1980, requiring the removal from service of certain other dual concentric servo valves overhauled by Fortner and installed to control flight critical surfaces on Boeing 707/720/727/737 and 747 series airplanes. The proposed ADs involves in the NPRMs would require that those hydraulic components not included in the previous ADs also be removed from service.

Discussion

For the following reasons, the FAA has determined that ADs are not required at this time for the remaining components not already covered by the ADs issued to date.

1. The proposed rules would have applied only to components repaired or parts manufactured by Fortner prior to February 15, 1980, the date its FAA Repair Station Certificate was suspended. Since that time, Fortner repair station privileges have been fully reinstated and the Order of Suspension terminated.

2. Fortner applied for and on November 7, 1980, was granted authority under the provisions of Special Federal Aviation Regulation (SFAR) 36 to approve these types of appliances for return to service following major repairs, without FAA approval of the data.

3. An audit conducted on April 10, 1981, for Fortner's use of SFAR 36 authority has revealed no significant discrepancies.

4. Original design criteria applicable to the affected hydraulic systems require continued safe flight of the aircraft after combinations of failures not shown to be extremely improbable.

5. The airframe manufacturers have stated that the potential failure modes of these valves are covered by the existing failure assessment and that forms a part of the aircraft type certification. Their opinion is that the malfunction of any single component listed in the subject NPRMs would not compromise airworthiness of an affected airplane since such malfunction is considered by existing failure assessment.

6. Most of the hydraulic components listed in the NRPMs are maintained by "On Condition" (OC) or "Condition Monitoring" (CM) maintenance processes. Airline records indicate that the Fortner valves do not show any adverse reliability characteristics and have average mean time between failures of over 20,000 hours. They further show that probable service time accumulation is in excess of 300 million component hours. Service history to date tends to confirm the assessments of the manufacturers (see paragraph 5).

Therefore, the proposed ADs are being withdrawn. Withdrawal of these proposed ADs constitutes only such action and does not preclude the agency from issuing another Notice in the future or commit the FAA to any course of action in the future.

The Withdrawal

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, the proposed airworthiness directives published in the **Federal Register** on March 24, 1980 (45 FR 18941–18945), and April 17, 1980 (45 FR 26075–26078), are hereby withdrawn.

(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)

Note.—Since this action withdraws a proposed restriction and imposes no additional burden on any person, it may be made effective in less than 30 days. It is neither a proposed nor final rule and, therefore, is not covered under Executive Order 12291, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Issued in Seattle, Washington, on May 1, 1981.

Jonathan Howe,

Acting Director, Northwest Region.

[FR Doc. 81-14047 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Airworthiness Docket No. 75–SW–7]

Airworthiness Directives; Gulfstream American (Rockwell) Aircraft Models 500, 500A, 500B, 500S, 500U, 520, 560, 560A, 560E, 560F, 680, 680E, 680F, 680F(P), and 720

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend an existing airworthiness directive (AD) applicable to Gulfstream American (Rockwell) Aircraft Models 500, 500A, 500B, 500S, 500U, 520, 560, 560A, 560E, 560F, 680, 680E, 680F, 680F(P), and 720 to require additional inspections and subsequent modification to the "bob weight" mounting bracket side supports. The amendment is needed because reports from the field indicate that cracks are occurring after varying times in service.

DATES: Comments must be received on or before June 8, 1981.

ADDRESSES: Send comments on the proposal in triplicate to: Regional Counsel, Attention: Docket No. 75–SW–7, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

The applicable service bulletins may be obtained from Gulfstream American Corporation, 5001 North Rockwell Avenue, Bethany, Oklahoma 73008.

These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Texas, or Rules Docket in Room 916, FAA, 800 Independence Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: James L. Patras, Airframe Section, Engineering and Manufacturing Branch, ASW–212, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone (817) 624–4911, extension 516.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making or the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Director before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Office of Regional Counsel, Federal Aviation Administration, Southwest Region, 4400 Blue Mound Road, Fort Worth, Texas, for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with the proposed amendment to the AD, will be filed in the docket.

AD 75–12–09 was issued to require the installation of a "bob weight" to increase stick forces thereby minimizing the potential of wing overload failure due to inadvertent high maneuver "g" loads.

During routine maintenance inspection, six aircraft have been found with cracks in the original "bob weight" support installation. Total hours since the "bob weight" installation averaged 3,220 hours prior to detecting cracks.

This condition is likely to exist or develop in other aircraft with the "bob weight" installation. The proposed amendment to the AD would require inspection, repair, or modification of the structure to prevent recurrence. Gulfstream American (Rockwell) Service Bulletin No. 179 dated January 26, 1981; Service Bulletin No. 129, Revision 4, dated January 26, 1981; and Service Bulletin No. 136, Revision 3, dated January 26, 1981, refer to this subject.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by further amending Amendment 39–2223, 40 FR 21178, AD 75–12–09 as follows:

(1) Add the following paragraph after the second paragraph of the AD:

Aircraft that have complied with Service Bulletin No. 129, prior to Revision 4 dated January 26, 1981, or Service Bulletin No. 136 prior to Revision 3 dated January 26, 1981, must comply with Service Bulletin No. 179 dated January 26, 1981, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Southwest Region, Federal Aviation Administration, Fort Worth, Texas, unless already accomplished. Initial compliance with the inspections specified in Service Bulletin No. 179 by an appropriate rated mechanic or repair station is required within 25 hours' time in service after the effective date of this amendment to the AD. When compliance with the repair or strengthening of the supports in accordance with Service Bulletin No. 179 or Service Bulletin No. 129, Revision 4, or Service Bulletin No. 136, Revision 3, has been accomplished, the repetitive inspections of Service Bulletin No. 179 may be discontinued.

(2) Change the last paragraph to read as follows:

Copies of these bulletins may be obtained by contacting the Service Manager, Gulfstream American Corporation, 5001 North Rockwell Avenue, Bethany, Oklahoma 73008.

(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)); 14 CFR 11.85)

Note.—The FAA has determined that this proposed regulation involves a regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); nor will it have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves a relatively low cost per aircraft. A draft evaluation has been prepared for this proposed regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Fort Worth, Tex., on April 23, 1981.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 81-14051 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-CE-22]

Transition Area—Kimball, Nebr.; Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This notice proposes to designate a 700-foot transition area at Kimball, Nebraska, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Kimball, Nebraska, Municipal Airport utilizing the Kimball nondirectional radio becon (NDB) as a navigational aid.

DATES: Comments must be received on or before June 21, 1981.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE–530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374–3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room, 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Don A. Peterson, Airspace Specialist, Operations, Procedures, and Airspace Branch, Air Traffic Division, ACE–532, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374–3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before June 21, 1981, will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374–3408.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11–2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, § 71.181, of the Federal Aviation Regulations (14 CFR 71.181) by designating a 700-foot transition area at Kimball, Nebraska. To enhance airport usage, a new instrument approach procedure is being developed for the Kimball, Nebraska, Municipal Airport utilizing the Kimball nondirectional radio beacon as a navigational aid. This radio facility will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Kimball, Nebraska, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating inder Visual Flight Rules (VFR).

The Proposed Amendment

Accordingly, Federal Aviation Administration proposes to amend Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1981 (46 FR 540), by adding the following new transition area:

Kimball, Nebr.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Kimball Municipal Airport, Kimball, Nebraska, (Latitude 41°11'20" N, Longitude 103°40'11" W) and 3 miles either side of the 133° bearing of the Kimball NDB (Latitude 41°11'30" N, Longitude 103°40'09" W)

extending from 6 miles to 8.5 miles southeast of the NDB.
(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Kansas City, Mo., on May 1, 1981.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 81-14046 Filed 5-8-81; 8:45 am]
BILLING CODE 4910-13-M

Coast Guard

33 CFR Part 165

[CGD8-81-01]

Safety Zone—Vicinity of Old River Control Structure, Mississippi River

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is considering amending its Safety Zone Regulations, 33 CFR Part 165, by establishing a Safety Zone in the vicinity of the Old River Control Structure at mile 314.5 Above Head of Passes, Lower Mississippi River. This structure is exposed to Mississippi River navigation and is vulnerable to damage if struck by errant vessels. This structure controls the distribution of water between the Mississippi River, Red River and the Atchafalaya River. The zone will assist in protecting the structure, thus preventing interruption of flow control with serious downstream ramifications for flood control, navigation and municipal/industrial water supplies.

DATES: Comments must be received by June 25, 1981.

ADDRESS: Comments should be submitted to the U.S. Coast Guard Captain of the Port 4640 Urquhart Street, New Orleans, Louisiana 70117. The comments will be available for inspection or copying at the Captain of the Port Office, Room A-104. Normal office hours are between 7:00 a.m. and 3:30 p.m. Monday through Friday, except holidays. Comments may also be hand delivered to this address.

FOR FURTHER INFORMATION CONTACT: LCDR G. J. E. Thornton, Port Safety Officer or LTJG M. R. Beskeen, Waterways Safety Officer, c/o U.S. Coast Guard Captain of the Port, 4640 Urquhart Street, New Orleans, Louisiana 70117, Tel: (504) 589-7108.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this notice (CGD8-81-01), and the specific section of the proposal to which their comments apply, and give the reasons for each comment. Receipt of comments will be acknowledged if a stamped self-addressed postcard or envelope is enclosed.

The rules may be changed in light of comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in the drafting of the rulemaking are LCDR G. J. E. Thornton, Port Safety Officer, and LTJG M. R. Beskeen, Waterways Safety Officer, Captain of the Port, U.S. Coast Guard, 4640 Urquhart Street, New Orleans, LA., 70117, TEL: (504) 589-7108. The project attorney is LT. J. C. Helfrich, c/o Commander, Eighth Coast Guard District (dl), Hale Boggs Federal Building, 500 Camp Street, New Orleans, LA., 70130, TEL: (504) 589-6188.

Discussion of Proposed Rule

Prior to the 1959-1960 construction of the Old River Control project, the Mississippi River and the Atchafalaya River were linked by an uncontrolled natural channel known as the Old River. Studies made by the Mississippi River Commission indicated that the Mississippi River was seeking to use this natural link to change its course to that of the Old and Atchafalaya Rivers. In the absence of any intervention by man, the study showed that such change would take place between 1965 and 1975. If this had occurred, the cities of Baton rouge and New Orleans and many lesser sized communities would have been without sufficient quantities of fresh water to satisfy domestic needs during low water periods. The vast industrial complex located from Baton Rouge to near the mouth of the River would have been without fresh water vital to its operation. The Mississippi River as far upstream as Baton Rouge would have become brackish.

Cities, towns, railroads, highways, waterways, industry, agriculture and utilities in the Atchafalaya Basin would have been subject to serious disruption. The effect would have probably been felt as far upstream as Vicksburg on the Mississippi River and Boyce on the Red River as a result of swifter currents and increased meandering. The government's investment in flood control and navigation works would have been threatened and a large amount of it lost.

The cost associated with providing the necessary flood protection against captured flows of the Mississippi River down the Old and Atchafalaya Rivers has been estimated at close to $2.4 billion (1978 dollars).

In order to preserve the existing course of the Mississippi River, a project was authorized by P.L. 780, 83rd Congress, approved in September 1954 (a modification of the Flood Control Act of 1928), to maintain the balance of flows from the Mississippi River to the Atchafalaya River and Basin by control structures on the right descending bank and for the operation and maintenance of these structures.

The Old River Control Structure consists of a low sill structure and an overbank structure. The sill structure is a reinforced concrete dam with eleven gate bays, each having 44 foot clear width between piers. Its total length is 566 feet between abutments. Vertical lift gates are operated by two traveling gantry cranes. The overbank structure consists of 73 gated bays, each with a width of 44 feet between piers, giving a total width of 3356 feet. Both structures were completed in 1959 and the inflow and outflow channels were completed in 1960.

In 1964, several barges which had broken loose upriver were pulled into the structure. The gate bays had to be closed to reduce the suction force holding the barges in the structure. When the gates were finally opened, scour holes were created by the tremendous water pressure that had built up behind the structure. A similar incident in 1965-66 led to a study to determine what measures could be

taken to avoid this type of occurrence in the future. Subsequently, a barrier was constructed upriver of this structure in an attempt to stop objects before they reached the control structure. This project was abandoned after it became evident that the barrier itself posed more of a hazard to the structure than it did to prevent the possibility of a collision.

In 1973, a large scour hole was detected. This hole led to erosion of one of the training walls. Material generated by this erosion was drawn into the filling basin and this has caused erosion of the foundation. Damage caused by this scour hole has still not been completely repaired. This is evident by the damage discovered in the foundation in September 1980.

In September 1980, the results of a study entitled "If the Old River Control Structure Fails?" by Raphael G. Kasman and David B. Johnson of Louisiana State University were published in the Louisiana Water Resources Research Institute Bulletin 12. The study emphasizes the potential consequence of the structure's failure. According to the study, failure could result from events such as collision by river traffic, acts of sabotage or war, the undermining of the foundation by scour with subsequent settlement or total collapse from the scouring out of an unobstructed channel under or around the edge of the structure or by any set of combinations of these probabilities.

Certain safety precautions are already in place to protect the Old River Control Structure from navigation. There is a flashing amber light at the junction of the inflow channel and the Mississippi River used to warn mariners that they are near the structure and may be affected by current flow toward the open gates. Federal Regulations in 33 CFR 162.80 prohibit any vessel or barge from mooring along either bank of the Mississippi River from mile 314.5 to mile 340.0 Above Head of Passes except in an emergency, pursuant to an approved navigation permit or as authorized by Commander, Eighth Coast Guard District, New Orleans. These regulations have been effective in removing the threats of breakaway barges from the Old River Control Structure. The Coast Guard also maintains a series of six buoys marking the right descending bank side of the channel past the structure. These buoys are placed approximately mid-river starting at mile 314.0 Above Head of Passes and extend upriver one and a half miles. To assure safe passage, vessels must navigate between the buoys and the left descending bank. This channel guides vessels well clear of the structure. During critical high water periods, these buoys are of minimal value because they are frequently underwater, Offstation, or carried away by the swift currents.

The Old River Control Structure was designed to allow a maximum of 620,000 cubic feet of water per second to be diverted from the Mississippi River. 320,000 cubic feet per second would flow through the low sill structure with the remainder flowing through the overbank structure immediately upriver. At these designed maximums, the current through the Old River Control Structure would be ten feet per second, over six and a half miles per hour. During actual high water, current velocities up to 9.5 feet per second have been experienced. Currents of this magnitude may overpower vessels inadvertently straying into the inflow channel. Local observers report periodic incidents of vessels erroneously turning into the inflow channel. In most instances, the operators of these vessels are confused into thinking the Control Structure is the Old River Navigation Locks. The Corps of Engineers maintains a radar equipped picket boat in the area throughout the year to protect the Old River Control Structure from navigation threats. Vessels passing the area normally establish contact with the picket boat on channel 16 VHF-FM. The Corps of Engineers is in the process of upgrading this form of protection through acquisition of a new, more powerful, towing type vessel to be operational by approximately 1982. The Corps is also developing a land based radar system for the area with a capability of detecting a vessel straying into the danger area and concurrently alerting the picket boat of such a development.

An auxillary control structure to be located just downstream from the existing structure on the right descending bank of the Mississippi River is in the planning stages. Completion of this structure will relieve the pressure from the existing structure and is expected to reduce current velocities and lessen navigation hazards. Completion of this structure is not expected before 1985. In the interim, establishment of this safety zone will re-emphasize, through regulatory means, the importance of remaining clear of the existing structure. Subsequent to implementation, the zone will have the authority and penalty provisions of the Ports and Waterways Safety Act. Concurrently, a river operator awareness program concerning the safety zone and the Old River Control Structure hazards will be intensified.

Evaluation

The only effect of the proposed regulation is to establish an area of controlled access in the vicinity of the Old River Control Structure. Limited access in this area will not impede normal navigation and will have no economic impact on any entity. The proposal has been evaluated under the provisions of Executive Order 12291 and has been determined not to be a major rule. In addition, this proposed regulation is considered to be nonsignificant in accordance with guidelines set out in the "Policies and Procedures for Simplification, Analysis, and Review of Regulations" (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is certified that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.

Proposed Regulations:

In consideration of the foregoing, the Coast Guard proposes to amend Part 165 of Title 33, Code of Federal Regulations by adding § 165.800 to read as follows:

§ 165.800 Lower Mississippi River vicinity of Old River Control Structure.

(a) The area enclosed by the following boundary is a Safety Zone—a line beginning at Black Hawk Point Light at Mile 316.1 AHOP LMR; thence to the northwest end of the Overbank Structures; thence south along the Old River Control Structure to the southeast end of the Low Sill Structure; then Northeast to the Old River Control Structure Light at Mile 314.5 AHOP LMR; thence along a line to Black Hawk Point Light.

(b) Any vessel desiring to enter this Safety Zone must first obtain permission from the Captain of the Port, New Orleans, LA. The Corps of Engineers picket boat on scene is normally delegated the authority to permit entry into this Safety Zone.

(33 U.S.C. 1225, 1231; 49 CFR 1.46(n)(4))

Dated: April 30, 1981.

R. J. Clements,

Captain, Coast Guard, Captain of the Port, New Orleans, La.

[FR Doc. 81-14171 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-6-FRL 1798-1]

Approval and Promulgation of State Implementation Plans: Arkansas Submission of Volatile Organic Compound (VOC) Regulations for Set II Control Technique Guideline Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: This action proposes approval of revisions to the Arkansas State Implementation Plan (SIP) which were submitted by the Governor on October 10, 1980. Specifically, the State has revised Sections 3, 4 and 5 of the Arkansas Regulations for the Control of Volatile Organic Compounds to include new definitions, legally enforceable regulations for several of the source categories addressed in the EPA Control Technique Guideline (CTG) documents issued between January 1978 and January 1979 (Set II CTGs), and applicable, effective, and final compliance dates and testing and reporting requirements for these source categories. These revisions were submitted in response to the Clean Air Act Amendments of 1977. The Administrator's memorandum of February 24, 1978 (43 FR 21673, May 19, 1978), and the General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas (44 FR 20372, April 4, 1979), described the minimum requirements for the stationary source portion of an approvable ozone SIP revision.

DATES: Interested persons are invited to submit comment on this proposed action on or before June 10, 1981.

ADDRESSES: Written comments should be submitted to the address below: Environmental Protection Agency, Region 6, Air and Hazardous Materials Division, Air Programs Branch, 1201 Elm Street, Dallas, Texas 75270.

Copies of the State's submittal are available for inspection during normal business hours at the address above and at the following locations:

Environmental Protection Agency, Public Information Reference Unit, Room 2922, EPA Library, 401 "M" Street, SW., Washington, D.C. 20460;

Arkansas Department of Pollution Control and Ecology, 8001 National Drive, Little Rock, Arkansas 72209.

FOR FURTHER INFORMATION CONTACT: Donna M. Ascenzi, Implementation Plan Section, Environmental Protection Agency, Region 6, Air and Hazardous Materials Division, Air Programs Branch, 1201 Elm Street, Dallas, Texas 75270 (214) 767-1518.

SUPPLEMENTARY INFORMATION:

Introduction

Provisions of the Clean Air Act enacted in 1977 (the Act) required States to revise their State Implementation Plans (SIPs) for areas that had not attained the National Ambient Air Quality Standards (NAAQS). Each State was to submit a SIP revision by January 1, 1979, providing for the attainment of the primary NAAQS as expeditiously as practicable, but no later than the end of 1982 (or the end of 1987 for areas with approved extensions which have particularly difficult ozone or carbon monoxide problems).

The requirements for an approvable SIP were set out in Section 110 and Part D of the Act. The Administrator's memorandum of February 24, 1978, published in the **Federal Register** at 43 FR 21673 (May 19, 1978), summarized the elements that an approved SIP must contain in order to meet the requirements of Part D. EPA also published at 44 FR 20372 (April 4, 1979), a General Preamble for proposed rulemaking on approval of SIP revisions for nonattainment areas, summarizing the major considerations guiding EPA's evaluation of nonattainment area plan revisions. EPA published the General Preamble in order to assist the public in commenting on the approvability of the State SIP revisions. See, also, supplements to the General Preamble published at 44 FR 38583 (July 2, 1979), 44 FR 50371 (August 28, 1979), 44 FR 53761 (September 17, 1979), and 44 FR 67182 (November 23, 1979).

For areas not attaining the ozone NAAQS, the Administrator's memorandum and the General Preamble stated that, at a minimum, the stationary source portion of an approvable ozone SIP revision must include legally enforceable regulations that reflect the application of reasonably available control technology (RACT) to those volatile organic compound (VOC) sources for which EPA had published a control technique guideline (CTG) by January 1978, and provide for adoption and submittal of additional legally enforceable RACT regulations on an annual basis beginning January 1980 for VOC sources covered by CTGs that have been published by January of the preceding year. RACT requirements for sources covered by the CTGs issue between January 1978 and January 1979 (Set II CTGs) were to be adopted and submitted to EPA by January of 1980. However, on November 25, 1980, EPA revised the deadline for submission of the RACT regulations for Set II CTG sources when it became apparent that the regulatory adoption process was going to take longer than originally anticipated (45 FR 78121). EPA notified States that plan revisions setting forth RACT regulations for the following Set II CTG sources were due by January 1, 1981:

Factory Surface Coating of Flatwood Paneling
Petroleum Refinery Fugitive Emissions (Leaks)
Pharmaceutical Manufacture
Rubber Tire Manufacture
Surface Coating of Miscellaneous Metal Parts and Products
Graphic Arts (Printing)
Dry Cleaning, Perchloroethylene
Gasoline Tank Trucks, Leak Prevention
Petroleum Liquid Storage
Floating Roof Tanks

On January 29, 1980, EPA issued final conditional approval to the Arkansas SIP which had been submitted in response to the requirements of Part D of the Act. These revisions included legally enforceable regulations that reflected the application of RACT to several of the VOC sources for which EPA had published a CTG by January 1978 (Set I CTGs). In that notice, EPA also noted that the State had committed to adopt additional VOC control measures for sources covered by future CTGs.

On October 10, 1980, the Governor of Arkansas submitted revisions to Sections 3, 4, and 5 of the Arkansas Regulations for the Control of Volatile Organic Compounds. The revisions to Section 5 consisted of legally enforceable regulations for the following Set II CTG source categories: gasoline tank trucks and vapor collection systems, and surface coating of miscellaneous metal parts and products. The revisions to Section 3 included definitions for new terms used in conjunction with the above mentioned source categories, and the revisions to Section 4 incorporated applicable, effective and final compliance dates, and compliance testing and reporting requirements for these source categories.

In addition, in July 1980, the Governor submitted certification that there were no major sources within the ozone nonattainment area for the following source categories: Surface coating of flatwood paneling; pharmaceutical manufacture; pneumatic rubber tire manufacture; graphic arts; petroleum refinery fugitive emissions; perchloroethylene dry cleaning; and

petroleum liquid storage in external floating roof tanks. This certification was received by EPA on July 15, 1980. EPA has reviewed the State's submittal and developed an evaluation report [1] which discusses the technical aspects of the revisions in detail. This evaluation report is available for inspection by interested parties during normal business hours at the EPA Region 6 office and the other addresses listed above.

Revisions to Section 3

As previously noted, the State has revised Section 3, Definitions, to include the definitions of new terms that are used in Section 5. In addition to adding new terms, the State revised its definition of VOC in response to EPA's July 31, 1979, notice of proposed rulemaking. In that notice (at 44 FR 44906), EPA pointed out that the State's definition of VOC was inconsistent with EPA's definition, and the State would be required to modify its definition at the time they adopted and submitted to EPA additional VOC regulations. The State has revised its definition of VOC to include those compounds of carbon having a vapor pressure greater than 0.1 millimeter of mercury. EPA is proposing to approve the revisions to Section 3 (i.e. 3. (a), (b), (k), (l), (n), (o), (z), (bb), (dd), (ee), (ff), and (gg)).

Revisions to Section 4

The State has revised Section 4, General Provisions, to include effective, applicable and final compliance dates, and compliance testing and reporting requirements for the source categories regulated under the provisions of Section 5. The effective date is defined as the date on which the corresponding regulatory provision goes into full force and effect. For the source categories of gasoline tank trucks and vapor collection systems and the surface coating of miscellaneous metal parts, the effective date is October 1, 1980. The applicable date is defined as the date by which an applicable source must submit a compliance schedule, and is specified as January 1, 1981, for these two source categories. Approval of the compliance schedules must be granted by February 1, 1982, and final compliance must be achieved by July 1, 1982. In addition, this section has been revised to include test methods for determining compliance with the applicable regulation for the two source categories.

Under Section 4, the State has also provided an exemption for several VOCs, among them, methyl cholorform and methylene chloride. On May 16, 1980 (at 45 FR 32424), EPA published a clarification of Agency policy concerning the control of these compounds in ozone SIPs. EPA explained that it cannot approve or enforce controls on either of these compounds as part of a federally enforceable ozone SIP because current information indicates that neither compound is an ozone precursor. Consequently, EPA will not disapprove these exemptions. In addition, on July 22, 1980 (at 45 FR 48941) EPA expanded the list of VOCs having negligible photochemical reactivity to include the chlorofluorocarbons or fluorocarbons exempted by Arkansas. Therefore, EPA will also not disapprove these exemptions.

This policy is in no way an expression of EPA's view on the desirability of controls on these compounds. States retain the authority to control these compounds under the authority reserved to them in Section 116 of the Clean Air Act. In addition, State officials and sources should be advised that there is a strong possibility of future regulatory action by EPA to control emissions of these compounds (see, e.g. Proposed New Source Performance Standards for Organic Solvent Cleaners, 45 FR 39766, June 11, 1980).

EPA is proposing to approve the revisions to section 4 (i.e. 4.1(b), 4.2(a), 4.5(a)(1), 4.5(a)(2), 4.6(c) and 4.6(d)).

Revisions to Section 5

As previously noted, the State has revised Section 5, Provisions for Specific Processes, by adding Subsections 5.4 and 5.5 which provide for the control of VOC emissions from gasoline tank trucks and vapor collection systems, and surface coating of miscellaneous metal parts, respectively. The CTGs for these source categories provided information on available air pollution control techniques and contain recommendations of what EPA calls the "presumptive norm" for RACT. EPA has reviewed the revisions to Section 5 and, based on the information in the CTGs, believes that they represent RACT. Therefore, EPA proposes to approve the revisions to Section 5 (i.e. Subsections 5.4 and 5.5).

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not Major because it only proposes approval of State actions and imposes no new requirements.

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified that SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities 46 FR 8709 (January 27, 1981). This action, if promulgated, constitutes a SIP approval under Sections 110 and 172 within the terms of the January 27 certification. This action only approves state actions. It imposes no new requirements. Moreover, due to the nature of the federal-state relationship, federal inquiry into the economic reasonableness of the state actions would serve no practical purpose and could well be improper.

This notice of proposed rulemaking is issued under the authority of Section 110(a) and 172 of the Clean Air Act, 42 U.S.C. 7410(a) and 7502.

Dated: March 5, 1981.

Frances E. Phillips,

Acting Regional Administrator.

[FR Doc. 81-14125 Filed 5-8-81; 8:45 am]

BILLING CODE 6560-38-M

[1] EPA Review of Arkansas' State Implementation Plan Revisions for the Set II CTG Source Categories, December 1980.

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40 CFR Part 65

[EN-FRL-1823-5]

State and Federal Administrative Enforcement of Implementation Plan Requirements After Statutory Deadlines; Receipt of an Administrative Order Issued by the New Jersey Department of Environmental Protection to Owens-Illinois, Inc., Glassboro City, N.J.

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The New Jersey Department of Environmental Protection ("NJDEP") issued an administrative order on November 7, 1980 requiring Owens-Illinois, Inc., Closure and Metal Container Division, to bring its container manufacturing plant at Glassboro City, New Jersey into compliance with N.J.A.C. 7:27-16.1 *et seq.*, and 7:27-18.1 *et seq.*, a part of the federally-approved New Jersey Implementation Plan. The date for final compliance established by the order is September 15, 1981. The purpose of this notice is to invite public comment on whether EPA should approve the order under Section 113(d)(2) of the Clean Air Act, 42 U.S.C. 7401 *et seq.* ("the Act"). If approved by EPA, the order will become effective as a delayed compliance order under Section 113(d) of the Act and will constitute an addition to the New Jersey Implementation Plan. While a delayed compliance order places a noncomplying source on a remedial

compliance schedule, it does not alter the underlying State Implementation Plan compliance date. Under Section 113(d)(10) of the Act, EPA approval of the order would also insulate the source from federal enforcement action under Section 113 of the Act and from citizen enforcement action under Section 304 of the Act for violations of the regulation covered by the order during the period the order is in effect and the source is complying with its terms.

DATE: Written comments must be received on or before June 10, 1981.

ADDRESSES: Comments should be submitted to Director, Enforcement Division, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278. The State order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

FOR FURTHER INFORMATION CONTACT: Samuel P. Moulthrop, Esq., Enforcement Division, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278 (212) 264–1196.

SUPPLEMENTARY INFORMATION: Owens-Illinois, Inc., operates a container manufacturing plant at Glassboro City, New Jersey. The order under consideration addresses emissions from the Crown Cork and Seal Rotary Lid Lining Machines (Nos. 901–904) at the plant, which are subject to N.J.A.C. 7:27–16.1 *et seq.* and 7:27–18.1 *et seq.* These regulations limit the emission of volatile organic compounds ("VOC") and are part of the federally-approved State Implementation Plan. The order requires final compliance with the regulations by September 15, 1981. During the period covered by this order, Owens-Illinois, Inc. must meet the following increments of progress:

(1) Complete engineering study for the development of a water base can end sealing compound by December 15, 1980;

(2) Develop the application process and evaluate the water base can end sealing compound using the converted 207.5 line by January 30, 1981;

(3) Convert two of the eight lines presently using hexane to water base end sealing compound by March 1, 1981;

(4) Convert two of the remaining six lines presently using hexane to water base end sealing compound by May 15, 1981;

(5) Convert two of the remaining four lines presently using hexane to water base end sealing compound by July 15, 1981; and

(6) Convert the remaining two lines presently using hexane to water base end sealing compound by September 15, 1981. Because this order has been issued to a major source of VOC emissions and permits a delay in compliance with the applicable regulation, it must be approved by EPA before it becomes effective as a delayed compliance order under Section 113(d) of the Act. EPA may approve the order only if it satisfies the appropriate requirements of this subsection. If the order is approved by EPA, compliance with its terms would preclude federal enforcement action under Section 113 of the Act against the source for violation of the regulations covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. However, source compliance with the order will not preclude assessment of noncompliance penalties under Section 120 of the Act, unless the source is otherwise entitled to an exemption under Section 120(a)(2) (B) or (C).

All interested persons are invited to submit written comments on the proposed order. Written comments received by the date specified above will be considered in determining whether EPA may approve the order. Final approval or disapproval will also be published in the **Federal Register.**

Dated: April 13, 1981.

Richard T. Dewling,

Acting Regional Administrator, Region II.

[FR Doc. 81-14126 Filed 5-8-81; 8:45 am]

BILLING CODE 6560-33-M

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40 CFR Part 86

[EN-FRL-1824-8]

Application for Waiver of Effective Date of the 1981 and 1982 Model Year Carbon Monoxide Emission Standard for Light-Duty Motor Vehicles—Request for Public Comments and Opportunity for Hearing.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Request for public comments and notice of opportunity for a hearing.

SUMMARY: This notice requests public comment and provides interested parties with an opportunity to request a hearing to consider an application that Subaru of America, Inc. (Subaru) submitted to EPA on April 3, 1981. The application is for a waiver of the 1981 and 1982 model year carbon monoxide (CO) exhaust emission standard for its 1.6 liter(L) and 1.8L engine families. EPA will also consider any other CO waiver applications submitted by the deadline listed below.

DATES: Interested parties may submit a request for a public hearing and manufacturers may file CO waiver applications by May 15, 1981. If EPA receives such a hearing request, the Agency will hold a hearing on May 18, 1981, beginning at 9:00 a.m. If no request is received by May 15, 1981, EPA will cancel the hearing. In any event, interested parties may also submit written comments to the public docket on this and any other timely waiver requests until May 26, 1981, to ensure consideration of those comments in my evaluation of these waiver applications.

ADDRESSES: Requests for a hearing, comments or applications should be sent to the Director, Manufacturers Operations Division, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Information submitted by Subaru or other applicants, as well as any requests and comments received from interested parties, will be available for public inspection and copying in EPA Public Docket EN–81–6, located in EPA's Central Docket Section (A–130), Gallery I, 401 M Street, S.W., Washington, D.C. 20460. If EPA conducts a hearing it will be held at the EPA Conference Room 2409, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Alex Varela, Attorney/Advisor, Manufacturers Operations Division (EN–340), 401 M St., S.W., Washington, D.C. 20460, (202) 472–9421.

SUPPLEMENTARY INFORMATION: Under section 202(b)(5) of the Clean Air Act, as amended (Act), 42 U.S.C. 7521(b), at any time after August 31, 1978, any manufacturer may file with the Administrator an application requesting the waiver of the effective date of the carbon monoxide (CO) emission standard applicable to any model of light-duty motor vehicles and engines manufactured by the applicant during model years 1981 and 1982. Section 202(b)(5)(C) requires the Administrator to issue a decision granting or denying such waiver within 60 days after receipt of the application and after public hearing and specify the criteria which EPA should consider in deciding on the waiver requests. Guidelines for the submission of such waiver requests have been previously published in the **Federal Register** (43 FR 47272, October 13, 1978). If the Administrator determines that a waiver from the CO standard of 3.4 grams per vehicle mile (g/mi) should be granted, he must, simultaneously with such determination, prescribe by regulation CO emission standards to apply to those model

vehicles or engines to which the waiver applies. Under section 202(b)(5)(B), the maximum CO level for which a waiver may be granted is 7.0 g/mi.

On December 3, 1979,[1] EPA issued a decision denying waiver requests for the Subaru 1.6L and 1.8L engine families because EPA concluded that Subaru failed to establish that technology would be unavailable to enable these engine families to meet the 3.4 g/mi statutory standard for the 1981 and 1982 model years. On April 3, 1981, Subaru submitted a petition for reconsideration of the above decision and again requested a waiver for these two engine families for the 1981 and 1982 model years.

Subaru asserted that although it has produced its 1981 model year 1.6L and 1.8L engine families in compliance with the statutory CO standard, the vehicles of these engine families have exhibited driveability difficulties while in actual use. Subaru stated that it was requesting a waiver for both the 1981 and 1982 model years in order to make a modification to 1981 model year vehicles already in production or in use and a design change for the 1982 model year vehicles before 1982 production.

I am now requesting public comments and providing an opportunity for manufacturers to file additional CO waiver applications and for a public hearing on the issues which section 202(b)(5)(C) directs the Administrator to consider in deciding on waiver requests. If a hearing is requested by May 15, 1981, EPA will hold the hearing on May 18, 1981 on Subaru's application and any other applications received by May 15, 1981. If no request is received by May 15, 1981, EPA will cancel the hearing. The procedures under which the hearing would be held are the same as those EPA has employed for previous CO hearings (see 45 FR 45956 (July 8, 1980)).

Whether or not EPA holds a hearing, the record will remain open until May 26, 1981, for the submission of written information for consideration by the Administrator in formulating this waiver decision. If EPA does hold the hearing, the Agency will make a verbatim record of the proceeding. Interested persons may obtain a copy of the transcript at their own expense by so arranging with the reporter during the hearing.

The Administrator will base determinations with regard to Subaru's and any other waiver requests submitted by the above deadline on the record of the public hearing, if any, and on any other relevant written submissions submitted to, or otherwise included in, the record. This information will be available for public inspection at the EPA Central Docket Section in docket number EN-81-6. Interested parties may obtain copies of documents in the public docket as provided in 40 CFR Part 2.

Dated: May 5, 1981.

Richard D. Wilson,

Acting Assistant Administrator for Enforcement.

[FR Doc. 81-14233 Filed 5-8-81; 8:45 am]

BILLING CODE 6560-33-M

[1] 44 FR 69417.

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-6044]

National Flood Insurance Program; Proposed Zone Designations for the City of Ashland, Ashland County, Ohio

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed zone designations described below.

The proposed zone designations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed zone designations are available for review at the Municipal Building, 206 Claremont Avenue, Ashland, Ohio.

Send comments to: The Honorable Donald M. Richey, City of Ashland, Municipal Building, 206 Claremont Avenue, Ashland, Ohio 44805.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, SW., Washington, D.C. 20410, (202) 755-6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed zone designations for the City of Ashland, Ohio, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a).

Zone designations and base (100-year) flood elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to means the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. The proposed zone designations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed zone designations are: Zone A & Zone C along Jamison Creek in a portion of the area bounded on the north by East Main Street, on the south by Hillcrest Drive, on the west by Sloan Avenue, and on the east by the corporate limits; and also along Lang Creek where a portion of the area bounded on the north by Lang Creek, on the south by Middle Rowsburg Road, on the west by Cleveland Avenue, and on the east by the corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 27, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14030 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-6045]

National Flood Insurance Program; Proposed Zone Designations for the City of Trenton, Butler County, Ohio

AGENCY: Federal Insurance Administration, FEMA

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed zone designations described below.

The proposed zone designations are the basis for the flood plain

management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety-days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed zone designations are available for review at 21 East State Street, Trenton, Ohio.

Send Comments to: The Honorable John Madoffori, City of Trenton, 21 East State Street, Trenton, Ohio 45067.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, S.W., Washington, D.C. 20410 (202) 755–6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed zone designations for the City of Trenton, Ohio, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

Zone designations and base (100-year) flood elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. The proposed zone designations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed zone designations are: Zone A and Zone C along Elk Creek in a portion of the area bounded on the north and east by the corporate limits, on the west by North Miami Avenue, and on the south by a line coincident with the centerline of East Arlington Drive; and also along a small tributary of the Miami River in a portion of the area bounded on the south and east by the corporate limits. On the west by Woodsdale Road, and on the north by Sycamore Road.

Zone C in that portion of the community not included in the above descriptions.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 27, 1981.

Robert G. Chappell, P.E.,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81–14032 Filed 5–8–81; 8:45 am]

BILLING CODE 6718–03–M

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44 CFR Part 67

[Docket No. FEMA–6046]

National Flood Insurance Program; Proposed Base Flood Elevations and Zone Designations for the Borough of Brookhaven, Delaware County, Pennsylvania

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations and zone designations described below.

The proposed base flood elevations and zone designations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety-days following the second publication or this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Borough Building, Brookhaven Road and Edgemont Avenue, Brookhaven, Pennsylvania.

Send comments to: John Moccia, President of Council, Borough of Brookhaven, Brookhaven Road and Edgemont Avenue, Brookhaven, Pennsylvania 19015.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, S.W., Washington, D.C. 20410, (202) 755–6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed base flood elevations and zone designations for the Borough of Brookhaven, Pennsylvania, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

Zone designations and base (100-year) flood elevations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. The proposed base flood elevations and zone designations will also be used to calculate the appropriate flood insurance premium rate for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed flood elevations and zone designations for selected locations are:

Source of flooding	Location	Elevation in feet (NGVD)	Zones
Chester Creek.	Between Trimble Run and the Bridgewater Road Bridge.	36–38	A13, B, C.
	Between the Bridgewater Road Bridge and the confluence of Shepherd's Run.	38–43	A13, B, C.
	Between the confluence of Shepherd's Run and Dutton's Mill Road Bridge.	43–48	A13, B C.
	Dutton's Mill Road Bridge.	48	A16, B, C.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 16, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14031 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

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44 CFR Part 67

[Docket No. FEMA-6037]

National Flood Insurance Program; Proposed Base Flood Elevations for the City of Kingman, Mohave County, Arizona

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations as described below.

The proposed base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Office of the City Clerk, 310 North Fourth Street, Kingman, Arizona.

Send comments to: The Honorable A. H. Carpenter, Mayor, City of Kingman, 310 North Fourth Street, Kingman, Arizona 86401.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, SW., Washington, DC 20410, (202) 755-6570, (in Alaska and Hawaii call toll free (800) 424-9080).

SUPPLEMENTARY INFORMATION: The Federal Insurance Adminstrator gives notice of the proposed base flood elevations for the City of Kingman, Arizona, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 67.

These base flood elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. It should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. The proposed base flood elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base flood elevations are as follows:

Source of flooding	Location	Elevation (national geodetic vertical datum)	Zone designation
Sheet Flooding	Along Chestnut Drive between North Harvard Street and Western Avenue.	Depth 1 to 2 feet	Zone AO.
Mohave Channel	Between U.S. Route 40 and the Limit of Detailed Study.	None	Zone A.
Sheet Flooding	Between Gordon Drive and the Limit of Detailed Study.	3,365 feet to 3,375 feet	Zone AH.

In various areas of the City, identified as Zone AO, the numerical designations of the base flood elevations are being revised to a uniform depth of 1 foot. The Special Flood Hazard Area was adjusted due to the completion of U.S. Route 40. Also, the base flood elevations have been adjusted along Clack Canyon, Sawmill Canyon, and Slaughterhouse Canyon to coincide with the profiles presented in the Flood Insurance Study.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 24, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14058 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

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44 CFR Part 67

[Docket No. FEMA-6038]

National Flood Insurance Program; Proposed Zone Designations for the Village of Third Lake, Lake County, Illinois

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed zone designations describe below.

The proposed zone designations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety-days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the zone designations are available for review at 23 South Lake Avenue, Third Lake, Illinois.

Send comments to: Edwin Sutter, Village President, Village of Third Lake, 23 South Lake Avenue, Third Lake, Illinois 60046.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, SW., Washington, D.C. 20410 (202) 755-6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed zone designations for the Village of Third Lake, Illinois, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a).

Zone designations and base (100-year) flood elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact

stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. The proposed zone designations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed zone designations are:

Zone A2 along Avon Fremont Ditch in portions of the Village south of Cat Schooner Lane and west of Mainsail Drive; also in portions of the area between Third Lake and Druce Lake south of the stream joining the two lakes.

Zone C along Druce Lake in the vicinity of Lincoln Avenue.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 27, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14063 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA 6039]

National Flood Insurance Program; Proposed Zone Designations and Base Flood Elevations for the City of Loyall, Kentucky

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed zone designations and base flood elevations described below.

The proposed zone designations and base flood elevations will be the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Map and other information showing the detailed outlines of the flood-prone areas and the proposed zone designations and base flood elevations are available for review at the Mayor's Office, City Hall, Loyall, Kentucky.

Send comments to: The Honorable Charles Wattenberger, Mayor, City of Loyall, Post Office Box 127, Loyall, Kentucky 40854.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert G. Chappell, P.E., Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, SW., Washington, D.C. 20410 (202) 755–6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed zone designations and base flood elevations (100-year flood) for the City of Loyall, Kentucky, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

The proposed zone designations and base flood elevations, together with the floodplain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State or regional entities. The proposed zone designations and base flood elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed 100-year flood elevations and zone designations for selected locations are:

Source of flooding	Location		Elevation (national geodetic vertical datum) (feet)
Cumberland River	Southernmost Limit.	Corporate	1,167
Cumberland River	State Route 413		1,171
Cumberland River	Easternmost Limit.	Corporate	1,173

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator.

Issued: April 23, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14059 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-6040]

National Food Insurance Program; Proposed Zone Designations for the City of Harbor Springs, Emmet County, Michigan

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed Rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood zone designations described below.

The proposed base flood zone designations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety-days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at 349 East Main Street, Harbor Springs, Michigan.

Send comments to: The Honorable David Irish, City of Harbor Springs, 349 East Main Street, Harbor Springs, Michigan 49740.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, S.W., Washington, D.C. 20410 (202) 755–6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed base flood zone designations for the City of Harbor Springs, Michigan, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

Zone designations and base (100-year) flood elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. The proposed base flood zone designations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed zone designation is:

Zone A along Shay Park Drain between the northern corporate limits and Little Traverse Bay.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 24, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14057 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-6048]

National Flood Insurance Program; Proposed Flood Elevation Determinations; Missouri, et al.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below and proposed changes to base flood elevations for selected locations in the nation. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program, (202) 755–5585, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for selected locations in the nation, in accordance with Section 110 and Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C 4001–4128, and 44 CFR 67.4.

These elevations, together with the flood plain management measures required by Section 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Proposed Base (100-Year) Flood Elevations

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Missouri	(C) Times Beach, St. Louis County	Meramec River	Just upstream of St. Louis-San Francisco Railway	*442
			About 800 feet upstream of Interstate 44	*447
Maps available for inspection at the City Hall, Times Beach, Missouri. Send comments to Honorable Harold Goodmon, Mayor, City of Times Beach, City Hall, Times Beach, Missouri 63025.				
New Jersey	Lebanon, Borough Hunterdon County	South Branch Rockaway Creek	Downstream Corporate Limits	*212
			Upstream of Sloan's Lane	*223
			Downstream of Cherry Street	*243
			Upstream of Central Street	*252
			Upstream Corporate Limits	*270
		Tributary A	Confluence with South Branch Rockaway Creek	*213
			Upstream of Main Street	*220
			Upstream of Cokesbury Road	*242
			Approximately 900 feet upstream of Cokesbury Road	*247
		Tributary B	Confluence with Tributary A	*221
			Upstream of State Route 22	*231
			Downstream face of Interstate 78 culvert	*242
			Upstream Corporate Limits	*257
Maps available for inspection at the Office of the Borough Clerk, 96 Main Street, Lebanon, New Jersey. Send comments to Honorable Donald Carlson, Mayor of Lebanon, 96 Main Street, Lebanon, New Jersey 08833.				
North Carolina	Unincorporated Areas of Nash County	Swift Creek	Just upstream of Seaboard Coastline Railroad	*92
			Approximately 600 feet at upstream of U.S. Highway 301.	*96
			Just upstream of North Carolina Route 48	*116
			Just downstream of North Carolina Route 1003	*131
		Compass Creek	Just downstream of North Carolina Route 1524	*132

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Pig Basket Creek	Just downstream of North Carolina Route 1003	*128
		Stony Creek	Just upstream of North Carolina 1544	*118
			Just upstream of North Carolina 1603	*123
			Just downstream of Nashville Urban Extraterritorial Boundary or approximately 500 feet downstream of North Carolina Route 1600.	*131
		Maple Creek	Just upstream of North Carolina 1603	*167
		Sapony Creek	Upstream North Carolina Route 1717	*134
			Just downstream of U.S. Highway 58	*141
		Tar River	Just downstream of North Carolina 1544	*112
			Just upstream of North Carolina Route 58	*135
			Just downstream of North Carolina Route 1933	*137
			Just upstream of North Carolina Route 1001	*146
			Just downstream of North Carolina Route 581	*155
			Just upstream of U.S. Route 64	*164
		Turkey Creek	Just downstream of North Carolina 1101	*160
			Just upstream of Southern Railway	*166
		Grape Branch	Approximately 700 feet at upstream of State Road 1717.	*105
		Fishing Creek	Just downstream of State Road 1222	*105
			Just upstream of Interstate Highway 95 Southbound	*115
			Just upstream of State Road 1342	*125

Maps available for inspection at Nash County Courthouse, Nashville, North Carolina 27856.

Send comments to Mr. Frederick Cooper, Nash County Commissioner or Mr. L. R. Holoman, County Manager, Nash County Courthouse, Nashville, North Carolina 27856.

North Carolina	City of Rocky Mount, Edgecombe and Nash Counties	Tar River	Just upstream of State Road 1243	*74
			Just downstream of U.S. Highway 301 (Business)	*83
			Just downstream of State Road 1714 (Nashville Road)	*103
		Tar River Tributary	Just upstream of State Road 1251	*90
		Horn Beam Branch	Just upstream of U.S. Highway 301 By-Pass	*88
			Just downstream of State Road 1535	*105
		Compass Creek	Just upstream of North Carolina 97;	*80
			Just upstream of State Road 1538	*91
		Cowlick Creek	Just upstream of U.S. Highway 64 (Raleigh Road)	*83
			Just downstream of Courtland Avenue	*97
		Parker Canal	Just downstream of Grand Avenue	*84
			Just downstream of Atlantic Avenue	*98
		Goose Branch	Just upstream of Highway 43/48 (Benvenue Road)	*86
			Just downstream of Country Club Rd.	*96
		Stony Creek	Just downstream of U.S. Highway 301	*96
			Just upstream of U.S. Highway 64	*114
		Maple Creek	Just upstream of State Road 1713 (Old Mill Road)	*102
			Just downstream of State Road 1544 (Halifax Road)	*116
		Grape Branch	Approximately 100 feet upstream of State Road 1717 (West Mount Dr.).	*105
		Little Cokey Swamp	Just downstream of State Road 1002 (Old Wilson Road).	*101
			Just upstream of Kinlaw Street	*122
		Little Cokey Swamp Tributary	Just downstream of State Road 1152 (Arlington St.)	*113
			Just upstream of U.S. Highway 301 (Business)	*127

Maps available for inspection at City Hall, 131 N.E. Main Street, Rocky Mount, North Carolina 27801.

Send comments to Mayor Frederick E. Turnage or Mr. Bill Batchelor, City Manager, City Hall, P.O. Drawer 1180, Rocky Mount, North Carolina 27801.

Oklahoma	City of Stillwater, Payne County	Stillwater Creek	Just upstream of South Main St. (U.S. Highway 177)	*861
			Just downstream of Western Road	*869
			Just downstream of State Highway 51	*877
		West Brush Creek	Approximately 1,400 feet upstream of State Highway 51.	*868
		Boomer Creek	Just upstream of East 12th Avenue	*861
			Just downstream of South Perkins Road	*867
		East Boomer Creek	Just downstream of East 3rd Avenue	*873
			Just downstream of Atchison Topeka & Sante Fe Railroad.	*878
			Just downstream of North Husband St.	*886
			Just upstream of Airport Road	*916
			Just downstream of East Richmond Rd.—State Highway 160.	*924
		West Boomer Creek	Just downstream of Virginia Avenue	*878
			Just downstream of Boomer Drive (U.S. Highway 177)	*880
			Just upstream of Washington Street	*904
		Duck Creek	Just upstream of West Admiral Rd.	*894
		Cow Creek	Just upstream of State Highway 51	*877
		Stream B	Just downstream of South Sangre Rd.	*878
			Just downstream of Juniper Drive	*889
		Stream C	Just downstream of West 26th Avenue	*872

Maps available for inspection at City Hall, 723 Saint Louis Street, Stillwater, Oklahoma 74074.

Send comments to Mayor Bill Thomas or Mr. Chris Henderson, City Planner, City Hall, P.O. Box 1449, Stillwater, Oklahoma 74074.

Pennsylvania	Carlisle, Borough Cumberland County	Letort Spring Run	Downstream Corporate Limits	*448
			Upstream of Conrail	*450
			Upstream of Pompret Street	*454
			Upstream Corporate Limits	*455

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Maps available for inspection at the Borough Building, Carlisle, Pennsylvania.				
Send comments to Honorable Douglas W. Lowe, Borough Manager of Carlisle, 53 West South Street, Carlisle, Pennsylvania 17013.				
Pennsylvania	Latimore, Township Adams County	North Branch Latimore Creek	Confluence with Latimore Creek	*514
			Bushey's School Road bridge (Upstream side)	*544
			Brough Road bridge (Downstream side)	*561
		Tributary 1	U.S. Route 15 bridge (Upstream side)	*548
			U.S. Route 15 (business) bridge (Upstream side)	*556
			Latimore Road bridge (Downstream side)	*605
		Latimore Creek	Confluence with Tributary 1	*484
			Farm Lane bridge (Upstream side) approximately 4,650 feet upstream from Ridge Road bridge.	*496
			U.S. Route 15 (business) bridge (Upstream side)	*507
			Confluence of North Branch Latimore Creek	*514
			Bonners Hill Road bridge (Upstream side)	*537
			Latimore Road bridge (Downstream side)	*571
Maps available for inspection at the Latimore Township Building, R. D. 1, York Springs, Pennsylvania.				
Send comments to Honorable Dale R. King, Chairman of the Latimore Board of Supervisors, R. D. 1, York Springs, Pennsylvania 17372.				
Commonwealth of Puerto Rico.	Rio de La Plata Basin	Rio de la Plata (At Toa Baja)	At intersection of Puerto Rico Highway 693 and Calle Industria (Puerto Rico Highway 693).	*5.4
		Rio de la Plata (At Toa Alta)	At intersection of Puerto Rico Highway 861 and Rio de la Plata.	*17.7
		Rio de la Plata (At Comerio)	At intersection of Puerto Rico Highways 156 and 775	*198.6
		Rio de la Plata (At Cayey)	At intersection of Puerto Rico Highway 1 and Rio de la Plata.	*371.2
		Rio de la Plata Tributary No. 1	At intersection of Puerto Rico Highway 738 and Rio de la Plata Tributary No. 1.	*371.2
		Rio Guavate	At intersection of Puerto Rico Highway 52 and Rio Guavate.	*376.9
		Quebrada Santo Domingo	At intersection of footbridge (near end of Calle Munoz Rivera) and Quebrada Santo Domingo.	*376.2
		Rio de Albonito Tributary No. 1	At intersection of Puerto Rico Highway 14 and Rio de Albonito Tributary No. 1.	*600.3
		Rio Guadiana	At intersection of Caserio Candelario Torres Bridge and Rio Guadiana.	*114.0
		Rio de La Plata Overflow	0.1 kilometer downstream of intersection of Puerto Rico Highway 165 and Rio de la Plata overflow.	*6.4
		Atlantic Ocean	At intersection of Puerto Rico Highway 165 and Rio Cocal.	*1.6
Maps available for inspection at Puerto Rico Planning Board, Minillas Government Center, North Building, 14th Floor, Santurce, Puerto Rico.				
Send comments to the Honorable Carlos Romero Barcelo, La Fortaleza, San Juan, Puerto Rico.				
Commonwealth of Puerto Rico.	Rio Grande de Manati Basin	Atlantic Ocean	At mouth of Rio Grande de Manati	*1.6
		Rio Grande de Manati	Intersection of Rio Grande de Manati and center of Abandoned Railroad Bridge.	*6.4
			Intersection of Rio Grande de Manati and Puerto Rico Highway 642.	*22.0
			Intersection of Rio Grande de Manati and center of Puerto Rico Highway 145.	*45.2
Maps available for inspection at Puerto Rico Planning Board, Minillas Government Center, North Building, 14th Floor, Santurce, Puerto Rico.				
Send comments to the Honorable Carlos Romero Barcelo, La Fortaleza, San Juan, Puerto Rico.				

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128) Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 23, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-14060 Filed 5-8-81: 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA 6041]

National Flood Insurance Program; Proposed Incorporated Annexed Area, Base Flood Elevations and Zone Designations for the Township of Ocean, N.J.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed incorporated annexed area, base flood elevations and zone designations described below.

The proposed incorporated annexed area, base flood elevations and zone designations will be the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Map and other information showing the detailed outlines of the floodprone areas and the proposed incorporated annexed area, base flood elevations and zone designations are available for review at the Mayor's office.

Send comments to: The Honorable Richard E. English, III, Mayor, Town Hall, Deal & Monmouth Roads, Oakhurst, New Jersey 07755.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, SW., Washington, D.C. 20410 (202) 755–6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed incorporated annexed area, base flood elevations (100-year flood) and zone designations for the Township of Ocean, New Jersey in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a) (presently appearing at its former Section, 24 CFR 1917.4(a)).

The proposed incorporated annexed area, base flood elevations, and zone designations together with the floodplain management measures required by § 60.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State or regional entities. The proposed incorporated annexed area, base flood elevations, and zone designations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed 100-year flood elevations and zone designations for selected locations are:

Source of flooding	Location	Elevation (feet)	Zone
Whale Pond Brook	Corporate limits to Larchwood Avenue	21 (NGVD)	A3
Whale Pond Brook	Larchwood Avenue to Monmouth Road	24 (NGVD)	A4
Whale Pond Brook	Monmouth Road to Carole Drive	24–32 (NGVD)	A5
Whale Pond Brook	Carole Drive to approximately 200 feet upstream of the confluence with Whale Pond Brook Tributary I.	36–36 (NGVD)	A4
Whale Pond Brook	From approximately 200 feet upstream of the confluence with Whale Pond Brook Tributary I to the corporate limits.	37–74 (NGVD)	A2
Whale Pond Brook, Tributary I	From confluence with Whale Pond Brook to 1100 feet upstream.	36 (NGVD)	A4
Whale Pond Brook, Tributary II	From the confluence with Whale Pond Brook to 1450 feet upstream.	50–52 (NGVD)	A2
Deal Lake	Southeastern corporate limits	11 (NGVD)	A4

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 27, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14062 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA 6042]

National Flood Insurance Program; Proposed Special Flood Hazard Area Boundaries for the Township of Upper Freehold, N.J.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed Special Flood Hazard Area boundaries described below.

The proposed Special Flood Hazard Area boundaries will be the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Map and other information showing the detailed outlines of the flood-prone areas and the proposed Special Flood Hazard Area boundaries are available for review at the Mayor's Office.

Send comments to: The Honorable W. Wilmer Drews, Mayor, Township of Upper Freehold, Upper Freehold Township Building, Post Office Box 89, Cream Ridge, New Jersey 08514.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street SW., Washington, D.C. 20410, (202) 755–6570 or toll free line (800) 424–8872 or (800) 424–8873.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed Special Flood Hazard Area boundary modifications (100-year flood) for the Township of Upper Freehold, New Jersey in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of

the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a) (presently appearing at its former Section, 24 CFR 1917.4(a)).

The proposed Special Flood Hazard Area boundaries, together with the floodplain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State or regional entities. The proposed Special Flood Hazard Area boundaries will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed 100-year flood boundary modifications for selected locations are:

Source of flooding	Location	Zone
New Sharon Branch	Upstream of Township Corporate Limits	A
North Tributary	Upstream of confluence with New Sharon Branch	A

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 23, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14064 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

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44 CFR Part 67

[Docket No. FEMA 6043]

National Flood Insurance Program; Proposed Base Flood Elevations and Zone Designations for the Town of East Spencer, N.C.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations and zone designations described below.

The proposed base flood elevations and zone designations will be the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Map and other information showing the detailed outlines of the floodprone areas and the proposed base flood elevations and zone designations are available for review at the Mayor's Office, Town of East Spencer, North Carolina.

Send comments to: The Honorable Reginald Massey, Mayor, Town of East Spencer, P.O. Box 338, East Spencer, North Carolina 28039.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street SW., Washington, D.C. 20410 (202) 755–6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed base flood elevations (100-year flood) and zone designations for the Town of East Spencer, North Carolina in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 67.4 (a) (presently appearing at its former Section, 24 CFR 1917.4 (a)).

The base blood elevations and zone designations together with the floodplain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State or regional entities. The proposed base flood elevations and zone designations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed 100-year flood elevations and zone designations for selected locations are:

Source of flooding	Location	Elevation (feet)	Zone
Town Creek	Point on southerly corporate limit approximately 1,450 feet east of intersection of southern and southwestern corporate limits.	670 (NGVD)	A3.
Town Creek	Southwesternmost corporate limit	671 (NGVD)	A3.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 23, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14056 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-03-M

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44 CFR Part 67

[Docket No. FEMA-6047]

National Flood Insurance Program; Proposed Special Flood Hazard Area Determinations for the City of North Salt Lake, Davis County, Utah

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed Special Flood Hazard Areas as described below.

The proposed Special Flood Hazard Areas are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second

publication of this proposed rule in the newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed Special Flood Hazard Areas are available for review at the Office of the City Recorder, 17 South Main Street, North Salt Lake, Utah.

Send comments to: The Honorable Robert Palmquist, Mayor, City of North Salt Lake, 17 South Main Street, North Salt Lake, Utah 84054.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation & Engineering Office, National Flood Insurance Program, 451 Seventh Street, SW., Washington, D.C. 20410, (202) 755–6570 (in Alaska and Hawaii call toll free (800) 424–9080).

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed Special Flood Hazard Areas for the City of North Salt Lake, Utah, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

These Special Flood Hazard Areas, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. It should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. The proposed Special Flood Hazard Areas will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed Special Flood Hazard Areas, identified as Zone A, are generally located as follows:

Source of flooding	Location
Jordan River	Area south of Interstate 215 and west of Route 68.
Unnamed Channel	Area between Interstate 15 and Dorothea Road.
Unnamed Channel	Area east of U.S. Route 89 and south of Hillside Garden Drive.

All remaining annexed areas are identified as Zone C.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: April 17, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14061 Filed 5-6-81; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Ch. I

[CGD 80–134]

Operational Visibility From the Navigational Bridge of Commercial Vessels Operating in U.S. Waters

AGENCY: Coast Guard, DOT.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: This notice solicits the public's comments and suggestions identifying constraints on bridge navigational visibility and recommending effective measures to provide adequate bridge visibility.

A significant aspect of a poorly designed bridge is often inadequate navigational visibility which interferes with the ship operator's ability to identify his external surroundings. It is imperative that a ship's operator have the ability to see where he is "driving" his vessel; unfortunately traditional bridge design does not pay enough attention to the part human factors play in navigation safety.

Various segments of the marine community have pressed for the development of bridge design criteria or guidelines based on human factors engineering. The need for standards of visibility from the bridges of commercial vessels is the basis for this regulatory project.

DATES: Comments must be received on or before August 10, 1981.

ADDRESSES: Comments should be mailed to Commandant (G–CMC/24)(CGD 80–134), U.S. Coast Guard, Washington, D.C. 20593. Comments may be delivered to and will be available for inspection or copying from 7:00 am to 5:00 pm, Monday through Thursday at the Marine Safety Council (G–CMC/24), Room 2418, U.S. Coast Guard Headquarters, 2100 Second St., SW., Washington, DC 20593, 202–426–1477.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Robert W. Henry, 202–426–2197.

SUPPLEMENTARY INFORMATION: Interested persons are invited to submit written views, data, or arguments. Each comment should include the name and address of the person submitting the comment, reference the docket number (CGD 80–134), and include sufficient detail to indicate the basis on which each comment is made. Persons desiring acknowledgment that their comment has been received should enclose a stamped self-addressed postcard. The proposal may be changed in view of the comments received.

All comments received will be considered before further rule making action is taken. No public hearing is planned before publication of proposed rules.

Drafting Information

The principal persons involved in drafting this proposal are Lieutenant Commander Robert W. Henry, Ship Design Branch, Merchant Marine Technical Division, Office of Merchant Marine Safety, and Mr. Michael N. Mervin, Project Counsel, Office of the Chief Counsel.

Discussion

Collisions, rammings and groundings are frequent occurrences despite broad federal marine safety efforts. These incidents result in lost lives, major vessel damage, oil pollution, dangerous chemical spills, bridge, pier and facility damage, and significant economic loss to communities. Although many worthwhile corrective measures have been attempted, the rates of these accidents are increasingly intolerable as the size of ships and the hazard of their cargoes increase.

The Coast Guard originally expressed its concern with restricted bridge visibility in 1967 by issuing Merchant Marine Technical Note No. 2–67, entitled "Forward Visibility from the Navigating Bridges and Pilothouses of Vessels".

The MMT Note established a visibility criteria with two categories of enforcement:

1. Advisory comments to the plan submitter warning of the hazard to visibility due to movable or temporary obstructions to forward visibility.

2. Plan review action in the case of visibility impairment due to permanent structure.

Based on a vessel comparison study done in the early 1960's the MMT Note set a maximum permissible "blind zone" forward of the vessel of 1.25 times the vessel's length. The problem of restricted visibility, as discussed in the MMT Note, is most often encountered

on container vessels, large tank vessels, and special purpose vessels.

On June 26, 1970 the Coast Guard promulgated COMMANDANT NOTICE 5900, "Forward Visibility from the Navigating Bridge." The Notice repeated the Coast Guard's policy on navigational visibility and also required that appropriate entries be made in the Coast Guard's Merchant Marine Safety Manual. The fact that there were no regulations which directly set forth standards for visibility from the navigating bridge was also discussed.

The first significant case where application of the criteria resulted in a major design change involved a new class of LNG vessels. In the early plan review phase the Coast Guard noticed that in some conditions of loading the blind zone extended forward of the vessel almost 22 times the vessel's length. This case and several others during the mid 1970's pointed out the necessity for a stronger statement on bridge visibility from the Coast Guard. Ensuing discussions within the Office of Merchant Marine Safety identified the need for a visibility regulation project. To the extent that regulation is necessary, the Coast Guard intends to develop the appropriate requirements.

Factors To Be Considered

The following factors have been determined to influence operational visibility from the bridge. Not all of the factors are expected to be directly relevant to a regulation in final form; however, public comment at this point is necessary to help determine the significance of these factors.

1. Adequate visibility should be required for all new U.S. flag construction. Should visibility criteria also be applicable to existing U.S. vessels?

2. Should the criteria be applicable to all commercial vessels operating in U.S. waters (e.g., tank, cargo, miscellaneous, passenger, tug-barge combinations and special purpose/special hazard type vessels)? Should there be a lower limit of applicability (e.g., based on tonnage, length, etc.)?

3. Should the master or pilot of a vessel with poor inherent visibility be allowed to rely on alternate means of detecting objects ahead (e.g., closed circuit T.V., doppler sonar, radar, collision avoidance aids, remote lookouts, etc.)? The assignment of extra pilots may be one alternative for existing vessel's (U.S. and foreign) that have inadequate visibility and operate in U.S. pilotage waters.

4. Prospective visibility criteria could be based on specific combinations of vessel characteristics. A possible list of variables could include length, beam, depth, displacement, draft, trim, speed and maneuvering ability. What are the significant variables?

5. Bridge wings extended to the vessel's side are features frequently incorporated in a vessel's design. Would there be situations where full bridge wings would not improve overall vessel safety?

6. In certain situations visibility aft or along a vessel's side may be equally as important as forward visibility. Should the criteria address visibility in more directions than just ahead?

7. What is an operator concerned with seeing: large vessels, small boats, aids to navigation, partially submerged objects?

8. Should separate criteria be considered for different operating conditions? Open water and restricted or congested waters are two operational situations which would seem to suggest different safety considerations.

9. Should the criteria differentiate between the requirements for fixed vessel structure and temporary obstructions such as cargoes, movable cranes, sails, etc.?

10. Early Coast Guard approval of a "visibility plan" during the design phase is one approach to ensure adequate bridge visibility. What other approaches might be taken to demonstrate that a vessel has satisfactory visibility?

11. The criteria is expected to be based on clear weather visibility. Should restricted visibility due to inclement weather be included in the analysis of the problem?

12. An efficient bridge arrangement can significantly contribute to good visibility. Should a visibility standard address inside access to the bridge front windows and ready access from bridge wing to bridge to wing? What other bridge layout features improve visibility?

13. The construction of bridge windows also affect visibility. What influences do size, tilting, tinting and rain clearance have on promoting (or hindering) good external visibility from inside the bridge?

Several example bridge visibility standards are provided below to show alternative criteria for a regulation on bridge visibility:

1. Canada's "Code of Navigation Practices and Procedures", 1972 ed. requires, when the ship is underway, that from any point on the bridge used for navigating the ship, it be possible to view the water surface to within 3000 feet of the ship.

2. The Panama Canal Company's Marine Director's Notice to Shipping No. 1–79, dated January 8, 1979, identifies normal conning positions and minimum visibility requirements ahead and along the side of the vessel. For example, if a vessel is operating at a maximum summer draft, the surface of the water shall be visible one ship length forward.

3. The Coast Guard has traditionally considered that a vessel with extended bridge wings and a blind zone extending forward of the vessel by no more than 1.25 times the vessel's length, in all conditions of loading, has adequate visibility.

If a visibility requirement is proposed, efforts will be made to minimize the economic impact on the private sector, consumers, and Federal, State and Local governments. If the results of this project indicate that regulatory action is warranted the public will be informed by means of a notice in the **Federal Register.**

(46 U.S.C. 369, 391a; 49 CFR 1.46)

Dated: May 4, 1981.

Henry H. Bell,

Rear Admiral, Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc. 81-14173 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-14-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1102

[Ex Parte No. 290; Ex Parte 290 (Sub-No. 3)]

Procedures Governing Rail General Increase Proceedings; Modification of Rail Carrier General Increase Procedures

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Termination of Proceedings.

SUMMARY: By decision served November 20, 1978 the Commission reopened Ex Parte No. 290, *Procedures Governing Rail General Increase Proceedings*, 351 I.C.C. 544 (1976) to consider certain changes in its regulations governing the submission of evidence in railroad general rate increase proceedings. Those regulations appear at 49 CFR Part 1102 (published at 41 FR 11824 on March 22, 1976 and as corrected on October 3, 1977 at 42 FR 53602). Notice of the proposed changes was published at 43 FR 57309 on December 7, 1978.

Subsequently, in Ex Parte No. 290 (Sub-No. 3), *Modification of Rail Carrier General Increase Procedures* (not printed), decided May 29, 1980, the Commission again indicated that it intended to modify its regulations published at 49 CFR 1102. Additionally,

it waived certain filing requirements pending the development of the cost indexing procedures contemplated in the advance notice of proposed rulemaking in Ex Parte No. 290 (Sub-No. 2), *Railroad Cost Recovery Procedures*, served April 28, 1980 (published at 45 FR 29103 on May 1, 1980). Notice of the proposed modifications was given by publication in the **Federal Register** (45 FR 42754) on June 25, 1980.

In its decision in Ex Parte No. 290 (Sub-No. 2), served April 17, 1981 (46 FR 22594, April 20, 1981), the commission adopted a cost recovery index. The existing rules and procedures for the filing of general rate increases by railroads were revised accordingly.

Since both Ex Parte No. 290 and Ex Parte 290 (Sub-No. 3) address regulations subsequently revised in Ex Parte No. 290 (Sub-No. 2), those proceedings are rendered moot and are discontinued.[1]

FOR FURTHER INFORMATION CONTACT:

Richard Felder or Jane Mackall (202) 275–7693.

This decision will not affect significantly the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10321)

Decided: April 30, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14006 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

[1] No. 36869, *Archer Daniels Midland Company—Petition for Rulemaking—Definition of General Increase* is also discontinued. By decision served August 17, 1978 we indicated that we would consider the issues raised in that proceeding in the reopened Ex Parte No. 290 proceeding. In light of the discontinuance of Ex Parte No. 290, *Archer Daniels* is also rendered moot.

Notices

Federal Register
Vol. 46, No. 90
Monday, May 11, 1981

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

DEPARTMENT OF AGRICULTURE

Forest Service

Craggy Mountain Wilderness Study Area; Hearing Announcement

Notice is hereby given that a public hearing will be held beginning at 8:00 p.m., June 10, 1981, in the Humanities Lecture Hall, University of North Carolina-Asheville campus, on a proposal for the future management of the Craggy Mountain Wilderness Study Area comprised of approximately 2,744 acres within the Pisgah National Forest, Buncombe County, North Carolina.

A brochure containing a map and information about the proposal may be obtained from the Forest Supervisor of the National Forests of North Carolina, 50 South French Broad Avenue, Asheville, NC 28801.

Individuals and organizations may express their views by appearing at this hearing or submitting written comments to the Forest Supervisor, 50 South French Broad Avenue, P.O. Box 2750, Asheville, NC 28801, for inclusion in the official record. Written comments must be received by July 14, 1981, to be included in the official record.

Dated: May 1, 1981.

Jerome A. Miles,

Acting Chief.

[FR Doc. 81-14022 Filed 5-8-81; 8:45 am]

BILLING CODE 3410-11-M

CIVIL AERONAUTICS BOARD

Air Carrier Fitness Determination of Aviation Services, Ltd., d.b.a. Freedom Air

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Commuter Air Carrier Fitness Determination—Order 81-5-21, Order to Show Cause.

SUMMARY: The Board is proposing to find that Aviation Services, Ltd., d.b.a. Freedom Air is fit, willing, and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended, and that the aircraft used in this service conform to applicable safety standards. The complete text of this order is available, as noted below.

DATES: Responses: All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed below no later than June 10, 1981, together with a summary of the testimony, statistical data, and other material relied upon to support the allegations.

ADDRESSES: Responses or additional data should be filed with Special Authorities Division, Room 915, Civil Aeronautics Board, Washington, D.C. 20428, and with all persons listed in Attachment A of Order 81-5-21.

FOR FURTHER INFORMATION CONTACT: Mr. J. Kevin Kennedy, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428, (202) 673-5918.

SUPPLEMENTARY INFORMATION: The complete text of Order 81-5-21 is available from the Distribution Section, Room 516, 1825 Connecticut Avenue, NW., Washington, D.C. Persons outside the metropolitan area may send a postcard request for Order 81-5-21 to the Distribution Section, Civil Aeronautics Board, Washington, D.C. 20428.

By the Civil Aeronautics Board: May 6, 1981.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-14162 Filed 5-8-81; 8:45 am]

BILLING CODE 6320-01-M

Air Carrier Fitness Determination of Robert U. Marcus d.b.a. Omak Aviation and Omak Airlines

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Commuter Air Carrier Fitness Determination—Order 81-5-22, Order to Show Cause.

SUMMARY: The Board is proposing to find that Robert U. Marcus d.b.a Omak Aviation and Omak Airlines is fit, willing, and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended, and that the aircraft used in this service conform to applicable safety standards. The complete text of this order is available, as noted below.

DATES: Responses: All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed below no later than June 10, 1981, together with a summary of the testimony, statistical data, and other material relied upon to support the allegations.

ADDRESSES: Responses or additional data should be filed with Special Authorities Division, Room 915, Civil Aeronautics Board, Washington, D.C. 20428, and with all persons listed in Attachment A of Order 81-5-22.

FOR FURTHER INFORMATION CONTACT: Ms. Teresa Smith, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428 (202) 673-5348.

SUPPLEMENTARY INFORMATION: The complete text of Order 81-5-22 is available from the Distribution Section, Room 516, 1825 Connecticut Avenue, NW., Washington, D.C. Persons outside the metropolitan area may send a postcard request for Order 81-5-22 to the Distribution Section, Civil Aeronautics Board, Washington, D.C. 20428.

By the Civil Aeronautics Board: May 6, 1981.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-14163 Filed 5-8-81; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Cornell University; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and

Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80-00446. Applicant: Cornell University, College of Agriculture and Life Sciences, Mann Library, Ithaca, New York 14853. Article: Gas Exchange Leaf Chamber. Manufacturer: University of Calgary, Canada. Intended use of article: See Notice on page 2666 in the **Federal Register** of January 12, 1981.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instruments or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides thermoelectric Peltier cooling modules for circulating air in the growth chamber and a temperature control of ±0.1° centigrade. The Department of Health and Human Services advises in its memorandum dated February 19, 1981 that (1) the capabilities of the foreign article described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-14008 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-25-M

Massachusetts Institute of Technology; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80-00396. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: 250 MHz Nuclear Magnetic Resonance Spectrometer. Manufacturer: Bruker-Physik AG, West Germany. Intended use of article: See Notice on page 66829 in the **Federal Register** of October 8, 1980.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (February 6, 1979).

Reasons: This application is a resubmission of Docket Number 79-00368 which was denied without prejudice to resubmisson on May 16, 1980 for informational deficiencies. The foreign article provides a wide band low frequency probe system capable of operation in the range of 11-20 megahertz. The Department Health and Human Services advises in its memorandum dated February 27, 1981 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes at this article is intended to be used, which was being manfactured in the United States at the time the foreign article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-14009 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-25-M

Mount Sinai School of Medicine; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decison on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80-00434. Applicant: Mount Sinai School of Medicine, One Gustave Levy Place, New York, New York 10029. Article: Mass Spectrometer System, Model MM-ZAB-1F with Integrated Liquid Chromatographic Interface. Manufacturer: VG Organic, United Kingdom. Intended use of article: See Notice on page 76721 in the Federal **Register** of November 20, 1980.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a guaranteed static resolution of 100,000 (10% valley) and a dynamic resolution of 40,000 (10% valley). The Department of Health and Human Services advises in its memorandum dated February 19, 1981 that (1) the capabilities of the foreign article described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-14010 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-25-M

National Jewish Hospital and Research Center; Consolidated Decision on applications for Duty-Free Entry of Accessories for Foreign Instruments

The following is a consolidated decision on applications for duty-free entry of accessories for foreign instruments pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301). (See especially Section 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for

public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80–00430. Applicant: National Jewish Hospital and Research Center, National Asthma Center, 3800 E. Colfax Avenue, Denver, CO 80206. Article: LKB Cryokit for Ultrotome III Ultramicrotome. Manufacturer: LKB Produkter, Sweden. Intended use of article: See Notice on page 76721 in the **Federal Register** of November 20, 1980. Advice submitted by: Department of Health and Human Services. Date Submitted: February 19, 1981.

Docket Number 80–00435. Applicant: U.S. Naval Research Laboratory, Washington, D.C. 20375. Article: Backscattered Electron Detector and Power Supply. Manufacturer: Japan Electron Optical Lab. Ltd., Japan. Intended use of article: See Notice on page 76722 in the **Federal Register** of November 20, 1980. Advice submitted by: Department of Health and Human Services. Date submitted: February 19, 1981.

Docket Number 80–00443. Applicant: Gerontology Research Center, National Institute on Aging, Experimental Morphology Secton, OSD, c/o Baltimore City Hospitals, Baltimore, Maryland 21224. Article: ASID–4D Scanning Mode for Electron Microscope. Manufacturer: Joel Ltd., Japan. Intended use of article: See Notice on page 2666 in the **Federal Register** of January 12, 1981. Advice submitted by: Department of Health and Human Services. Date submitted: February 19, 1981 Advice submitted by: National bureau of Standards: Date submitted: March 17, 1981

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States.

Reasons: The applications relate to compatible accessories for instruments that have been previously imported for the use of the applicant institutions. The articles are being manufactured by the manufacturers which produced the instruments with which they are intended to be used. We are advised by the Department of Health and Human Services and the National Bureau of Standards in their respectively cited memoranda that the accessories are pertinent to the applicant's intended uses and that they know of no comparable domestic articles.

The Department of Commerce knows of no similar accessories manufactured in the United States which are interchangeable with or can be readily adapted to the instruments with which the foreign article are intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81–14011 Filed 5–8–81; 8:45 am]

BILLING CODE 3510–25–M

Thomas Jefferson University Hospital; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80–00442. Applicant: Thomas Jefferson University Hospital, Division of Diagnostic Ultrasound, 5th Fl. Curtis Bldg., 1015 Walnut Street, Philadelphia, PA 19107. Article: Octoson, Multiple Transducer Echoscope. Manufactuer: Ausonics Ltd., Australia. Intended use of article: See Notice on page 2665 in the **Federal Register** of January 12, 1981.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides precise automated scanning with its transducers and a wide field of view (up to whole body size). The Department of Health and Human Services advises in its memorandum dated February 19, 1981 that (1) the capabilities of the foreign article described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81–14012 Filed 5–8–81; 8:45 am]

BILLING CODE 3510–25–M

University of Illinois at Chicago Circle; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80–00445. Applicant: University of Illinois at Chicago Circle, Department of Physics, 829 W. Taylor Street, Chicago, Ill. 60680. Article: Excimer-Multigas Laser, Model EMG 200. MANUFACTURER: Lambda-Physik GmbH, West Germany. Intended use of article: See Notice on page 2666 in the **Federal Register** of January 12, 1981.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a maximum pulse energy of greater than one joule per pulse using krypton fluoride gas. The National Bureau of Standards advises in its memorandum dated March 18, 1981 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article

is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-14013 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-25-M

University of Illinois at Urbana-Champaign; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80-00471. Applicant: University of Illinois at Urbana-Champaign, 223 Administration Building, Urbana, Illinois 61801. Article: Magnet System I (500 MHz). Manufacturer: Oxford Instruments, United Kindom. Intended use of article: See Notice on page 2664 in the **Federal Register** of January 12, 1981.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a field stability with a net drift per hour of less than one part in 10^7 while operating at 500 megahertz or 11.7 tesla. The Department of Health and Human Services advises in its memorandum dated April 1, 1981 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientfic value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-14014 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-25-M

University of Texas Health Science Center at Dallas; Decision on Application for Duty-Free Entry on Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80-00473. Applicant: University of Texas Health Science Center at Dallas, 5323 Harry Hines Blvd., Dallas, Texas 75235. Article: Single-photon Emission Tomography System, Tomomatic 64. Manufacturer: Medimatic A/S Denmark. Intended use of article: See Notice on page 2664 in the **Federal Register** of January 12, 1981.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article can produce images of brain blood flow in cross section by a noninvasive radioactive tracer technique. The Department of Health and Human Services advises in its memorandum dated April 1, 1981 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-14015 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-25-M

University of Texas Medical Branch; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80-00474. Applicant: University of Texas Medical Branch, 322 Administration Building, UMED No. 0-45075-S, Galveston, TX 77550. Article: Tachophor #2127-01 with Accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: See Notice on page 2664 in the **Federal Register** of January 12, 1981.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the capability for isotachophoretic separations. The Department of Health and Human Services advises in its memorandum dated April 1, 1981 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-14016 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

New England Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

SUMMARY: The New England Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94–265), will meet to discuss the oversight committee reports for herring, lobster and groundfish; committee report on environmental affairs; results of public hearings held on scallops, as well as other fishery management business.

DATES: The meetings, which are open to the public, will convene on Tuesday, May 26, 1981, at approximately 10 a.m., and will adjourn on Wednesday, May 27, 1981, at approximately 5 p.m. The meetings may be lengthened or shortened, or agenda items rearranged depending upon progress on the agenda.

ADDRESS: The meetings will take place at the Biltmore Plaza, Kennedy Plaza, Providence, Rhode Island.

FOR FURTHER INFORMATION CONTACT: New England Fishery Management Council, Suntaug Office Park, Five Broadway Route One, Saugus, Massachusetts 01906.

Dated: May 6, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-14164 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-22-M

Public Hearing on Chesapeake Bay Estuarine Sanctuary Draft Environmental Impact Statement

Notice is hereby given that the Office of Coastal Zone Management (OCZM), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, will hold public hearings for the purpose of receiving comments on the Draft Environmental Impact Statement (DEIS) prepared on the proposed Chesapeake Bay Estuarine Sanctuary.

The hearings will be held May 26 and 28, 1961 at the following locations:

May 26, 1981—7:30 p.m., Rhode River Site, Smithsonian Visitors' Center, Chesapeake Bay Center for Environmental Studies, Route 4, Edgewater, Maryland

May 28, 1981—7:30 p.m., Monie Bay Site, Somerset County Courthouse, Prince William Street, Princess Anne, Maryland

The views of interested persons and organizations on the adequacy of the impact statement and the proposed Chesapeake Bay Estuarine Sanctuary are solicited, and may be expressed orally or in written statements. Presentations will be scheduled on a first-come, first-heard basis, and may be limited to a maximum of 5 minutes. This time allotment may be extended before the hearing when the number of speakers can be determined. No verbatim transcript of the hearing will be prepared, but staff present will record the general thrust of the remarks. The comment period for this draft environmental impact statement will end on June 15, 1981.

As part of the procedures leading toward designation of the Chesapeake Bay Estuarine Sanctuary, a Final Environmental Impact Statement, reflecting consideration of these comments, will be prepared pursuant to the National Environmental Policy Act of 1969 and its implementing regulations. All written comments received by OCZM prior to the deadline will be included in the FEIS.

Copies of the DEIS may be obtained from the Office of Coastal Zone Management, 3300 Whitehaven Street, NW., Washington, D.C. 20235 (telephone: 202/634–4253).

(Federal Domestic Assistance Catalog No. 11.420 Coastal Zone Management Estuarine Sanctuaries)

Dated: May 6, 1981.

William Matuszeski,

Acting Assistant Administrator for Coastal Zone Management.

[F.R. Doc. 81-14129 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-08-M

Public Hearing on St. Thomas National Marine Sanctuary Draft Environmental Impact Statement

Notice is hereby given that the Office of Coastal Zone Management (OCZM), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, will hold a public hearing for the purpose of receiving comments on the Draft Environmental Impact Statement (DEIS) prepared on the proposed St. Thomas National Marine Sanctuary.

The hearing will be held Wednesday, June 3, 1981—7:30 p.m. at the following location: Caribbean Room, St. Thomas Hotel and Marina, St. Thomas, Virgin Islands.

The views of interested persons and organizations on the adequacy of the impact statement and the proposed St. Thomas National Marine Sanctuary are solicited, and may be expressed orally or in written statements. Presentations will be scheduled on a first-come, first-heard basis, and may be limited to a maximum of 5 minutes. This time allotment may be extended before the hearing when the number of speakers can be determined. No verbatim transcript of the hearing will be prepared, but staff present will record the general thrust of the remarks. The comment period for this draft environmental impact statement will end on July 16, 1981.

As part of theprocedures leading toward approval of the St. Thomas National Marine Sanctuary, a Final Environmental Impact Statement, reflecting consideration of these comments, will be prepared pursuant to the National Environmental Policy Act of 1969 and its implementing regulations. All written comments received by OCZM prior to the deadline will be included in the FEIS.

Copies of the DEIS may be obtained from the Office of Coastal Zone Management, 3300 Whitehaven Street, N.W., Washington, D.C. 20235 (telephone: 202/634–4253).

Federal Domestic Assistance Catalog No. 11.418 Coastal Zone Management Estuarine Sanctuaries

Dated: May 6, 1981.

William Matuszeski,

Acting Assistant Administrator for Coastal Zone Management.

[FR Doc. 81-14130 Filed 5-8-81; 8:45 am]

BILLING CODE 3510-08-M

DEPARTMENT OF DEFENSE

Department of the Army

Proposed Land Withdrawals at Forts Richardson, Wainwright, and Greely, Alaska; Filing of Environmental Impact Statements

The Army, on May 6, 1981, provided the Environmental Protection Agency three Final Environmental Impact Statements (FEIS) concerning proposed continued withdrawal from public domain of certain lands at Forts Richardson, Wainwright and Greely, Alaska.

The proposed action will continue Army use of the following withdrawal areas: 3,340 acres at Fort Richardson, 249,552 acres at Fort Wainwright and

624,225 acres at Fort Greely. The withdrawals were originally granted in 1961 by various Public Laws; Public Land Orders dated July 14, 1972 extended the withdrawals until 1976. Applications for continued withdrawal of these lands have been filed with the Bureau of Land Management. The recommended period of the proposed withdrawals will be 25 years.

The Final Environmental Impact Statements were prepared by the Army in cooperation with the Bureau of Land Management and that agency proposes to adopt the three documents under the provisions of Section 101d of NEPA 1969, as amended, and 40 CFR 1500.4(n) and 1506.3.

Copies of the statements have been furnished to appropriate Federal, State, and local agencies. In addition, copies may be examined in public libraries and city and borough offices near the three installations. In the Washington, DC area, copies may be seen during normal duty hours (8:00 a.m. to 4:30 p.m., Mondays through Fridays), in the Environmental Office, Office of the Assistant Chief of Engineers, Room 1E676, Pentagon, Washington, DC 20310, telephone (202) 694–3434. Interested organizations or individuals may obtain copies for the cost of reproduction from the Commander, 172d Infantry Brigade (Alaska), ATTN: AFZT–FE–EQ, Building 730, Fort Richardson, AL 99505, telephone (907) 863–7185.

Lewis D. Walker,

Deputy for Environment, Safety and Occupational Health, OASA (IL&FM)

May 6, 1981.

[FR Doc. 81–14134 Filed 5–8–81; 8:45 am]

BILLING CODE 3710–08–M

Department of the Navy

Privacy Act of 1974; Amendment and Deletion of Systems of Records

AGENCY: Department of the Navy (U.S. Marine Corps).

ACTION: Amendment and Deletion of Systems of Records.

SUMMARY: The U.S. Marine Corps is amending system notice MFD00005, entitled: Retired Pay/Personnel System (RPPS). This action is being taken because of a change in procedures to distribute retired pay. The U.S. Marine Corps is also deleting system notice MJA00011, entitled: Delinquent Mail Order Account System. This system notice is being deleted because the system is now covered by system notice MJA00012, entitled: Individual Accounts of Mail Order Clothing (Bill File).

DATES: The amendment and deletion shall be effective June 10, 1981.

ADDRESSES: Send any comments to the System Manager identified in the system notice.

FOR FURTHER INFORMATION CONTACT: Mrs. B. L. Thompson, Privacy Act Coordinator, Headquarters, U.S. Marine Corps, Washington, D.C. 20380, telephone: (202) 694–1452.

SUPPLEMENTARY INFORMATION: The U.S. Marine Corps systems notice for records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a) Pub. L. 93–579 were published in the **Federal Register** at FR Doc. 81–897 (46 FR 6639) January 21, 1981.

These proposed changes are not within the purview of the provisions of 5 U.S.C. 552a(o) of the Act which requires the submission of an altered system report.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington, Headquarters Services, Department of Defense.

May 5, 1981.

DELETION

MJA00011

System name:

Delinquent Mail Order Account System (46 FR 6666) January 21, 1981.

Reason:

This system is covered by MJA00012, Individual Accounts of Mail Order Clothing (Bill File) (46 FR 6666) January 21, 1981.

AMENDMENT

MFD00005

System name:

Retired Pay/Personnel System (RPPS)

Changes:

Categories of records in the system:

Delete the last paragraph in its entirety.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete the entry and substitute the following:

"Headquarters, U.S. Marine Corps, Marine Corps Finance Center, Marine Corps Central Design and Programming Activity—Records are used by officials and employees of the Marine Corps for computation of retired pay, retainer pay, survivor annuity accounts, audit of accounts, and to reply to correspondence relating to retired pay. Information in the system is used to create printed reports, records, checks, microforms, and magnetic files. Under the Department of Treasury Direct Deposit Program, pay data compiled on magnetic tapes is delivered to the Federal Reserve Bank, Kansas City, Missouri. Pay data is then distributed to individual financial organizations through the Federal Reserve distribution system for direct deposit to the individual's bank account. Statistical data and reports, compiled from the system for management studies and statistical analyses, is used internally or as required by the Department of Defense or other government agencies. Some information is made available to authorized local, state, and Federal agencies.

The American Red Cross and Navy Relief Society—Records are used by officials and employees of the American Red Cross and the Navy Relief Society in the performance of their duties. Access will be limited to those portions of the member's record required to effectively assist the member."

Retention and disposal:

Add the following sentence to the end of the paragraph: "Magnetic tapes delivered to the Federal Reserve Bank are returned to the Marine Corps Finance Center for disposition after direct deposits have been made to the account of the individual concerned."

MFD00005

SYSTEM NAME:

Retired Pay/Personnel System (RPPS).

SYSTEM LOCATION:

Marine Corps Central Design and Programming Activity, 1500 East 95th Street, Kansas City, Missouri 64131; Marine Corps Finance Center, 1500 East 95th Street, Kansas City, Missouri 64197.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Pay account folders for retired Marine Corps members, Fleet Marine Corps Reservists (FMCR), and survivors of deceased retired and FMCR members, who are entitled to retired pay, retainer pay, and survivor annuities.

CATEGORIES OF RECORDS IN THE SYSTEM:

The RPPS automated system of records contains the following fields (data elements and data sets): Retired/Retainer Date; Retainer Date; Pay Change; Information Status; Social Security Number (SSN) and Last, First, and Middle Initial (Key); Deletion Date; Retired Category Code; Member's Name; Pay Entry Base Date; Service for Pay; Active Service; Other Military Service Number (MSN); Prior MSN/SSN/Key; Rank Code; Race Code; Sex Code;

Disability Percent; Heroism Pay; Pay Table Code; Recomputation Age; Retirement Laws; Functional Account Number; Ranks; Birthdates; Pay Delete/Suspense Code; Retired Serviceman's Family Protection Pay; Reserve Retirement Credit Points; Allotment Data; Withholding Tax Data; Wage and Tax Summaries; Gross Pay; Taxable Pay; Withholding Tax; Dependency Indemnity Compensation; Pension Act of 1944 (Veterans Administration (VA) Waiver); Pension Act of 1964 (Dual Compensation G1); Retired Serviceman's Family Protection Plan; Survivor Benefit Plan; Social Security; Scheduled Collection; Net Pay; Special Handling Code (Check Delivery); Accumulated Summaries; Home Mailing Address; Check Mailing Address; Pay Distribution; Last Change Posted; Date Member Eligible to Retire; Date Arrived United States Without Dependents; Primary Military Occupational Specialty; Districts; Highest Rank Held Satisfactorily; Service Prior to 1 July 1949; Service After 1 July 1949; Active Duty After Transfer to Fleet/Retired Rolls; Date Next Fiscal Year and Month; VA Disease Codes; Department of Defense Disease Codes; Nearest Hospital (See Table 9); Personnel Accounting Separation Designator; Earnings Statement Flag; Disability Pay; Change of Address Flag; Last Time Processed by Update-Extractor; SSN Validation; Remarks Area; One-time Credit/Checkage; Scheduled Collection; VA Claim Number; Tower Amendment Code.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title 5, U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Headquarters, U.S. Marine Corps, Marine Corps Finance Center, Marine Corps Central Design and Programming Activity—Records are used by officials and employees of the Marine Corps for computation of retired pay, retainer pay, survivor annuity accounts, audit of accounts, and to reply to correspondence relating to retired pay. Information in the system is used to create printed reports, records, checks, microforms, and magnetic files. Under the Department of Treasury Direct Deposit Program, pay data compiled on magnetic tapes is delivered to the Federal Reserve Bank, Kansas City, Missouri. Pay data is then distributed to individual financial organizations through the Federal Reserve distribution system for direct deposit to the individual's bank account. Statistical data and reports, compiled from the system for management studies and statistical analyses, is used internally or as required by the Department of Defense or other Government agencies. Some information is made available to authorized local, State, and Federal agencies.

The American Red Cross and Navy Relief Society—Records are used by officials and employees of the American Red Cross and the Navy Relief Society in the performance of their duties. Access will be limited to those portions of the member's record required to effectively assist the member.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Data is recorded on magnetic records, punch cards, computer printouts, microform, file folders and other documents.

RETRIEVABILITY:

The data contained in magnetic records can be displayed on cathode-ray tubes, computer printed on paper, and it can be converted to microform for information retrieval; the data in the supporting file folders and other manual records is retrieved manually. Normally all types of records are retrieved by SSN and name.

SAFEGUARDS:

Building management employs security guards; building is locked nights and holidays. Authorized personnel may enter and leave the building during nonworking hours, but must sign in and out.

RETENTION AND DISPOSAL:

Magnetic records are maintained on all persons who are eligible for retired pay, retainer pay, and survivor annuities while they are alive and for a period of 6 months after that person dies or ceases to be eligible. Paper and film records are maintained for a period of 10 years after the final transaction. Magnetic tapes delivered to the Federal Reserve Bank are returned to the Marine Corps Finance Center for disposition after direct deposits have been made to the account of the individual concerned.

SYSTEM MANAGER(S) AND ADDRESS:

Commandant of the Marine Corps (Code FD), Headquarters, U.S. Marine Corps, Washington, D.C. 20380.

NOTIFICATION PROCEDURE:

Requests from individuals for information should be referred to the SYSMANAGER. Requesting individual must supply full name and SSN. The requester may visit the Marine Corps Finance Center, 1500 East 95th Street, Kansas City, Missouri 64197, to obtain information on whether the system contains records pertaining to him or her. In order to personally visit the above address and obtain information, individuals must present a military identification card, a driver's license, or other suitable proof of identity.

RECORD ACCESS PROCEDURES:

Request for information relative to the RPPS automated system should be signed by the person requesting the information. Dates of service, SSN, and full name of requester should be printed or typed on the request. The request should be sent to the SYSMANAGER.

CONTESTING RECORD PROCEDURES:

The agency's rules for access to records for contesting contents and appealing initial determinations by the individual concerned may be obtained from the SYSMANAGER.

RECORD SOURCE CATEGORIES:

Documents and correspondence received from Headquarters, U.S. Marine Corps, the Veterans Administration, the member, changes in laws, etc. are the principle sources of information contained in the RPPS automated system.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 81-14113 Filed 5-8-81; 8:45 am]
BILLING CODE 3810-71-M

DEPARTMENT OF ENERGY

Uranium Hexafluoride; Separative Work Charges and Base Charges for Natural Uranium

Correction

In FR Doc. 81-13600 appearing on page 25338, in the issue of Wednesday, May 6, 1981 make the following correction:

In the third complete paragraph, the bracketed material in the seventh, eighth, and ninth lines reading: "[Insert date 180 calendar days after publication]" should have been omitted and the date "November 2, 1981" inserted in its place.

BILLING CODE 1505-01-M

Energy Information Administration

American Statistical Association Ad Hoc Committee on Energy Statistics; Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. No. 92-463, 86 Stat. 770), notice is hereby given that the American Statistical Association's Ad Hoc Committee on Energy Statistics will meet with representatives of the Energy Information Administration (EIA) on Friday, May 29, 1981, at the International Inn, 10 Thomas Circle, Northwest, Washington, D.C., from 9:00 a.m. to approximately 4:30 p.m., in the Jefferson Room.

The purpose of the meeting is to enable the EIA to utilize the American Statistical Association's Ad Hoc Committee on Energy Statistics to obtain advice on EIA programs and to benefit from the Ad Hoc Committee's expertise concerning other energy statistical matters.

The tentative agenda is as follows:

A. Introductory Remarks

B. Major Topics

1. Procedures for determining when to employ the services of outside contractors

2. Issues to be addressed in the summary volume of next year's EIA Annual Report to Congress, Volume 3

3. An evaluation of the quality of EIA data—a progress report

4. Review of EIA's imports data requirements study

5. Development of a comprehensive natural gas data program

6. Analysis of the use and effectiveness of EIA publications

C. Other Committee Business

1. Topics for future meetings

2. Public comments

The meeting is open to the public. Any member of the public may file a written statement with the EIA for forwarding to the Committee, either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should inform Mr. Bruce D. Dwyer, EIA Committee Liaison, (202) 633-8696, or Dr. Fred C. Leone, Executive Director of the American Statistical Association, (202) 393-3253, at least five days prior to the meeting and reasonable provision will be made to include their presentations on the agenda. Subsequent to approval by the Committee, minutes and an executive summary of the meeting will be available for public review and copying at the Office of Planning, Evaluation and Project Control, EIA, 12th and Pennsylvania Avenue, N.W., Room 6149, Mail Stop 4311, Washington, D.C. 20461, (202) 633-8707, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Issued at Washington, D.C. on May 1, 1981.

Albert H. Linden, Jr.,

Acting Administrator, Energy Information Administration.

[FR Doc. 81-14068 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-01-M

Office of Assistant Secretary for International Affairs

Uses of Atomic Energy; Proposed Subsequent Arrangement; United States and European Atomic Energy Community

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves approval of contractural arrangements for the supply of source materials and special nuclear materials to the United Kingdom Atomic Energy Authority for collaborative research into the behavior and performance of higher actinides in Liquid Metal Fast Breeder Reactors. The materials to be furnished consist of 0.012 grams of thorium-230, 0.075 grams of thorium-232, 0.030 grams of unanium-233, 0.015 grams of uranium-234, 0.063 grams of uranium-235, 0.038 grams of uranium-236, 0.056 grams of uranium-238, 0.084 grams of plutonium-240, 0.018 grams of plutonium-241, 0.008 grams of plutonium-242, and 0.009 grams of plutonium-244.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of these nuclear materals under Contract Number WC-EU-189 will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than May 26, 1981.

Dated: May 6, 1981.

For the Department of Energy.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Nuclear and Technical Programs.

[FR Doc. 81-14169 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 4424-000]

Central Utah Water Conservancy District; Application for Preliminary Permit

May 7, 1981.

Take notice that Central Utah Water Conservancy District (Applicant) filed on March 27, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4424 to be known as the Soldier Creek Dam located on the Strawberry River in Wasatch County, Utah. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Lynn S. Ludlow, Secretary, Central Utah Water Conservancy District, P.O. Box 428, Orem, Utah 84057. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the U.S. Water and Power Resources Service's existing Soldier Creek Dam and Reservoir. The project would consist of: (1) a proposed powerhouse with a new penstock; and (2) appurtenant facilities. The installed capacity would be approximately 500 kW with an average annual energy production of 2,500,000 kWh.

Purpose of Project—Project power would be wheeled over various interconnected systems and then used by the Applicant for irrigation and municipal and industrial pumping and to operate District treatment facilities.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would conduct studies of the hydraulic, structural, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for a FERC license. Applicant estimates the cost of project design and studies under the permit would be $150,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine

the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have not comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 11, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 13, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4424. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Committion's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14108 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4456-000]

Zoes J. Dimos and James C. Katsekas; Application for Preliminary Permit

Take notice that Zoes J. Dimos and James C. Katsekas (Applicant) filed on March 27, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4456 to be known as the Davisville Dam Project located on the Warner River in Merrimack County, New Hampshire. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Zoes J. Dimos and James C. Katsekas, c/o Engineering Design Services, Route 102, Londonderry, New Hampshire 03053. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a breached dam, having the New Hampshire Water Resources Board designation of No. 243.01. The dam would be repaired to have a height of 14 feet and a length of 128 feet; (2) a reservoir having a surface area of 1.5 acres and a storage capacity of 4.5 acrefeet; (3) a proposed penstock; (4) a proposed powerhouse having a total installed generating capacity of 800 kW; and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 3,000,000 kWh.

Purpose of Project—Project energy, would be sold to a local Public Utility.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of two years, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, the Applicant would prepare an application for an FERC license. Applicant estimates the cost of studies under the permit would be $20,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 9, 1981, either the competing application itself or a notice of intent to file a competing application. Subcommittee of a timely notice of intent allows an interested person to file the competing application no later than September 8, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980).

Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 9, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4456. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14101 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP74-122, etc.]

Energy Terminal Services Corp.; Consolidation and Establishment of a Unified Service List

May 6, 1981.

In the matter of Energy Terminal Services Corporation (Docket No. CP74-122), Energy Pipeline Corporation (Docket No. CP73-148), Texas Eastern Transmission Company (Docket No. CP80-453).

Take notice that the Secretary of the Federal Energy Regulatory Commission, pursuant to the authority delegated to him by § 375.302(f) of the Commission's Revised General Rules hereby consolidates the application filed by Texas Eastern Transmission Company (Texas Eastern) in Docket No. CP80-453 with the remaining above-captioned matters for all future proceedings, having determined to his satisfaction that the facilities for which Texas Eastern has applied are interwined inextricably with the facilities currently proposed by the other applicants.

The original proceedings contemplated an LNG importation project in which Eascogas LNG, Inc. and Distrigas Corporation proposed to import into and sell volumes of LNG from the Rossville LNG terminal, then being constructed by Distrigas of New York Corporation (DONY).[1] The applicants' names have since changed, and the current applications from Energy Terminal Services Corporation (ETS), Energy Pipeline Corporation (EPC), and Texas Eastern Transmission Company (Texas Eastern) are for certificates of public convenience and necessity to construct and operate an LNG peak-shaving facility using two existing LNG storage tanks and appurtenant facilities and two proposed 30-inch diameter natural gas transmission pipelines.

Docket No. CP74-122, as amended by ETS on February 22, 1980, requests authorization to operate a peak-shaving facility at its existing facilities in Rossville, Staten Island, New York, using both of the existing 900,000-barrel LNG storage tanks and appurtenant facilities, including vaporization (360 billion Btu/day) and compression equipment. It also seeks to construct and operate a 30 billion Btu/day liquefaction unit and vaporization units with an additional 360 billion Btu/day capacity.

Docket No. CP73-148, as amended by EPC on April 10, 1980, requests authorization to construct and operate a 30-inch diameter natural gas transmission pipeline, approximately 16,625 feet long, between the Rossville LNG plant and points of interconnection with Texas Eastern and Public Service Electric and Gas Company in Woodbridge, New Jersey. EPC also requests authorization to construct and operate a metering and regulating station near the interconnection.

As a part of these two applications, Texas Eastern would purchase from ETS storage capacity of 1,231 billion Btu's and delivery of 102.7 billion Btu/day. To effectuate this arrangement, Texas Eastern filed an application in Docket No. CP80-453 to construct and operate 3,200 feet of 30-inch diameter pipeline northeast of Linden, Union County, New Jersey, as well as tap, valve, and other related facilities, and to expand two metering and regulator stations at Crown Central and Franklin, New Jersey. As such, it is properly consolidated with the two other dockets for common resolution. The mutation of parties and proposals has been made more confusing by the change of applicants' names and in docket numbers in these proceedings and the passage of time. For this reason, the Secretary would establish the list of names contained in Appendix "A", and by reference made a part hereof, as the official service list of this proceeding. Parties to the earlier proceedings inadvertently deleted, or any other person desiring to be heard or make any protest with reference ot the consolidation of these proceedings should on or before June 12, 1980, file 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.

New Jersey Natural Gas Company
R.T. Abrams, Vice President
601 Bangs Avenue
Asbury Park, New Jersey 07712

Harry L. Albrecht, Esquire
First National-Southern Natural Building
Post Office Box 2563
Birmingham, Alabama 35202

Thomas B. Arnold, Attorney for Union of Concerned Scientists Fund, Inc.
84 State Street
Boston, Massachusetts 02109

Consolidated Edison Company of New York, Inc.
Garrett E. Austin, Esquire
4 Irving Place
New York, New York 10003

Edward M. Barrett, Esquire
James J. Stoker, III, Esquire
250 Old Country Road
Mineola, New York 11501

Edward M. Barrett, Esquire

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[1] The then-associated dockets were CP73-47, CP73-48, CP73-132, CP73-148, CP73-230, and CP74-122. Of the six dockets, only the two captioned above are now open and still applicable.

Robert C. Richards, Esquire
Long Island Lighting Company
250 Old Country Road
Mineola, New York 11501

Robert A. Bennett, Mgr.
Planning Services Division
Long Island Lighting Company
175 E. Old Country Road
Hicksville, N.Y. 11801

Mr. William C. Bingham, Vice President
South Jersey Gas Company
One South Jersey Plaza, Route 54
Folsom, New Jersey 08037

B.L.A.S.T.
96 Middle Loop Road
Staten Island, N.Y. 10308

Boston Gas Company
Richard A. Bleakney, Vice President
2900 Prudential Tower
Boston, Massachusetts 02199

Christopher T. Boland, Esquire
Gallagher, Conner and Boland
821 Fifteenth Street, N.W.
Washington, D.C. 20005

The Southern Connecticut Gas Company
Richard H. Bowerman, Esquire
880 Broad Street
Bridgeport, Connecticut 06609

Tennessee Gas Pipeline Company
J.S. Brogdon, Jr., Executive Vice President
Post Office Box 2511
Houston, Texas 77001

Peter A. Buchsbaum, Esquire
P.O. Box 141
Trenton, New Jersey 08601

Civic Congress of Staten Island Inc.
Charles H. Burger, President
Post Office Box 113
Staten Island, New York 10307

William F. Burt, Vice President
NEGEA Service Corporation
130 Austin Street
Cambridge, Massachusetts 02139

Continental Oil Company
Tom Burton, Esquire
Post Office Box 2197
Houston, Texas 77001

L. F. Busa
Natural Gas Pipeline Company of America
Bender Building
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

National Marine Engineers' Beneficial Association-AFL-CIO
Jessee Calhon, Esquire
400 First Street, N.W.
Washington, D.C. 20001

H. B. Carey, Jr., Esquire
Northeast Utilities Service Company
P.O. Box 270
Hartford, Connecticut 06101

Elizabethtown Gas Company
Calvin R. Carver, Vice President
One Elizabethtown Plaza
Elizabeth, New Jersey 07207

Sherman Chickering, Esquire
Donald J. Richardson, Jr., Esquire
Edward P. Nelsen, Esquire
Chickering & Gregory
111 Sutter Street
San Francisco, California 94104

Thomas D. Clarke, Esquire
Post Office Box 54790, Terminal Annex
Los Angeles, California 90054

Norman A. Cohen, Attorney for Housing Authority of the Borough of Careteret
214 Smith Street
Perth Amboy, New Jersey 08861

Cole & Goertner
1000 Connecticut Avenue, N.W.
Suite 410
Washington, D.C. 20036

William R. Connole, Esquire
Connole & O'Connell
One Farragut Square South
Washington, D.C. 20006

William R. Connole, Esquire
Eugene E. Threadgill, Esquire
Connole & O'Connell
1000 Connecticut Avenue, N.W.
Washington, D.C. 20036

Henry Costa, NY City Dept. of Finance, Bureau of Real Property Assessment
350 St. Marks Pl., Room 300
Staten Island, New York 10301

Gene Gosgriff, President
Blast
6218 Amboy Road
Staten Island, New York 10309

Maritime Administration
H. Clayton Cook, Jr., Esquire
Department of Commerce Building
14th & E Streets, N.W.
Washington, D.C. 20235

Commonwealth of Massachusetts
Paul K. Connolly, Jr., Esquire
75 Tremont Street
Boston, Massachusetts 02133

Robert M. Crockett
Public Service Electric & Gas Company
80 Park Place
Newark, New Jersey 07101

Francis Cruthers, Chief of Dept.
Fire Department
110 Church Street
New York, New York 10007

G. Scott Cuming, Esquire
Harris S. Wood, Esquire
Post Office Box 1492
El Paso, Texas

Edward V. Curry, Councilmen
38—7th Street
Staten Island, N.Y. 10301

Evan A. Davis, Asst. Corp. Counsel
City of New York
Municipal Building
New York, N.Y. 10007

Atlantic Richfield Company
P.T. Davis, Manager Gas Regulations & Planning
Post Office Box 2819
Dallas, Texas 75221

Robert Del Tufo
State of New Jersey
State House Annex
Trenton, New Jersey 08625

Washington Park Citizens Association
Cheryl Diamond, President
139 Carr Street
Providence, Rhode Island 02905

Dave Dischner
Middlesex County Planning
40 Livingston Avenue
New Brunswick, New Jersey 08901

James H. Dodge, Marketing Manager
Boston Gas Company
144 McBride Street
Boston, Massachusetts 02130

Borough of Carteret
Edward J. Dolan, Esquire
One Holmes Street
Cartaret, New Jersey 07008

New England LNG Company Inc.
George Doulames, President
95 East Merrimack Street
Lowell, Massachusetts 01853

William R. Duff, Esquire
932 Pennsylvania Building
Washington, D.C. 20004

The Brooklyn Union Gas Company
James W. Dunlop, Vice President
195 Montague Street
Brooklyn, New York 11201

Edward F. Duschock, Esquire
Rodrigues & Justin
436 Amboy Avenue
Perth Amboy, N.J. 08861

K. R. Edsall, Esquire
Post Office Box 54790, Terminal Ann
Los Angeles, California 90054

Charles T. Ellis
Bay State Gas Company
120 Royall Street
Canton, Massachusetts 02021

Mr. Clifford G. Engstrom
Town of Middleborough Municipal Gas and Electric Department
Town Hall
Middleboro, Massachusetts 02346

Esso LNG, Inc.
Martin N. Erck, Esquire
John R. Rebman, Esquire
John H. Cooper, Jr., Esquire
Post Office Box 2180
Houston, Texas 77001

Mrs. Lee Esposito, et al.
19 Madison Avenue
Staten Island, New York 10314

Robert J. Ferranty, Vice President for Legal Affairs
Providence Gas Company 100 Weybosset Street
Providence, Rhode Island 02901

Public Utility Commissioners of the State of New Jersey
Joseph W. Ferraro, Jr., Deputy Attorney General
Board of Public Utility Commissioners
Room 208, 101 Commerce Street
Newark, New Jersey 07102

William W. Fisher, Esquire
Robinson, Robinson & Cole
799 Main Street
Hartford, Connecticut 06103

Chief Inspector Milton Fishkin
City of New York Fire Dept.
Div. of Fire Prevention
Municipal Building, Room 1128
Brooklyn, New York 11201

Urban C. Fleming, Esquire
Northeast Utilitjes Service Company
Post Office Box 270
Hartford, Connecticut 06101

Jesse Foster, Esquire
1251 Avenue of the Americas
New York, New York 10020

Consolidated Edison Company of New York Inc.
Robert A. Froehlich, Esquire
4 Irving Place
New York, New York 10003

Anthony R. Gaeta, President of Borough of Staten Island
City of New York, Borough Hall
Staten Island, N.Y. 10301

Pacific Gas and Electric Co.
Malcolm H. Furbush, Esq.
Daniel E. Gibson, Esq.
Room 3120
77 Beale Street
San Francisco, CA 94106

Transcontinental Gas Pipe Line Corporation
Lawrence H. Gall, Vice President
William N. Bonner, Jr., Esq.
Houston, Texas 77001

William Gellermann, Chairman
Staten Island Citizens Planning Committee
229 Prospect Avenue
Staten Island, N.Y. 10301

Eugene L. Goceljack, Municipal Attorney
214 Smith Street
Perth Amboy, New Jersey 08861

Herbert N. Goodwin, Esq.
Commonwealth of Massachusetts
State House
Boston, Massachusetts 02133

M. P. Griffith, Esq.
NEGEA Service Corp.
130 Austin Street
Cambridge, Massachusetts 02139

Orange and Rockland Utilities, Inc.
Thomas A. Griffin, Jr., Vice President
75 West Route 59
Spring Valley, N.Y. 10977

City of Norwick, Department of Public Utilities
Robert E. Grimshaw, Esq.
34 Shetucket Street
Norwich, Connecticut 06360

Barbara M. Gunther, Esq.
Joseph P. Stevens, Esq.
Cullen and Dykman
177 Montague Street
Brooklyn, New York 11201

Michael F. Halloran, Esq.
Day, Berry & Howard
ONG Constitution Plaza
Hartford, Connecticut 06103

Providence Gas Company
Louis R. Hampton, President
100 Weybosset Street
Providence, Rhode Island 02901

Robert N. Harbor, Esq.
El Paso Natural Gas Company
310 Suffridge Building
1775 K Street, N.W.
Washington, D.C. 20006

William I. Harkaway, Esq.
Belnap, McCarthy, Spencer, Sweeney & Harkaway
1750 Pennsylvania Ave., N.W.
Washington, D.C. 20006

South Jersey Gas Company
Glendon H. Harris, Executive Vice President
One South Jersey Plaza
Route 54
Folsom, New Jersey 08037

Natural Gas Pipeline Company of America
E. H. Hasenberg, Manager
Energy Utilization and Certificates
122 South Michigan Avenue
Chicago, Illinois 60603

Mobil Oil Corporation
Robert D. Haworth, Esq.
James T. Nesbitt, Esq.
Three Greenway Plaza East
Suite 800
Houston, Texas 77046

Texas Eastern Transmission Corp.
Jack D. Head, Vice President
P.O. Box 2521
Houston, Texas 77001

Mr. Pierre J. Heroux
City of Norwich, Dept. of Public Utilities
34 Shetucket Street
Norwich, Connecticut 06360

Hess & Lim, Incorporated
5809 Annapolis Road
Hyattsville, Maryland 20784

Tiverton Gas company
James J. Hibbert, Esq.
1761 Main Road
Tiverton, Rhode Island 02878

Municipal Gas & Electric Dept.
Stephan Horbal, Esq.
Town of Middleborough
Town Hall
Middleboro, Massachesetts 02346

State of Rhode Island
Richard J. Israel, Attorney Gen.
Providence County Court House
Providence, Rhode Island 02903

Herschel Jaffe, Esq.
Columbia LNG Corporation
20 Montchanin Road
Wilmington, Delaware 19807

Algonquin LNG, Inc.
W. D. Jaques, Vice President
1284 Soldiers Field Road
Boston, Massachusetts 02135

Phillips Petroleum Company
Sam Jennings, Esq.
Gas and Gas Liquids Div.
5 C4 Phillips Building
Bartlesville, Oklahoma 74004

Edwin L. Johnson, Vice President
The Connecticut Light & Power Co.
P.O. Box 2370
Hartford, Connecticut 06101

El Paso Algeria Corp.
Kenneth G. Johnson, Esq.
2727 Allen Parkway
Houston, Texas 77001

Elizabeth Kleban
420 Broad Street
Sewaren, New Jersey 07077

Texas Gas Transmission Corporation
Robert O. Koch, Executive Vice President
P.O. Box 1160
Owensboro, Kentucky 42301

Southern California Gas Co.
John H. Kreft, Esq.
P.O. Box 3249
Terminal Annex
Los Angeles, California 90051

Edward J. Kremer, Esq.
P.O. Box 2819
Dallas, Texas 75221

City of Linden
Jerome Krueger, Esq.
301 North Wood Avenue
Linden, New Jersey 07036

Southern Natural Gas Company
Ronald L. Kuehn, Jr., Assistant General Counsel
First National-Southern Natural Building
P.O. Box 2563
Birmingham, Alabama 35202

K. R. Kydecker, Vice President and General Manager
Cape Cod Gas Company
P.O. Box 1360
Hyannis, Massachusetts 02601

T. T. Kyle, Vice President
Brockton Taunton Gas Company
125 High Street
Boston, Massachusetts 02110

James R. Lacey, Esq.
Energy Terminals Services Corp.
80 Park Place
Newark, New Jersey 07101

L. William Law, Jr.
Boston Gas Company
One Beacon Street
Boston, Massachusetts 02108

Neighbor Improvement Committee
Carol Lazarus, Esq.
46 Dover Green Street
Staten Island, New York 10304

The State of New York
Louis J. Lefkowitz, Esq.
Two World Trade Center
Room 46-74
New York, New York 10047
Attention: Richard G. Berger, Esq.

George E. Lewis, Esq.
Texas Eastern Transmission Corporation
Suite 901
1660 L Street, N.W.
Washington, D.C. 20036

Buzzards Bay Gas Company
K. R. Lydecker, Vice President
25 Iyanough Road
Hyannis, Massachusetts 02601

New Bedford Gas & Edison Light Company
R. F. MacDonald, Vice Pres.
693 Purchase Street
New Bedford, Massachusetts 02741

New Bedford Gas & Edison Light Company
A. Malcolm Mager, Vice Pres.
693 Purchase Street
New Bedford, Massachusetts 02741

Brockton Taunton Gas company
A. D. Matarese, President
995 Belmont Street
Brockton, Massachusetts 02403

Nicholas W. Mattia, Jr.
Conway, Resieman, Bumgardner, Hurley and Kleinfeld, P.A.
50 Park Place
Newark, New Jersey 07102

Industrial Union of Marine and Shipbuilding Workers of America, AFL-CIO
Eugene L. McCabe, National Pres.
1126 16th Street, N.W.
Washington, D.C. 20036

Charles V. McCaffrey, President
Valley Gas Company
P.O. box 1000
Cumberland, Rhode Island 02864

James W. McCartney, Esq.
Vinson & Elkins
2100 First City National Bank Building

Houston, Texas 77002
Jack R. McClendon
Northeast Utilities Service Co.
P.O. box 953
Meriden, Connecticut 06450
Jack R. McCormick, President
Fall River Gas Company
155 North Main Street
Fall River, Massachusetts 02722
The Hartford Electric Light Co.
Joseph R. McCormick, President
P.O. Box 2370
Hartford, Connecticut 06101
Thomas A. McCormick, Chairman, LNG Fact Finding Committee
223 Indiana Avenue
Providence, Rhode Island 02905
Charles E. McGee, Esq.
McGee & Ketchum
1010 19th Street, N.W.
Washington, D.C. 20036
Frank McGilvrey, Branch of Pipeline
Division of Ecological Services
U.S. Fish and Wildlife Service
Washington, D.C. 24240
Richard G. McGivney
Chairman of the Board
Staten Island Community Board 3
Princess Bay Trade Mart
100 Johnston Terrace
Staten Island, New York 10309
John T. McKenna
Boston Gas Company
One Beacon Street
Boston, Massachusetts 02108
Mr. Harry A. Melden, Jr.,
Commonwealth Gas Company
157 Cordaville Road
Southborough, Massachusett 01772
Pat Anthony Mercurio, Chairman BLAST
782 Arden Avenue
Staten Island, New York
John T. Miller, Jr., Esq.
1001 Connecticut Ave., NW.,
Washington, D.C. 20036
Congressman Guy Molinari
26 Federal Plaza
New York, New York 10278
Attn: Michael Torrusion
Guy V. Molinari, Esq.
Assemblyman 60th District
182 Rose Avenue
Staten Island, New York 10306
Richard D. Morel, Executive Vice President
Eascogas LNG, Inc.
1284 Soldiers Field Road
Boston, Massachusetts 02135
Texas Eastern Transmission Corporation
Earle Mowrey, Esq.P.O. Box 2521, Houston, Texas 7001
Distrigas Pipeline Corp.
Edwin S. Nail, Esq.
125 High Street
Boston, Massachusetts 02110
The Brooklyn Union Gas Co.
Charles L. Neumeyer, Senior Vice President
195 Montague Street
Brooklyn, New York 11201
The Newport Gas Light Company
Manuel P. Nones, Vice President
P.O. Box 300
Newport, Rhode Island 02840
NYS Dept. of Environmental Conservation
Office of Regulatory Affairs
50 Wolf Road
Albany, New York 12233
Edmund W. O'Brien, Esq.
Northeast Utilities Service Co.
P.O. Box 270
Hartford, Connecticut 06101
Joseph M. Oliver, Jr.
Crowell & Moring
1100 Connecticut Avenue, NW.
Washington, D.C. 20036
James S. Parkhill, Jr., Esq.
2900 Prudential Tower
Boston, Massachusetts 02199
Fall River Gas Company
Wesley P. Patnode, President
155 North Main Street
Fall River, Massachusetts 02722
San Diego Gas and Electric Co.
Gordon Pearce, Vice President
P.O. Box 1831
San Diego, California 92112
Alfred J. Petit-Clair, Jr., Esq.
175 Smith Street
Perth Amboy, New Jersey 08861
Mr. William G. Poist
Commonwealth Gas Company
157 Cordaville Road
Southborough, Massachusetts 01772
Sherman S. Poland, Esq.
Ross, Marsh & Foster
730 15th Street, NW.
Washington, D.C. 20005
Jack Potenza, Chairman
Public Services Committee
Staten Island Community Board 3
Princess Bay Trade Mart
100 Johnston Terrace
Staten Island, New York 10309
City of New York, New York
Norman Redlich, Esq.
Law Department
Municipal Building
New York, New York 10007
Mr. J. V. Richards, Jr., Vice President
New Jersey Natural Gas Company
601 Bangs Avenue
Asbury Park, New Jersey 07712
Charles Richman
Deputy Commissioner
New Jersey Dept. of Energy
1000 Raymond Blvd.
Newark, New Jersey 07102
Dennis J. Roberts II, Esq.
Roberts & Willey Inc.
Ten Dorrance Street
Providence, Rhode Island 02903
Bradford Ross, Esq.
Daniel F. Collins, Esq.
Ross, Marsh & Foster
Washington, D.C. 20005
Thomas F. Ryan, Jr., Esq.
Robert G. Hardy, Esq.
Gallagher, Connor & Boland
821 Fifteenth Street, N.W.
Washington, D.C. 20005
Robert J. Saner, II
White, Fine & Verville
1156 15th Street, N.W.
Washington, D.C. 20005
Stephen Schachman, Esq.
Obermayer, Rebmann, Maxwell & Hippel
14th Floor, Packard Bldg.
Philadephia, PA 19102
New York Public Service Comm.
Peter H. Schiff, Esq.
Empire State Plaza
Albany, New York 12223
John S. Schmid, Esq.
Paul W. Fox, Esq.
Glendening & Schmid
1750 Pennsylvania Ave., N.W.
Washington, D.C. 20006
The City of New York
Allen G. Schwartz, Esq.
100 Church Street
Room 6-C-26
New York, New York 10007
Jacob Schwartz, Esq.
60 Park Place
Newark, New Jersey 07102
Robert M. Scott, Esq.
1250 Connecticut Ave.
Washington, D.C. 20036
Staten Island Citizens Planning Committee
Thomas D. Shea, Esq.
36 Bertha Place
Staten Island, New York 10301
Brockton, Taunton Gas Company
Robert V. Shupe, Jr., Vice Pres.
995 Belmont Street
Brockton, Massachusetts 02403
Morton L. Simons, Esq.
Simons & Simons
1629 K Street, N.W.
Washington, D.C. 20006
Columbia LNG Corporation
John F. Sisson, Esq.
20 Montachanin Road
Wilmington, Delaware 02135
Distrigas Corporation
Norton O. Sloan, President
125 High Street
Boston, Massachusetts 02110
Chief Richard Sloan
Borough Commander of Staten Island
c/o Div. of Fire Prevention
Municipal Building
Brooklyn, New York 11201
Rhode Island Public Utilities Commission
Archie Smith, Administrator
Division of Public Utilities and Carriers
169 Weybossett Street
Providence, Rhode Island 02903
Mr. John J. Smith
Northeast Utilities Service Co.
P.O. Box 953
Meriden, Connecticut 06450
Claude Solomon
Deputy Attorney General
1000 Raymond Blvd.
Room 316
Newark, New Jersey 07102
Richard A. Solomon, Esq.
Michael H. Rosenbloom, Esq.
Wilner and Scheiner
2021 L Street, N.W.
Washington, D.C. 20036
Edward W. Stern, Esq.
Blank, Rome, Klaus & Comisky
4 Penn Center Plaza
Philadelphia, Pennsylvania 19103
Joseph P. Stevens, Esq.
Cullen and Dykman

177 Montague Street
Brooklyn, New York 11201

Commonwealth Gas Company
J. C. Stoneman, Vice President
25 Quinsigamond Avenue
Worcester, Massachusetts 01608

Mr. Donald H. Story
Commonwealth Gas Company
157 Cordaville Road
Southborough, Massachusetts 01772

J. Stanley Stroud, Esq.
Mayer, Brown & Platt
888 17th Street, N.W.
Washington, D.C. 20006

Consolidated Edison Company of New York, Inc.
Frederick W. Sullivan, Vice Pres.
4 Irving Place
New York, New York 10003

Mr. L. M. Sullivan
Pequt Gas Company
49 High Street
Westerly, Rhode Island 02891

Richard A. Sullivan, Jr.
Bristol and Warren Gas Company
25 Gooding Avenue
Bristol, Rhode Island 02809

Center for United Labor Action
Barbara Teel, Esq.
167 21st Street
New York, New York 10011

Tennessee Gas Pipeline Company
490 L'Enfant Plaza, East, S.W.
Suite 2202
Washington, D.C. 20042

Bruce J. Terris, Esq.
Edward H. Comer, Esq.
1526 18th Street, N.W.
Washington, D.C. 20036

Frank P. Trocino
The City of Elizabeth
80 Park Place
Newark, New Jersey 07101

Bruce G. Tucker
Roberts & Willey Inc.
Ten Dorrance Street
Providence, Rhode Island 02903

Mr. George B. Uihlein
The Southern Connecticut Gas Co.
880 Broad Street
Bridgeport, Connecticut 06609

North Attleboro Gas Company
Jay L. Underhill, President
65 North Washington Street
North Attleboro, Masschusetts 02761

Stanley C. Van Ness, Public Advocate of the State of New Jersey
Peter A. Buchabaum, Esq.
Division of Public Interest Advocate
143 E. State Street, Room 617
P.O. Box 141
Trenton, New Jersey 08648

John Vorkral, Director, Staten Island Borough Planning Office
Department of City Planning
56 Bay Street
St. George, Staten Island, N.Y 10301

The Connecticut Gas Company
Anthony E. Wallace, President
P.O. Box 2010
Hartford, Connecticut 06101

Mrs. John L. Warren, Jr.
Charles H. Demarest, Inc.
19 Rector Street
New York, New York 10006

Harry S. Welch, Esq.
L. R. Pankonien, Esq.
P.O. Box 2511
Houston, Texas 77001

Joseph M. Wells, Esq.
Paul E. Goldstein, Esq.
Suite 2014
122 South Michigan Avenue
Chicago, Illinois 60603

John L. Williford, Esq.
Phillips Petroleum Company
583 Frank Phillips Building
Bartlesville, Oklahoma 74004

Connecticut Natural Gas Corp.
Robert H. Willis, President
P.O. Box 1230
Hartford, Connecticut 06101

Richard B. Wolf, Esq.
600 New Jersey, N.W.
Washington, D.C. 20001.

Justin R. Wolf, Esq.
Wolf & Case
1625 K Street, N.W.
Washington, D.C. 20006.

Michael G. Wovna, President
3 Beacon Street
Port Reading, New Jersey 07064

[FR Doc. 81-14102 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-490]

Lockhart Power Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that on April 2, 1981, Lockhart Power Company submitted for filing a refund report pursuant to the Commission's order, dated March 19, 1981, in the above-referenced proceeding.

A copy of this filing has been sent to the South Carolina Public Service Commission.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C., 20426, on or before May 26, 1981. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14104 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. CS81-68-000, et al.]

Margaret C. Johnson, et al.; Applications for "Small Producer" Certificates[1]

May 6, 1981.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 21, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commssion'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. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions 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 on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where 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

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No.	Date filed	Applicant
CS81-68-000	3/10/81	Margaret C. Johnson, 1114 Laurel Drive, Lafayette, California 94549.
CS81-69-000	3/12/81	BYS Inc., 3003 LBJ Freeway, Suite 206, Dallas, Texas 75234.
CS81-70-000	3/23/81	David Nance, et al., partnership, 800 Johnson Building, Shreveport, Louisiana 71101.
CS81-71-000	3/24/81	CNR Resources, Inc., 500 LBJ Freeway, Suite 962, Dallas, Texas 75234.
CS81-72-000	3/30/81	El Grande Pipeline Corp., 250 Decker Drive, Irving, Texas 75061.
CS81-73-000	3/30/81	Continental Resources Corporation, 8th Floor, Mid-America Tower, Oklahoma City, Oklahoma 73102.
CS81-74-000	4/2/81	Cougar Exploration, Inc., 999 18th Street, Ste. 1260, Denver, Colorado 80202.
CS81-75-000	4/7/81	Arrowhead Gas Producers, Inc., P.O. Box 402, 1616 West State Street, Olean, NY 14760.
CS81-76-000	4/10/81	Santa Fe Drilling Corp., P.O. Box 1468, Parkersburg, WV 26101.
CS81-77-000	4/17/81	Energy Sources, Inc., Suite 2100, 333 Clay Street, Houston, Texas 77002.
CS81-78-000	4/17/81	Energy Sources 1980 Program, Suite 2100, 333 Clay Street, Houston, Texas 77002.
CS81-79-000	4/23/81	Big Sky Production Company, Rt. 2, Perry, Oklahoma 73077.
CS81-80-000	4/23/81	Vale & Company, 6 East 43rd Street, New York, N.Y. 10017.
CS81-81-000	4/23/81	Oakwood Resources Inc., 1600, 311-6 Avenue S.W., Calgary, Alberta T2P 0Y2.
CS81-82-000	4/20/81	Mrs. A. D. O'Donnell, 115 Miller Drive, Paule Valley, OK 73075.

[FR Doc. 81-14105 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4450-000]

North Valley Land Corp.; Application for Preliminary Permit

May 7, 1981.

Take notice that North Valley Land Corporation (Applicant) filed on April 1, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4450 to be known as Cove located on Hatchet Creek in Shasta County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Sam E. Nelson, North Valley Land Corporation, 50 Wilshire Drive, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a 2-foot high concrete diverion structure; (2) a concrete intake structure; (3) a 6,500-foot long, 48-inch diameter conduit; (4) a powerhouse containing a 3,500-kW generating unit; and (5) a 0.5-mile long, 12.5-kV transmission line.

The Applicant estimates that the average annual energy output would be 13.5 million kWh.

Purpose of Project—The power generated by the proposed project would be sold to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time it would perform hydrological and geological studies; survey the property; assess the environmental impacts; apply for necessary rights; and study the financial feasibility. The cost of the studies is estimated by the Applicant to be $60,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in and application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 11, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b)

and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 13, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protest, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4450. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-14106 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-295-000]

Northern Natural Gas Co., Division of InterNorth, Inc.; Application

May 5, 1981.

Take notice that on April 22, 1981, Northern Natural Gas Company, Division of InterNorth, Inc. (Applicant) 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP81-295-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 76 small volume sales measuring stations for the sale and delivery of additional volumes of natural gas in the states of Montana, South Dakota, Minnesota, Iowa, Nebraska, Kansas, Oklahoma and Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to provide service to right-of-way grantors whose easements provide for the contractual right to gas service as partial consideration for the easement to construct and operate pipeline facilities across their property. It is stated that such service would be made to small volume [1] industrial, commercial and residential customers.

Applicant proposes to install and operate 65 delivery stations in Minnesota, South Dakota, Iowa, Nebraska, Kansas, and Texas for deliveries of gas to be resold by People's Natural Gas Company, Division of InterNorth, Inc. (People's) from People's presently authorized contract demand.

Applicant also states that it sells and delivers natural gas in Oklahoma to the Southern Union Gas Company (So. Union) pursuant to Applicant's Rate Schedule X-46 for resale by So. Union to Applicant's right-of-way grantors and others for use as irrigation engine fuel, residential and other high priority uses. Applicant proposes to provide natural gas service to 8 of its right-of-way grantors located in So. Union's service areas in Oklahoma which would result in an increase of 2,400 Mcf in annual sales to So. Union.

Further, Applicant proposes to install and operate 3 delivery stations for deliveries of gas for direct sale to 3 Montana customers pursuant to terms of farm tap service contracts between Applicant and the new customers.

Applicant more fully describes the 76

[1] As defined in Applicant's Gas Tariff, customers with maximum daily gas requirements under 200 Mcf are considered small volume customers.

proposed small volume sale measuring stations including location estimated peak day and annual sales, and use as follows:

Right-of-way grantor	Location of facilities: county-State	Estimated sales—1,000 ft³		Primary end-use	Estimated facility costs
		Peak Day	Annual		
Applicant (direct):					
Bickford, Arthur W	Hill, Mt	3.2	295	Residential heat	$1,480
Nuewerth, William	Hill, Mt	20.0	2,950	Irrigation	1,780
Velk, William S	Hill, Mt	3.2	295	Shop heat	1,120
Totals, applicant (direct)		26.4	3,540		$4,380
Peoples Natural Gas Co., Division of InterNorth, Inc.:					
Adsit, Feland E	Haskell, KS	33.6	3,800	Irrigation	$1,770
Aistrup, Emmett D	Hodgeman, KS	24.0	2,880	Irrigation	940
Baltz, Ernest O	Saunders, NE	2.0	176	Residential heat	1,720
Barrett, Herbert	Crow Wing, MN	14.1	760	Crop dryer	1,870
Barry, Raymond	Wright, IA	2.0	200	Residential heat	2,080
Bemis, Dean E	McLoed, MN	3.0	192	Residential heat	1,170
Benedict, Mark	Redwood, MN	15.0	352	Crop dryer	1,750
Bohr, Melvin	Fayette, IA	12.0	600	Crop dryer	2,160
Bronner, Richard W	Black Hawk, IA	2.0	140	Residential heat	1,470
Brownlee, Wayne	Pawnee, KS	36.0	3,440	Irrigation	940
Butters, Tom	Marshall, IA	24.0	900	Crop dryer	2,480
Carlile, Bernard E	Seward, KS	84.0	6,500	Irrigation	1,450
Cohoon, Bill	Hodgeman, KS	36.0	4,320	Irrigation	2,210
Cronkhite, William	Kingsbury, SD	30.0	1,592	Crop dryer	1,950
Elliott, Ralph A	Saunders, NE	42.0	2,650	Irrigation	2,010
Emerson, Robert C	Carlton, MN	3.0	200	Residential heat	1,190
Engler, William L	Haskell, KS	84.0	6,500	Irrigation	1,270
Erlandson, George	Pope, MN	2.0	186	Residential heat	1,170
Frazer, Orville	Grundy, IA	66.0	3,500	Crop dryer	2,950
Freeze, Leon D	Jefferson, NE	35.0	2,100	Irrigation	1,420
Fromm, Herbert J	Story, IA	1.6	245	Residential heat	1,640
Gerber, Carl J	Meade, KS	24.0	4,300	Irrigation	1,770
Hagedorn, Albert G	Faribault, MN	20.0	400	Crop dryer	1,950
Halverson, Lloyd	Hamilton, IA	1.7	253	Residential heat	1,640
Harms Implement	Clay, IA	20.0	1,900	Commercial heat	1,820
Hedrick, Richard M	Lancaster, NE	16.8	2,147	Irrigation	1,800
Hilde, Lowell	St. Louis, MN	3.0	200	Residential heat	2,010
Hofer, John L	Fayette, IA	2.5	221	Residential heat	1,470
Hoffman, Gary	Saunders, NE	2.0	176	Residential heat	1,800
Huckins, Helen L	Dallas, IA	1.7	185	Residential heat	1,690
Johannes, Larry	Finney, KS	72.0	13,000	Irrigation	1,270
Kahl, Albert	Lyon, IA	2.0	190	Residential heat	1,650
Kinchloe, Robert	Polk, IA	15.0	248	Residential heat	1,640
Koob, Floyd	Black Hawk, IA	14.0	805	Crop dryer	2,120
Lausen, Ralph	Emmet, IA	35.0	2,480	Crop dryer	2,060
Leonard, Harry No.1	Stevens, KS	84.0	6,500	Irrigation	860
Leonard, Harry No.2	Stevens, KS	84.0	6,500	Irrigation	860
Long, James K	St. Louis, MN	2.0	200	Residential heat	1,740
Master Land No.1	Haskell, KS	108.0	16,650	Irrigation	1,270
Master Land No.2	Haskell, KS	72.0	11,100	Irrigation	1,270
Master Land No.3	Haskell, KS	144.0	22,200	Irrigation	1,160
Master Land No.4	Haskell, KS	108.0	16,650	Irrigation	1,270
Master Land No.5	Haskell, KS	144.0	22,200	Irrigation	1,160
Miller, Clell	Finney, KS	1.5	150	Residential heat	790
Morgan, Clyde J	Buchanan, IA	30.0	1,700	Crop dryer	2,120
Ogden Sow Corp	Boone, IA	12.0	1,600	Commerical heat	1,640
O'Hara, Paul	Stevens, KS	84.0	6,500	Irrigation	860
Olsen, Donald P	Washington, MN	3.0	200	Residential heat	1,350
Olson, Oscar B	Watonwan, MN	20.0	465	Crop dryer	1,750
Orth, Wallace No.1	Haskell, KS	84.0	6,500	Irrigation	1,950
Orth, Wallace No.2	Haskell, KS	84.0	6,500	Irrigation	1,950
Ostigaard, Bergliot	Scott, MN	1.8	191	Residential heat	1,580
Owen, Jennie	Stafford, KS	36.0	3,510	Irrigation	2,240
Pierson, Elmer	Douglas, NE	1.4	140	Residential heat	1,840
Pipkin, J. W	Ochiltree, TX	31.2	3,220	Irrigation	2,640
Potter Enterprises	Brown, MN	40.0	440	Crop dryer	1,950
Robb, David E	Ford, KS	36.0	3,440	Irrigation	1,700
Seamans, Robert L	Fayette, IA	12.0	598	Crop dryer	2,120
Smith, Dean	Pawnee, KS	36.0	5,400	Irrigation	880
Stoddard, Ralph	Stevens, KS	1.5	180	Residential heat	780
Terning, Ralph	Wright, MN	160.0	3,566	Crop dryer	2,750
Thompson, Howard	Hodgeman, KS	36.0	2,970	Irrigation	660
Thompson, Norman	Rice, MN	41.0	307	Crop dryer	2,040
Trickey, Cecil R	Haskell, KS	33.6	3,800	Irrigation	1,700
Zimmerman, Les	Sherburne, MN	20.0	1,546	Crop dryer	1,660
Totals, Peoples Natural Gas		2,318.5	222,661		107,000
Southern Union Gas Co.:					
Bell, Emery L	Beaver, OK	1.4	300	Residential heat	860
Harrison, Pearl M	Woodward, OK	1.4	300	Residential heat	860
Miller, Ronald J	Ellis, OK	1.4	300	Residential heat	860
Thomas, Eddie E	Harper, OK	1.4	300	Residential heat	860
Thomas, James O	Harper, OK	1.4	300	Residential heat	860
Timms, Burl	Rogermills, OK	1.4	300	Residential heat	2,500
Trout, Rosie M	Rogermills, OK	1.4	300	Residential heat	2,260
Waugh, Williams W	Harper, OK	1.4	300	Residential heat	860

Right-of-way grantor	Location of facilities: county-State	Estimated sales—1,000 ft³ Peak Day	Annual	Primary end-use	Estimated facility costs
Totals, Southern Union Gas		11.2	2,400		9,920
Totals, all projects		2,356.1	228,601		121,300

Any person desiring to be heard or to make any protest with reference to said application should on or before May 18, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in acccordance 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 considerd 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 particiapte as a party in any therein hearing 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 interevene 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. 81-14107 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4489-000]

Resource Investments; Application for Preliminary Permit

May 7, 1981.

Take notice that Resource Investments (Applicant) filed on April 6, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4489 to be known as Stuart Fork Power Project located on Stuart Fork Creek in Trinity County, California. The appliction is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Messrs. Richard L. Bean, Fred G. Castagna and David C. Aby, 1646 East Street, Redding, California 96001. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing diversion structure; (2) an existing 7-mile long ditch; (3) a 0.5-mile long penstock; (4) a powerhouse containing two generating units with a total rated capacity of 4,000 kW; and (5) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 22.7 million kWh.

Purpose of Project—Project energy would be sold to a public utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested a 24-month permit to prepare a project report including preliminary designs, results of environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be $121,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 11, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 13, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4489. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North

Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14108 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-436-000]

South Carolina Electric & Gas Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that South Carolina Electric & Gas Company (SCE&G) on May 1, 1981, tendered for filing proposed changes in its rates and charges to its municipal, rural electric cooperative, and public power body sales-for-resale customers, as embodied in SCE&G's proposed Rate Schedule WR and accompanying fuel adjustment clause. The proposed changes, which SCE&G proposes to put into effect as of July 1, 1981, would increase revenues from jurisdictional sales and service by $4,242,000 based on the twelve-month period ending December 31, 1981, which is Period II of the filing.

SCE&G states that it expects to earn a rate of return of 6.79% from service to these sales-for-resale customers during the calendar year 1981 in the absense of rate relief. The proposed rates are designed to enable SCE&G to improve the rate of return earned from its service to these sales-for-resale customers. Due to the low returns it is presently earning from service to its customers, SCE&G is not able to issue preferred stock. It is necesary for the Company to receive rate relief if it is to attract necessary amount of capital and if it is to continue to provide adequate service to its present and future customers.

Copies of the filing have been served upon SCE&G's jurisdictional customers and the South Carolina Public Service Commission.

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 May 26, 1981. 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14109 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4479-000]

Talent Irrigation District; Application for Preliminary Permit

May 7, 1981.

Take notice that Talent Irrigation District (Applicant) filed on April 6, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4479 to be known as Howard Prairie Hydroelectric Project located at the existing outlet of the United States Department of the Interior, Water and Power Resources Service's (WPRS) Howard Prairie Dam on Grizzly Creek in Jackson County, Oregon. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Walt H. Hoffbuhr, Secretary/Manager, Talent Irrigation District, P.O. Box 467, Talent, Oregon 97540. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of a powerhouse, containing two generating units, with a total rated capacity of 224 kW and appurtenant facilities.

The Applicant estimates that the average annual energy output would be 1.3 million kWh.

Purpose of Project—Project energy would be sold to a private utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested a 36-month permit to prepare a project report including preliminary designs, results of environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the WPRS and other Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be $29,500.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 23, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 24, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or

petition to intervene must be received on or before June 23, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4479. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14110 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4497-000]

Water Power Co.; Application for Preliminary Permit

May 7, 1981.

Take notice that Water Power Company (Applicant) filed on April 8, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4497 to be known as the Soldier Creek Dam Project located on the Strawberry River in Wasatch County, Utah. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Clark M. Mower, Water Power Company, AMF Box 22208, Salt Lake City, Utah 84122. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the U.S. Water and Power Resources Service's existing Soldier Creek Dam and Reservoir. The project would consist of: (1) a proposed powerhouse with a new penstock; and (2) appurtenant facilities. The installed capacity would be approximately 400 kW with an average annual energy production of 3,000,000 kWh.

Purpose of Project—Project energy would be sold to a local public utility.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of two years, during which time it would conduct studies of the hydraulic, structural, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for a FERC license. Applicant estimates the cost of project design and studies under the permit would be $32,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 11, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 13, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4497. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14111 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. ER81-320-000; ER80-592, etc.]

Union Electric Co.; Order Accepting for Filing and Suspending Revisions To Interconnection Agreement, Consolidating Dockets, and Establishing Procedures

May 8, 1981.

On March 9, 1981, pursuant to the Commission's Order No. 84,[1] Union Electric Company (UE) tendered for filing an executed amendment to an interconnection agreement between itself and Northern States Power Company (NSP), Interstate Power Company (Interstate), Iowa Electric Light and Power Company (Iowa Electric), Iowa-Illinois Gas and Electric Company (IIGE), Iowa Public Service Company (IPS), and Iowa Southern Utilities Company (ISU).[2] The amendment sets forth revised charges for third party emergency, short-term, system participation, and excess energy services. The parties request that the rates become effective on September 2, 1980, subject to refund, and that the filing be consolidated with the pending proceeding in *Allegheny Power Systems, et al.*, Docket Nos. ER80-592, *et al.*

NSP had previously filed its third party rate unilaterally in Docket No. ER80-636.[3] The instant submittal incorporates the same rate for NSP as well as proposed third party rates for the remaining parties to the interconnection agreement.

Under the proposed agreement, third party service will be provided at cost plus (1) the greater of 1 mill/kWh or 10% of internal incremental cost for energy supplied by Iowa Electric; (2) the greater of 4.28 mills/kWh or 10% of internal incremental cost for energy supplied by IPS; (3) the greater of 4.24 mills/kWh or 10% of internal incremental cost for energy supplied by IIGE; (4) the greater of 3.35 mills/kWh or 10% of internal incremental cost for energy supplied by ISU; (5) the greater of 3.36 mills/kWh or 10% of internal incremental cost for energy supplied by UE; (6) 3 mills/kWh for energy supplied by Interstate; and (7) 1 mill/kWh for energy supplied by NSP.

Notice of the filing was issued on March 19, 1981, with responses due on or before April 6, 1981. No protests or petitions to intervene have been received.

Discussion

As indicated, the charge for third party transactions proposed by NSP was previously submitted to and accepted by the Commission as being in compliance with the standards established in Order No. 84. Accordingly, we shall accept the instant filing with respect to NSP's proposed rate for third party services, to become effective as of September 1, 1980, without suspension.

Our analysis indicates that the proposed rates for third party transactions submitted by Interstate, IIGE, ISU, UE, ISP, and Iowa Electric have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful.[4] Accordingly, we shall accept these rates for filing and suspend them as ordered below.

In a number of suspension orders,[5] we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it may run afoul of other statutory standards. We have acknowledged, however, that shorter suspension periods may be warrented in circumstances where suspension for the maximum period may lead to harsh and inequitable results. Such circumstances have been presented here.

While we are unable to conclude that the charges submitted on behalf of Interstate, ISU, IPS, IIGE, Iowa Electric, and UE are just and reasonable, it appears that application of the proposed fixed adders may produce lower revenues than those resulting from the companies' current percentage adder rates. Moreover, no protests or petitions have been received in this docket and the agreement involves the type of interchange arrangement for which we have consistently imposed a nominal suspension. Because Order No. 84 anticipated that limitations be placed on percentage adders as of September, 1980, we further find that good cause exists to waive the notice requirements. As a result, we shall accept the rates proposed in this docket for filing and, with respect to each of the companies other than NSP, we shall suspend the rates for one day from September 1, 1980, to become effective, subject to refund, on September 2, 1980.

Docket Nos. ER80-592, *et al.*, and the instant docket present common questions of law and fact. In order to promote economy of resources and effort, we shall consolidate Docket No. ER81-81-320-000 with Docket Nos. ER80-592, *et al.*, for purposes of hearing and decision.

The Commission Orders

(A) Waiver of the notice requirements is hereby granted.

(B) NSP's proposed third party rates are hereby accepted for filing, to become effective as of September 1, 1980, without suspension.

(C) The third party rates filed by Interstate, IIGE, ISU, UE, IPS, and Iowa Electric are hereby accepted for filing and suspended for one day to become effective, subject to refund, on September 2, 1980.

(D) Pursuant to the authority contained in, and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the DOE Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's rules of practice and procedure and the regulations under the Federal Power Act (18 CFR Ch. I (1980)), a public hearing shall be held concerning the justness and reasonableness of the rates filed by Interstate, IIGE, ISU, UE, IPS, and Iowa Electric.

(E) Docket No. ER81-320-000 is hereby consolidated with the proceedings in Docket Nos. ER80-592, *et al.*, for purposes of hearing and decision.

(F) The administrative law judge designated to preside in Docket Nos. ER80-592, *et al.*, shall determine the appropriate procedures necessary to accommodate consolidation of Docket No. ER81-320-000 with the existing proceeding.

(G) The Secretary shall promptly publish this order in the **Federal Register.**

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[1] Docket No. RM79-29, issued May 7, 1980.

[2] *See* Attachment A for rate schedule designations.

[3] NSP's rate for third party services was accepted for filing by letter order dated October 23, 1980, to become effective on September 1, 1980.

[4] We not that the rates currently proposed for Interstate, IIGE, ISU, and UE are the same as their respective rates for third party services provided under other agreements and subject to investigation in Docket Nos. ER80-592, *et al.*

[5] *E.g., Boston Edison Company*, Docket No. ER80-508 (August 29, 1980) (five month suspension); *Alabama Power Company* Docket Nos. ER80-506, *et al.* (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating company*, Docket No. ER-80-488 (August 22, 1980) (one day suspension).

By the Commission.

Lois D. Cashell,

Acting Secretary.

Union Electric Company

[Docket No. ER81-320-000]

Designation and Description

Union Electric Company

(1) Supplement No. 16 to Rate Schedule FPC No. 60—Supplement No. 6
(2) Supplement No. 1 to Supplement No. 16 to Rate Schedule FPC No. 60—Exhibit C (Compliance Adjustments)

Interstate Power Company

(3) Supplement No. 7 to Rate Schedule FPC No. 77 (concurs in (1) and (2) above)—c/c

Iowa Electric Light and Power Company

(4) Supplement No. 7 to Rate Schedule FPC No. 40 (concurs in (1) and (2) above)—c/c
(5) Supplement No. 12 to Rate Schedule FPC No. 14 (concurs in (1) and (2) above)—c/c

Northern States Power Company (Minn)

(6) Supplement No. 13 to Rate Schedule FPC No. 321 (Supersedes Supplement No. 12 and concurs in (1) and (2) above)—c/c

Iowa Southern Utilities Company

(7) Supplement No. 7 to Rate Schedule FPC No. 18 (concurs in (1) and (2) above)—c/c

Iowa Public Service Company

(8) Supplement No. 8 to Rate Schedule FPC No. 38 (concurs in (1) and (2) above)—c/c

[FR Doc. 81-14117 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-434-000]

West Texas Utilities Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that on April 29, 1981, West Texas Utilities Company ("WTU") submitted for filing 13 executed Delivery Point and Service Specifications sheets providing for changes in conditions of service under Service Agreements between WTU and Concho Valley Electric Cooperative, Rio Grande Electric Cooperative and Southwest Texas Electric Cooperative executed under WTU's FERC Electric Tariff, Original Volume No. 1. The changes provide either for the establishment of new delivery points or increases in stated maximum contract demand at existing delivery points.

WTU states that copies of the filing have been sent to the cooperatives and to the Public Utility Commission of Texas.

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, 1.10). All such petitions or protests should be filed on or before May 26, 1981. 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. 81-14112 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 4, 1981.

[illegible]	[illegible]	[illegible]	[illegible]	FIELD NAME	PROD	PURCHASER
LOUISIANA OFFICE OF CONSERVATION						
-ARKLA EXPLORATION COMPANY			RECEIVED: 04/09/81 JA: LA			
8124849	81-686	1711920250 102	D C MCCRARY #1 GRAY RB SU H	COTTON VALLEY	185.0	ARKANSAS LOUISIANA G
8124848	81-685	1706120267 103	F W MARTIN #1 HOSS RA SU M	CLAY	550.0	ARKANSAS LOUISIANA G
-BETHLAN PRODUCTION CORP			RECEIVED: 04/09/81 JA: LA			
8124836	81-673	1707321610 103	BLACKWELL NO 1	MONROE GAS FIELD	27.0	UNITED GAS PIPE LINE
8124828	81-665	1707321674 103	E OUACHITA RECREATION DIST #1	MONROE GAS FIELD	29.2	UNITED GAS PIPE LINE
8124826	81-663	1707321650 103	E OUACHITA RECREATION DIST #2	MONROE GAS FIELD	23.7	UNITED GAS PIPE LINE
8124825	81-662	1707321646 103	E OUACHITA RECREATION DIST #3	MONROE GAS FIELD	27.4	UNITED GAS PIPE LINE
8124824	81-661	1707321651 103	E OUACHITA RECREATION DIST #4	MONROE GAS FIELD	32.9	UNITED GAS PIPE LINE
8124835	81-672	1707321551 103	GRANT A NO 1	MONROE GAS FIELD	20.1	GAS TRANSPORTATION C
8124834	81-671	1707321552 103	GRANT A NO 2	MONROE GAS FIELD	20.1	GAS TRANSPORTATION C
8124847	81-684	1707321553 103	GRANT A NO 3	MONROE GAS FIELD	20.1	GAS TRANSPORTATION C
8124846	81-683	1707321570 103	GRANT A NO 5	MONROE GAS FIELD	20.1	GAS TRANSPORTATION C
8124845	81-682	1707321571 103	GRANT A NO 6	MONROE GAS FIELD	27.4	GAS TRANSPORTATION C
8124844	81-681	1707321572 103	GRANT A NO 7	MONROE GAS FIELD	25.6	GAS TRANSPORTATION C
8124839	81-676	1707321620 103	INABNET-BETHLAN NO 1	MONROE GAS FIELD	23.7	UNITED GAS PIPE LINE
8124838	81-675	1707321621 103	INABNET-BETHLAN NO 2	MONROE GAS FIELD	23.7	UNITED GAS PIPE LINE
8124843	81-680	1707321627 103	INABNET-BETHLAN NO 3	MONROE GAS FIELD	23.7	UNITED GAS PIPE LINE
8124842	81-679	1707321625 103	INABNET-BETHLAN NO 4	MONROE GAS FIELD	23.7	UNITED GAS PIPE LINE
8124837	81-674	1706721611 103	MARCOVITZ NO 1	MONROE GAS FIELD	25.6	UNITED GAS PIPE LINE
8124841	81-678	1707321676 103	MOSS NO 1	MONROE GAS FIELD	31.0	UNITED GAS PIPE LINE
8124833	81-670	1707321654 103	OSTERLAND NO 1	MONROE GAS FIELD	29.2	UNITED GAS PIPE LINE
8124819	81-656	1707321658 103	OSTERLAND NO 2	MONROE GAS FIELD	58.4	UNITED GAS PIPE LINE
8124832	81-669	1707321675 103	OSTERLAND NO 3	MONROE GAS FIELD	43.8	UNITED GAS PIPE LINE
8124831	81-668	1707321652 103	OSTERLAND NO 4	MONROE GAS FIELD	29.2	UNITED GAS PIPE LINE
8124830	81-667	1707321653 103	OSTERLAND NO 5	MONROE GAS FIELD	58.4	UNITED GAS PIPE LINE
8124829	81-666	1707321655 103	OSTERLAND NO 6	MONROE GAS FIELD	32.9	UNITED GAS PIPE LINE
8124814	81-651	1707321657 103	OSTERLAND NO 7	MONROE GAS FIELD	32.9	UNITED GAS PIPE LINE
8124821	81-658	1707321656 103	OSTERLAND NO 8	MONROE GAS FIELD	31.0	UNITED GAS PIPE LINE
8124818	81-655	1707321660 103	OSTERLAND PENNZOIL NO 1	MONROE GAS FIELD	47.5	UNITED GAS PIPE LINE
8124817	81-654	1707321661 103	OSTERLAND PENNZOIL NO 2	MONROE GAS FIELD	32.9	UNITED GAS PIPE LINE
8124816	81-653	1707321662 103	OSTERLAND PENNZOIL NO 3	MONROE GAS FIELD	29.2	UNITED GAS PIPE LINE
8124815	81-652	1707321663 103	OSTERLAND PENNZOIL NO 4	MONROE GAS FIELD	31.0	UNITED GAS PIPE LINE
8124823	81-660	1707321665 103	OSTERLAND PENNZOIL NO 5	MONROE GAS FIELD	32.9	UNITED GAS PIPE LINE
8124822	81-659	1707321666 103	OSTERLAND PENNZOIL NO 6	MONROE GAS FIELD	34.7	UNITED GAS PIPE LINE
8124820	81-657	1707321664 103	OSTERLAND PENNZOIL NO 7	MONROE GAS FIELD	31.0	UNITED GAS PIPE LINE
8124827	81-664	1707321645 103	PECAN BAYOU LAND CORPORATION NO 1	MONROE GAS FIELD	31.0	UNITED GAS PIPE LINE
8124840	81-677	1707321613 103	PERRY JONES NO 1	MONROE GAS FIELD	23.7	UNITED GAS PIPE LINE
-CALPETCO HERBST EXPLORATION INC			RECEIVED: 04/09/81 JA: LA			
8124776	81-612	1706721529 106	SPYKER 26 - 1	MONROE GAS ROCK	10.8	SOUTHERN NATURAL GAS
8124775	81-611	1706721542 106	SPYKER 26 - 10	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS

R124740	81-616	1706721547	108	SPYKER RO - 11	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124752	81-588	1706721560	108	SPYKER RO - 12	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124753	81-589	1706721561	108	SPYKER RO - 13	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124781	81-617	1706721534	108	SPYKER RO - 14	MONROE GAS ROCK	0.0	SOUTHERN NATURAL GAS
R124754	81-590	1706721585	108	SPYKER RO - 15	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124769	81-605	1706721549	108	SPYKER RO - 17	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS
R124760	81-604	1706721550	108	SPYKER RO - 18	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS
R124755	81-591	1706721551	108	SPYKER RO - 19	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124777	81-613	1706721538	108	SPYKER RO - 2	MONROE GAS ROCK	10.8	SOUTHERN NATURAL GAS
R124756	81-592	1706721562	108	SPYKER RO - 20	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124757	81-593	1706721563	108	SPYKER RO - 21	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124758	81-602	1706721564	108	SPYKER RO - 22	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124767	81-603	1706721565	108	SPYKER RO - 23	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124758	81-594	1706721566	108	SPYKER RO - 24	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124759	81-595	1706721574	108	SPYKER RO - 25	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124760	81-596	1706721575	108	SPYKER RO - 26	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124761	81-597	1706721576	108	SPYKER RO - 27	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124762	81-598	1706721579	108	SPYKER RO - 28	MONROE GAS ROCK	18.0	SOUTHERN NATURAL GAS
R124776	81-614	1706721529	108	SPYKER RO - 3	MONROE GAS ROCK	10.8	SOUTHERN NATURAL GAS
R124772	81-608	1706721531	108	SPYKER RO - 4	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS
R124779	81-615	1706721532	108	SPYKER RO - 5	MONROE GAS ROCK	10.8	SOUTHERN NATURAL GAS
R124771	81-607	1706721533	108	SPYKER RO - 6	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS
R124770	81-606	1706721540	108	SPYKER RO - 7	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS
R124773	81-609	1706721541	108	SPYKER RO - 8	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS
R124774	81-610	1706721542	108	SPYKER RO - 9	MONROE GAS ROCK	14.6	SOUTHERN NATURAL GAS
R124763	81-599	1706721580	108	SPYKER RO-29	MONROE GAS ROCK	0.0	SOUTHERN NATURAL GAS
R124764	81-600	1706721581	108	SPYKER RO-30	MONROE GAS ROCK	0.0	SOUTHERN NATURAL GAS
R124765	81-601	1706721582	108	SPYKER RO-31	MONROE GAS ROCK	0.0	SOUTHERN NATURAL GAS
-CHEVRON U S A INC				RECEIVED: 04/09/81 JA: LA			
R124751	81-587	1707720236	107	U TUSC RA SUC LOWMAN-MERRICK NO 1	JUDGE DIGBY	4380.0	SUGAR BOWL GAS CORP
R124807	81-644	1707720227	107	18100 TUSC RA SUM J DEVILLE #1	MOORE-SAMS	3285.0	SUGAR BOWL GAS CORP
-CITIES SERVICE COMPANY				RECEIVED: 04/09/81 JA: LA			
R124855	81-692	1711920266	102	INTERNATIONAL PAPER CO B NO 1	NORTH SPONGALOO - RED RO	119.0	
-COTTON PETROLEUM CORPORATION				RECEIVED: 04/09/81 JA: LA			
R124852	81-689	1701723560	103	JACKSON B NO 1	GREENWOOD-WASKOM	600.0	UNITED GAS PIPE LINE
-ERGON INC				RECEIVED: 04/09/81 JA: LA			
R124782	81-618	1711121805	108	H D GREEN NO 4	MONROE (6824)	4.2	TEXAS GAS TRANSMISSI
R124783	81-619	1711121769	108	H G PARKER ET AL NO 2	MONROE (6824)	2.9	TEXAS GAS TRANSMISSI
R124784	81-620	1711121359	108	JOHN GREEN NO 1	MONROE (6824)	3.5	TEXAS GAS TRANSMISSI
R124785	81-621	1711121741	108	MINA S PARKER NO 1	MONROE (6824)	1.4	TEXAS GAS TRANSMISSI
-FOUR SEASONS INC				RECEIVED: 04/09/81 JA: LA			
R124808	81-645	1704520614	102	R O LASALLE #1	JEFFERSON ISLAND	182.0	TENNESSEE GAS PIPELI
-FRANKS PETROLEUM INC ETAL				RECEIVED: 04/09/81 JA: LA			
R124850	81-687	1701320418	103	MOSS B SUJJ WOODARD WALKER L NO 1	WEST BRYCELAND	110.0	ARKANSAS LOUISIANA G
-GAS DEVELOPMENT CORP				RECEIVED: 04/09/81 JA: LA			
R124868	81-705	1711121635	108	EXXON 16 # 11	MONROE GAS	5.4	IMC EXPLORATION CO I
R124867	81-704	1711121636	108	EXXON 16 # 12	MONROE GAS	3.0	IMC EXPLORATION CO I
R124869	81-706	1711121721	108	EXXON 16 # 14	MONROE GAS	11.9	IMC EXPLORATION CO I
R124870	81-707	1711121638	108	EXXON 16 # 6	MONROE GAS	9.7	IMC EXPLORATION CO I
R124871	81-708	1711121357	108	EXXON 17 # 1	MONROE GAS	2.1	IMC EXPLORATION CO I
R124864	81-701	1711121354	108	EXXON 17 #2	MONROE GAS	4.5	IMC EXPLORATION CO I
R124857	81-694	1711121364	108	EXXON 17 #3	MONROE GAS	3.4	IMC EXPLORATION CO I

[illegible]	[illegible] NT	API NO	SEC T	WELL NAME	FIELD NAME	PROD	PURCHASER
8124858	81-695	1711121365	108	EXXON 17 #4	MONROE GAS	1.9	IMC EXPLORATION CO I
8124859	81-696	1711121366	108	EXXON 17 #5	MONROE GAS	2.1	IMC EXPLORATION CO I
8124860	81-697	1711121457	108	EXXON 17 #6	MONROE GAS	2.2	IMC EXPLORATION CO I
8124865	81-702	1711121458	108	EXXON 17 #7	MONROE GAS	3.8	IMC EXPLORATION CO I
8124866	81-703	1711121459	108	EXXON 17 #8	MONROE GAS	1.8	IMC EXPLORATION CO I
8124876	81-713	1711121330	108	EXXON 20 # 1	MONROE GAS	4.7	IMC EXPLORATION CO I
8124875	81-712	1711121398	108	EXXON 20 # 2	MONROE GAS	8.3	IMC EXPLORATION CO I
8124877	81-714	1711121399	108	EXXON 20 # 3	MONROE GAS	1.3	IMC EXPLORATION CO I
8124861	81-698	1711121757	108	EXXON 20 #16	MONROE GAS	14.1	IMC EXPLORATION CO I
8124863	81-700	1711121893	108	EXXON 20 #17	MONROE GAS	10.3	IMC EXPLORATION CO I
8124862	81-699	1711121894	108	EXXON 20 #18	MONROE GAS	8.5	IMC EXPLORATION CO I
8124872	81-709	1711121328	108	EXXON 8 # 1	MONROE GAS	3.4	IMC EXPLORATION CO I
8124873	81-710	1711121414	108	EXXON 8 # 2	MONROE GAS	2.9	IMC EXPLORATION CO I
8124874	81-711	1711121416	108	EXXON 8 # 4	MONROE GAS	3.0	IMC EXPLORATION CO I
-GREAT SOUTHERN OIL & GAS CO INC				RECEIVED: 04/09/81 JAI LA			
8124880	81-717	1705721751	103	10050 RA SUA SMITH ET AL #1	LAKE LONG	180.0	SOUTHERN NATURAL GAS
-HERD PRODUCING COMPANY INC				RECEIVED: 04/09/81 JAI LA			
8124805	81-642	1702720735	103	SMK C RA SUH M L MEADORS NO 1	EAST HAYNESVILLE	105.0	LOUISIANA GAS INTRAS
-HOOTKINS-SMITH LA LTD				RECEIVED: 04/09/81 JAI LA			
8124890	81-727	1711122867	107	EDWARDS #3	MONROE	9.0	TEXAS GAS TRANSMISSI
8124891	81-728	1711122868	107	EDWARDS #4	MONROE	11.0	TEXAS GAS TRANSMISSI
8124888	81-725	1711122888	107	FRANK YELTON #1	MONROE	9.0	TEXAS GAS TRANSMISSI
8124887	81-724	1711122576	107	J D VESTAL #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8124893	81-730	1711122575	107	L V MCWICKER #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8124889	81-726	1711122582	107	MATTIE H DAVIS #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8124894	81-731	1711122872	107	READ #2	MONROE	13.0	TEXAS GAS TRANSMISSI
8124895	81-732	1711122869	107	READ #3	MONROE	11.0	TEXAS GAS TRANSMISSI
8124896	81-733	1711122889	107	THOMAS SMITH #1	MONROE	13.0	TEXAS GAS TRANSMISSI
8124892	81-729	1711122844	107	WANDA HEVRON #1	MONROE	7.0	TEXAS GAS TRANSMISSI
-IMC EXPLORATION COMPANY				RECEIVED: 04/09/81 JAI LA			
8124809	81-646	1711123041	103	EXXON 31 #7	MONROE	40.0	IMC PIPELINE CO INC
-JEEMS BAYOU PRODUCTION CORP				RECEIVED: 04/09/81 JAI LA			
8124851	81-688	1703121021	103	MILDRED JORDAN 164068	GROGAN	292.0	TENNESSEE GAS PIPELI
-LANKFORD & NANCE				RECEIVED: 04/09/81 JAI LA			
8124812	81-649	1711122529	108	BROWN NO 2	MONROE	14.0	TEXAS GAS TRANSMISSI
8124813	81-650	1711122530	108	BROWN NO 3	MONROE	13.0	TEXAS GAS TRANSMISSI
-MALMAC ENERGY				RECEIVED: 04/09/81 JAI LA			
8124881	81-718	1711122229	107	EXXON 12 # 1	MONROE	12.0	WEST MONROE GAS GATH
8124882	81-719	1711122229	107	EXXON 12 #2	MONROE	4.0	WEST MONROE GAS GATH
8124883	81-720	1711122366	107	EXXON 12 #5	MONROE	4.0	WEST MONROE GAS GATH
-MID LOUISIANA GAS COMPANY				RECEIVED: 04/09/81 JAI LA			
8124810	81-647	1711122820	108	MLGC FEF GAS NO 1003	MONROE FIELD	23.4	
-PENNZOIL PRODUCING COMPANY				RECEIVED: 04/09/81 JAI LA			
8124853	81-690	1702321503	107	S L 2340 ROCKEFELLER NO 26	DEEP LAKE	750.0	UNITED GAS PIPE LINE
-PRIMOS PRODUCTION CO				RECEIVED: 04/09/81 JAI LA			
8124786	81-629	1707321285	108	PETRO LEWIS REA GREEN #1	MONROE	13.1	PETRO LEWIS FUNDS IN
8124794	81-630	1707321324	108	PETRO LEWIS REA GREEN #10	MONROE	9.1	PETRO-LEWIS FUNDS IN
8124795	81-631	1707321325	108	PETRO LEWIS REA GREEN #11	MONROE	9.4	PETRO-LEWIS FUNDS IN
8124796	81-632	1707321326	108	PETRO LEWIS REA GREEN #12	MONROE	9.1	PETRO-LEWIS FUNDS IN
8124797	81-633	1707321332	108	PETRO LEWIS REA GREEN #13	MONROE	9.1	PETRO-LEWIS FUNDS IN
8124798	81-634	1707321335	108	PETRO LEWIS REA GREEN #14	MONROE	13.1	PETRO-LEWIS FUNDS IN
8124799	81-635	1707321333	108	PETRO LEWIS REA GREEN #15	MONROE	13.1	PETRO-LEWIS FUNDS IN

J.	LA AT	API NO	SEC	D WELL NAME	FIELD NAME	PROD	PURCHASER
8124800	81-636	1707321334	108	PETRO LEWIS REA GREEN #16	MONROE	13.1	PETRO-LEWIS FUNDS IN
8124801	81-637	1707321336	108	PETRO LEWIS REA GREEN #17	MONROE	13.2	PETRO-LEWIS FUNDS IN
8124787	81-623	1707321294	108	PETRO LEWIS REA GREEN #2	MONROE	13.2	PETRO LEWIS FUNDS IN
8124788	81-624	1707321295	108	PETRO LEWIS REA GREEN #3	MONROE	13.2	PETRO LEWIS FUNDS IN
8124789	81-625	1707321319	108	PETRO LEWIS REA GREEN #5	MONROE	9.1	PETRO LEWIS FUNDS IN
8124790	81-626	1707321320	108	PETRO LEWIS REA GREEN #6	MONROE	9.1	PETRO LEWIS FUNDS IN
8124791	81-627	1707321321	108	PETRO LEWIS REA GREEN #7	MONROE	9.4	PETRO-LEWIS FUNDS IN
8124792	81-628	1707321322	108	PETRO LEWIS REA GREEN #8	MONROE	9.4	PETRO-LEWIS FUNDS IN
8124793	81-629	1707321323	108	PETRO LEWIS REA GREEN #9	MONROE	9.1	PETRO-LEWIS FUNDS IN
-RELIANCE TR-JV				RECEIVED: 04/09/81 JA: LA			
8124811	81-648	1711122192	108	OLINKRAFT #13	MONROE	15.0	TEXAS GAS TRANSMISSI
-RELIANCE TRUSTS				RECEIVED: 04/09/81 JA: LA			
8124884	81-721	1711122838	107	T L JAMES #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8124885	81-722	1711122871	107	T L JAMES #2	MONROE	11.0	TEXAS GAS TRANSMISSI
8124886	81-723	1711122614	107	T L JAMES #3	MONROE	11.0	TEXAS GAS TRANSMISSI
-SHELL OIL CO				RECEIVED: 04/09/81 JA: LA			
8124879	81-716	1709720614	102	L WX SUO MARTIN LBR NO 4	ELBA	120.0	TRANSCONTINENTAL GAS
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/09/81 JA: LA			
8124802	81-639	1710760164	106	FISHER LUMBER CORPORATION A NO 2	LAKE MARYDALE	20.0	LOCUST RIDGE GAS CO
8124803	81-640	1703120856	108	MARION A RICHEY NO 1	PLEASANT HILL	18.0	LOUISIANA INTRASTATE
8124804	81-641	1703120346	108	SOUTHWOOD A NO 2	SPIDER	4.0	J-W OPERATING CO
-TEXACO INC				RECEIVED: 04/09/81 JA: LA			
8124878	81-715	1710922321	103	VUL DGL U-12 65	DOG LAKE	56.0	TEXAS GAS TRANSMISSI
8124856	81-693	1710922322	103	VUL DGL U-12 66	DOG LAKE	1.0	TEXAS GAS TRANSMISSI
-WAGNER & BROWN				RECEIVED: 04/09/81 JA: LA			
8124806	81-643	1707720244	107	J E JUMONVILLE SR NO 2	MOORE-SAMS	3500.0	COLUMBIA GAS TRANSMI
-WILLIAMS EXPLORATION COMPANY				RECEIVED: 04/09/81 JA: LA			
8124854	81-691	1702321162	102	L RC SUA LONG NO 4	MALLARD BAY	770.0	LOUISIANA RESOURCES
**********							
OKLAHOMA CORPORATION COMMISSION							
**********							
-E C YEGEN				RECEIVED: 04/09/81 JA: OK			
8124926	07622	3513120689	102	WORDEN #78-1		9.0	DIAMOND-S GAS SYSTEM
8124927	07621	3513121268	102	WORDEN #79-10		9.0	DIAMOND-S GAS SYSTEM
-GEC PRODUCTION CO				RECEIVED: 04/09/81 JA: OK			
8124919	8185	3511122352	103	MILLER #1	BEGGS DISTRICT	300.0	PHILLIPS PETROLEUM C
-GULF OIL CORPORATION				RECEIVED: 04/09/81 JA: OK			
8124917	08161	3501721574	103	PAUL JONAS #1-1	UNION CITY	472.0	
8124918	08164	3501520873	102	VELMA NEWTON #1-26		108.0	
-KENT PHILLIPS EXPLORATION LTD				RECEIVED: 04/09/81 JA: OK			
8124913	08051	3501721451	102	CHEEK #2-35	RICHLAND	0.0	CONOCO INC
-NATURAL GAS ANADARKO INC				RECEIVED: 04/09/81 JA: OK			
8124928	07466	3500721631	102	MULLER #1-12	LORENA	360.0	NORTHERN NATURAL GAS
-NICHOLS PETROLEUM CO				RECEIVED: 04/09/81 JA: OK			
8124924	07656	3511720729	102	FERGUSON #1	GREENUP	50.0	COLORADO GAS COMPRES
-PRODUCTION OIL CORP				RECEIVED: 04/09/81 JA: OK			
8124929	08231	3510521955	103	HALSELL -119-XI	EAST LENAPAH	9.1	CITIES SERVICE GAS C
8124930	08230	3510521956	103	HALSELL LH-120-XI	EAST LENAPAH	11.7	CITIES SERVICE GAS C
8124931	08229	3510521957	103	HALSELL LH-121-XI	EAST LENAPAH	12.8	CITIES SERVICE GAS C
8124935	8218	3510522098	103	HALSELL LH-142-XVII	EAST LENAPAH FIELD	16.4	CITIES SERVICE GAS C
8124932	08228	3510522092	103	HALSELL LH-144-XVII	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8124934	08221	3510522101	103	HALSELL LH-153-XIX	EAST LENAPAH	16.4	CITIES SERVICE GAS C

8124933	05295	3510522061	103	HASLELL LH-137-XV	EAST LENAPAH	16.4	CITIES SERVICE GAS C
-SCHICK OIL & GAS INC				RECEIVED: 04/09/81 JA: OK			
*8124941	08204	3509321883	103	NEWMAN 5-1	RINGWOOD	60.0	OKLA NATURAL GAS GAT
-SENECA OIL CO				RECEIVED: 04/09/81 JA: OK			
8124912	08040	3509321814	102	WILSON NO 1-33	S E BADO	75.0	PANHANDLE EASTERN PI
-SERVICE DRILLING CO				RECEIVED: 04/09/81 JA: OK			
8124915	08077	3511921862	102	HOWLAND #1-35	COYLE	7.0	EASON OIL CO
8124914	08076	3511921233	102	HOWLAND #3-35	COYLE	0.0	EASON OIL CO
-SHAWVER & SON INC				RECEIVED: 04/09/81 JA: OK			
8124925	7650	3508321368	102	CASTLE NO 1	WILD CAT	85.0	OKLAHOMA NATURAL GAS
-SOUTHLAND ROYALTY CO				RECEIVED: 04/09/81 JA: OK			
8124922	8188	3509321829	103	DOW #1-25	ORION	110.0	PANHANDLE EASTERN PI
8124921	8187	3513921298	102	MITCHELL #1-6	NORTH HOOKER	120.0	NORTHERN NATURAL GAS
8124920	8186	3513921310	102	YODER #1-1	NORTH HOOKER	125.0	NORTHERN NATURAL GAS
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/09/81 JA: OK			
8124916	08121	3504722122	103	GEORGE ANDERSON NO 2	S E FLYNN	110.0	PANHANDLE EASTERN PI
8124939	08200	3505300000	108	HAWLEY WEST UNIT NO 20-1	HAWLEY	0.1	CITIES SERVICE GAS C
8124938	08201	3505300000	108	HAWLEY WEST UNIT NO 29-1	HAWLEY	0.1	CITIES SERVICE GAS C
8124937	08202	3505300000	108	HAWLEY WEST UNIT NO 31-1	HAWLEY	0.1	CITIES SERVICE GAS C
8124936	08203	3505300000	108	HAWLEY WEST UNIT NO 42-2	HAWLEY	0.1	CITIES SERVICE GAS C
8124940	08198	3504700000	108	S E FLYNN UNIT NO 28-1	COVER-HENNESSEY	0.2	EXXON CORP
-VULCAN ENERGY CORP				RECEIVED: 04/09/81 JA: OK			
8124942	08194	3507322568	103	STORM #1	SOONER TREND	150.0	CITIES SERVICE CO
-WOODS PETROLEUM CORPORATION				RECEIVED: 04/09/81 JA: OK			
8124923	08191	3512920475	102	GAMBLE #6-1	S W LEEDY	500.0	DELHI GAS PIPELINE C
8124943	08198	3504321020	102	KUNC TRUST #26-1	PUTNAM	1277.0	MICHIGAN WISCONSIN P

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** U.S. GEOLOGICAL SURVEY - CASPER, WY

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-MIDLANDS GAS CORPORATION				RECEIVED: 04/09/81 JA: MT 5			
8124898	M 513-0	2507121397	108	1113 #1 FEDERAL	BOWDOIN	20.0	KANSAS-NEBRASKA NATU
8124911	M75-1	2507121558	108	1942 #1 FEDERAL	WILDCAT	20.0	KANSAS-NEBRASKA NATU
-PETROLEUM CORP OF AMERICA				RECEIVED: 04/09/81 JA: ND 5			
8124901	ND37-1	3301100240	103	FEDERAL #3-10	LITTLE MISSOURI	3.0	MONTANA DAKOTA UTILI
-SHELL OIL CO				RECEIVED: 04/09/81 JA: ND 5			
8124910	ND69-1	3305301078	102	USA 22-24	WILDCAT	22.0	MONTANA DAKOTA UTILI
-TENNECO OIL COMPANY				RECEIVED: 04/09/81 JA: ND 5			
8124902	MT 40-1	3300700355	102	STUART USA #4-7	BIG STICK/MISSION CANYON	130.0	WESTERN GAS PROCESSO
-AMOCO PRODUCTION CO				RECEIVED: 04/09/81 JA: WY 5			
8124900	W-11-1	4904122304	102	MILLIS & I UNIT NO 1	GLASSCOCK HOLLOW	1200.0	MOUNTAIN FUEL SUPPLY
8124904	W 42-1-T	4902320351	107	WILSON RANCH UNIT NO 16	WILSON RANCH	292.0	CITIES SERVICE GAS C
8124903	W 41-1	4902320351	103	WILSON RANCH UNIT NO 16	WILSON RANCH	292.0	CITIES SERVICE GAS C
-BELCO PETROLEUM CORPORATION				RECEIVED: 04/09/81 JA: WY 5			
8124899	W 705-0	4903520544	103	CBU 22-35	CHIMNEY BUTTES	0.0	NORTHWEST PIPELINE C
8124897	W240.0	4903504603	108	CBU 6-36 04603	CHIMNEY BUTTE	22.0	NORTHWEST PIPELINE C
-COTTON PETROLEUM CORPORATION				RECEIVED: 04/09/81 JA: WY 5			
8124909	W 55-1-T	4900720574	107	TRICO FEDERAL #22-1	STANDARD DRAW	0.0	CITIES SERVICE GAS C
-EXXON CORPORATION				RECEIVED: 04/09/81 JA: WY 5			
8124907	W 54-1	4900720519	102	FEDERAL #1-30	STANDARD DRAW	280.0	
-HOUSTON OIL & MINERALS CORPORATION				RECEIVED: 04/09/81 JA: WY 5			
8124908	W**-1	4903721241	107	FEDERAL 10X-14B	TABLE ROCK	3285.0	
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/09/81 JA: WY 5			
8124906	WS0-1-T	4903721318	107	CHAMBERS FEDERAL NO 1-24	ECHO SPRINGS	297.0	COLORADO INTERSTATE
-TEXACO INC				RECEIVED: 04/09/81 JA: WY 5			
8124905	W-48-1-T	4903721482	107	GOVERNMENT R M DOWLEY (NCT-1) #1	BRUFF	548.0	MOUNTAIN FUEL SUPPLY

BILLING CODE 6450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

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 Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 26, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14118 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

R: Revision of Redetermination by Jurisdictional Agency
C: Correction to Prior Fed. Reg. Notice

JD No.	JA	Applicant	Well Name	Orig. FERC Vol. No.	Date Pub. in Federal Register	
80-38371	OK	Samson Resources Inc	L. M. Coblentz #1	223	07-16-81	C: 102 & 103 Approved
81-21667	WY	Union Oil Co. of California	Jayson Unit #1-6	397	03-31-81	C: API - 25524
81-21666	WY	Union Oil Co. of California	Jayson Unit #3-8	397	03-31-81	C: Well No. API 25578
81-20345	LA	Texaco Inc	Miami Corp E TR2 No 4	392	03-24-81	C: Approved for 103 and 107
81-20541	LA	Elgie Company Inc	Soniat # 2 FKY SUB N	392	03-24-81	C: Well Name
81-22786	WV	Star Gas Company	Sebert Cooper # 1	403	04-16-81	C: Well Name
81-22444	TX	Amoco Production Co	Prentice Northeast Unit # 144	401	04-08-81	C: 103 Approved not 108
81-20938	TX	Perryman Operating Co Inc	David L Goforth #1	394	03-25-81	C: 102 & 103 Approved
81-14383	OK	Andover Oil Company	Walter Mills 4-2	365	02-20-81	C: 102 & 103 Approved
81-09396	OK	Andover Oil Company	Alfadale Farms 2-2	346	01-27-81	C: 102 & 103 Approved
81-09417	OK	Andover Oil Company	Rother 10-1	346	01-27-81	C: 102 & 103 Approved
81-16657	OK	Andover Oil Company	Rother 11-1	373	03-02-81	C: 102 & 103 Approved
81-06163	OK	Andover Oil Company	Jensen 35-4	329	12-12-80	C: 102 & 103 Approved
81-04840	OK	Andover Oil Company	Jensen 2-1	321	11-26-80	C: 102 & 103 Approved
81-01604	OK	Reading & Bates Petroleum Co	Noble "B" Lease #1	306	10-31-8-	R: 108 Approved

BILLING CODE 6450-85-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 4, 1981.

JD NO	GO NO	API NO	STC NO WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION						
-ADOBE OIL & GAS CORPORATION			RECEIVED: 04/09/81 JA: TX			
8125032	31355	4205131048 102	BERAN UNIT NO 1	GIDDINGS (AUSTIN CHALK)	14.0	FERGUSON CROSSING PI
8125030	31353	4205131067 102	MYNAR UNIT NO 1	GIDDINGS (AUSTIN CHALK)	14.0	CLAJON GAS CO
8125031	31354	4205130964 102	WOLZ UNIT NO 1	GIDDINGS (AUSTIN CHALK)	18.0	FERGUSON CROSSING PI
-AMERICAN DELTA CORP			RECEIVED: 04/09/81 JA: TX			
8124994	29256	4205131070 102	MOORE UNIT #1	TUNIS EAST	700.0	UNI OIL INC
-AMERICAN PETROFINA COMPANY OF TEXAS			RECEIVED: 04/09/81 JA: TX			
8124992	29217	4240130930 103	FREEMAN MILLER GU NO 2 WELL #1	HENDERSON NORTH (COTTON	257.0	UNITED GAS PIPELINE
8124992	29217	4240130930 107	FREEMAN MILLER GU NO 2 WELL #1	HENDERSON NORTH (COTTON	257.0	UNITED GAS PIPELINE
8124995	29284	4240130983 103	J T WRIGHT GAS UNIT WELL #1	HENDERSON NORTH (COTTON	162.0	UNITED GAS PIPELINE
8124995	29284	4240130983 107	J T WRIGHT GAS UNIT WELL #1	HENDERSON NORTH (COTTON	162.0	UNITED GAS PIPELINE
-AMOCO PRODUCTION CO			RECEIVED: 04/09/81 JA: TX			
8125046	31934	4200332438 103	FULLERTON SAN ANDRES UNIT #46	FULLERTON SAN ANDRES	9.9	AMOCO PRODUCTION CO
8125043	31824	4200332441 103	FULLERTON SAN ANDRES UNIT #52	FULLERTON SAN ANDRES	8.0	AMOCO PRODUCTION CO
8125044	31826	4200332443 103	FULLERTON SAN ANDRES UNIT #56	FULLERTON SAN ANDRES	5.5	AMOCO PRODUCTION CO
8125045	31829	4200332450 103	FULLERTON SAN ANDRES UNIT #57	FULLERTON SAN ANDRES	9.9	AMOCO PRODUCTION CO
8125037	31706	4220330772 102	JAMES GAS UNIT WELL NO 1	BLOCKER/COTTON VALLEY/	365.0	UNITED GAS PIPELINE
8125037	31706	4220330772 107	JAMES GAS UNIT WELL NO 1	BLOCKER/COTTON VALLEY/	365.0	UNITED GAS PIPELINE
8125062	31910	4229530856 103	MILES UNIT NO 1	BRADFORD/TONKAWA	3.3	
8125061	31909	4217930755 103	T B COBB NO 42	PANHANDLE	0.4	GETTY OIL CORP
8124948	25044	4234730455 102	T J KENDRICK GAS UNIT WELL NO 1	KENDRICK (TRAVIS PEAK)	200.0	TEXAS EASTERN TRANSM
8125026	31135	4200332397 103	W T FORL #13	FUHRMAN-MASCHO	243.5	PHILLIPS PETROLEUM C
-ANDERSON PETROLEUM INC			RECEIVED: 04/09/81 JA: TX			
8124960	27456	4210532505 107	AUSTIN C MILLSPAUGH 6 3-32	OZONA (CANYON SAND)	65.0	ANDERSON PIPELINE CO
8125106	24055	4210532625 103	AUSTIN MILLSPAUGH C #1-71	OZONA (CANYON SAND)	30.0	ANDERSON PIPELINE CO
-BAR-MAC & HOLLUB DRILLING CO			RECEIVED: 04/09/81 JA: TX			
8125015	30432	4205130949 102	LLOYD MORTON #4	INEZ JAMESON (NAVARRO -C	31.0	FERGUSON CROSSING PI
-BASS ENTERPRISES PRODUCTION CO			RECEIVED: 04/09/81 JA: TX			
8124998	29576	4226930851 102	C N HAVIS A GAS UNIT NO 1	STESCOTT (ATOKA 6185)	500.0	PALO DURO PIPELINE C
8124998	29576	4226930891 103	C N HAVIS A GAS UNIT NO 1	STESCOTT (ATOKA 6185)	500.0	PALO DURO PIPELINE C
8124947	24634	4210130278 102	HUTCHINSON OIL UNIT NO 1	STESCOTT (ATOKA)	55.0	PALO DURO PIPELINE C
8124947	24634	4210130278 103	HUTCHINSON OIL UNIT NO 1	STESCOTT (ATOKA)	55.0	PALO DURO PIPELINE C
-BELCO PETROLEUM CORPORATION			RECEIVED: 04/09/81 JA: TX			
8125011	30218	4223531551 102	SUGG 115-4	SUGG (FUSSELMAN)	0.0	EL PASO NATURAL GAS
-BRAZOS RESOURCES INC			RECEIVED: 04/09/81 JA: TX			
8125033	31519	4205100000 102	DAISY NO 1 13678 LEASE NO	CALDWELL (AUSTIN CHALK)	0.0	FERGUSON CROSSING PI
-BRIDWELL OIL CO			RECEIVED: 04/09/81 JA: TX			
8125068	20917	4223732880 103	JOE P SHOWN NO 2	LUNA-MAG	100.0	LONE STAR GAS CO
-CANUS PETROLEUM INC			RECEIVED: 04/09/81 JA: TX			
8125070	18582	4235500000 102	#1 JOHNNY C WILSON ET AL GAS UNIT	CORPUS CHRISTI WEST 9700	2.0	UNITED GAS PIPELINE
-CARTER ENERGY CORP			RECEIVED: 04/09/81 JA: TX			

8124969	29206	4223733154	103	M J KIRK #3
-CHAMPLIN PETROLEUM COMPANY				RECEIVED: 04/09/81 JA: TX
8124972	27920	4243130882	102	J E WATSON NO A-1
-COLORADO INTERSTATE GAS CO				RECEIVED: 04/09/81 JA: TX
8125004	22192	4237530103	108	MASTERSON A-35R
-COMBINED AMERICA PRODUCING INC				RECEIVED: 04/09/81 JA: TX
8124974	28418	4228730700	102	LEHMANN-BLUME #1
8124974	28418	4228730700	103	LEHMANN-BLUME #1
-COMINCO AMERICAN INC				RECEIVED: 04/09/81 JA: TX
8124944	24440	4229500000	102	STUART RANCH #2
-CONOCO INC				RECEIVED: 04/09/81 JA: TX
8125036	31690	4237100000	103	J C TREES ESTATE-19-#1 ID #89782
8125069	17891	4215100000	106	ROUND TOP PALO PINTO UNIT #37
-COURSON OIL & GAS INC				RECEIVED: 04/09/81 JA: TX
8125105	23719	4239300000	102	LEDRICK RANCH #1
-DANDEN PETROLEUM INC				RECEIVED: 04/09/81 JA: TX
8125100	22818	4223300000	108	DAVENPORT A #1
8125048	22765	4223300000	108	KNUDSEN #2
8125097	22763	4223300000	108	KNUDSEN #23
8125099	22776	4223300000	108	KNUDSEN #4
-DELTA DRILLING CO				RECEIVED: 04/09/81 JA: TX
8125005	29949	4220330623	107	BARTLETT-BAILEY #1 84390
8125013	30298	4236500000	103	COOKE #2
8125013	30298	4236500000	107	COOKE #2
8125004	29948	4236500000	107	FROST LUMBER CO #1 84372
-DELTA OIL & GAS CO				RECEIVED: 04/09/81 JA: TX
8125059	31907	4242900000	108	G H ILES #11 RRC #04048
8125058	31906	4242900000	108	S G COPELAND 12775
8125060	31908	4242900000	108	W O GROSS GDN 04046
-DONALD W JACKSON				RECEIVED: 04/09/81 JA: TX
8125042	31790	4206500000	108	SIMMS -B-(000046) NO 1
8125041	31789	4206500000	108	SIMMS -B-(000046) NO 2
-DORIS J ADAMS				RECEIVED: 04/09/81 JA: TX
8125071	19296	4210500000	108	JOE PEAL 49-1 IC #73898
-ENRE CORP				RECEIVED: 04/09/81 JA: TX
8125024	30939	4242932502	102	LILLIE BELLE THOMPSON #3 (90642)
8124976	28464	4249731748	102	STRICKLAND #1-T (89268)
8124993	29223	4205932745	102	WATTS BEULAH #1 (16294)
-ENSERCH EXPLORATION INC				RECEIVED: 04/09/81 JA: TX
8125091	21598	4220300000	102	A M PEAL NO 2
8125056	31890	4238331786	103	FRIEND A NO 1
8125055	31889	4238331787	103	FRIEND A NO 2
8125089	20975	4249731663	103	JAMES GRISHAM NO 2
-EXXON CORPORATION				RECEIVED: 04/09/81 JA: TX
8124955	24932	4210332043	103	CORDONA LAKE UNIT #69
8125051	31856	4239931551	103	FT CHADBURNE DEEP LIME #281(
8125049	31859	4237133200	103	FORT STOCKTON UNIT #715
8125050	31645	4222732210	103	H R CLAY #31
8124978	28540	4226130455	102	MRS S K EAST 93 (89856)
8125035	31564	4247532056	107	SARITA GAS UNIT #1
8125021	30793	4226130564	102	SARITA OIL & GAS 157-E (91308)
-FLAG-REDFERN OIL CO				RECEIVED: 04/09/81 JA: TX

FIELD NAME	PROD	PURCHASER
CATLIN SW (ATOKA) FIELD	200.0	TEXAS UTILITIES FUEL
CONGER SW (PENN)	60.0	NORTHERN NATURAL GAS
WEST PANHANDLE (RED CAVE	20.0	(1) COLORADO INTERST
GIDDINGS (AUSTIN CHALK)	600.0	PHILLIPS PETROLEUM C
GIDDINGS (AUSTIN CHALK)	600.0	PHILLIPS PETROLEUM C
LADY (UPPER MORROW)	1000.0	NORTHERN NATURAL GAS
WAHA (WOLFCAMP)	40.5	DELHI GAS PIPELINE C
ROUND TOP	4.1	LONE STAR GAS CO
LEDRICK RANCH (UPPER MOR	70.0	TRANSWESTERN PIPELIN
PANHANDLE	13.0	DIAMOND-SHAMROCK COR
PANHANDLE	2.1	DIAMOND-SHAMROCK COR
PANHANDLE	2.1	DIAMOND-SHAMROCK COR
PANHANDLE	2.1	DIAMOND-SHAMROCK COR
CARTHAGE (COTTON VALLEY)	200.5	ARKANSAS-LOUISIANA G
CARTHAGE (COTTON VALLEY)	132.0	UNITED GAS PIPE LINE
CARTHAGE (COTTON VALLEY)	132.0	UNITED GAS PIPE LINE
CARTHAGE SE (COTTON VALL	275.0	UNITED GAS PIPE LINE
ILES (CONGL)	15.5	LONE STAR GAS CO
ILES (CONGL)	7.0	LONE STAR GAS CO
	7.5	LONE STAR GAS CO
PANHANDLE CARSON COUNTY	4.3	CITIES SERVICE CO
PANHANDLE CARSON COUNTY	4.3	CITIES SERVICE CO
DONHAM (SAN ANDRES)	2.0	PERMIAN CORP
LILLY BELL (CONGL)	216.0	WARREN PETROLEUM
MONTEATH (CONGL)	1000.0	TEXAS UTILITIES FUEL
SCRANTON NW (DUFFER)	28.0	BENGAL GAS TRANSMISS
WHELAN	252.0	TEXAS EASTERN TRANSM
FARMER	10.0	NORTHERN NATURAL GAS
FARMER	14.0	NORTHERN NATURAL GAS
BOONSVILLE	42.0	LONE STAR GAS CO
CORDONA LAKE	2.0	ODESSA NATURAL CORP
FORT CHADBOURNE	30.0	EL PASO NATURAL GAS
FORT STOCKTON (YATES LOW	230.0	NUECES CO
HOWARD GLASSCOCK (GLORIE	5.0	PHILLIPS PETROLEUM C
RITA SE (6-3G)	1.5	NATURAL GAS PIPELINE
GUIBAN (DEVONIAN)	66.0	INTRATEX GAS CO
SARITA (15-V C)	295.0	NATURAL GAS PIPELINE

8125073	30886	4247730368	102	ROBERT D JAMESON NO 4 WELL	FIELD NAME	PROD	PURCHASER
-FOREST OIL CORPORATION				RECEIVED: 04/09/81 JA: TX			
8124983	28962	4204730855	102	EDENA C S NOLL NO 1	GXBOW (WILCOX)	219.0	PRODUCERS GAS CO
-GENERAL AMERICAN OIL COMPANY OF TEX				RECEIVED: 04/09/81 JA: TX			
8124950	25427	4207931067	103	J S WRIGHT A #1	N W PITA (VICKSBURG 1035	680.0	CHANNEL INDUSTRIES G
8124951	25428	4207931068	103	J S WRIGHT A #2	LEVELLAND	36.0	
8124949	25426	4207931065	103	J S WRIGHT NO 1	LEVELLAND	36.0	EL PASO NATURAL GAS
-GEODYNAMICS OIL AND GAS INC				RECEIVED: 04/09/81 JA: TX	LEVELLAND	36.0	EL PASO NATURAL GAS
8125012	030281	4205130963	102	HELWIG UNIT #1			
-GETTY OIL COMPANY				RECEIVED: 04/09/81 JA: TX	GIDDINGS (AUSTIN CHALK)	9.9	FERGUSON CROSSING PI
8125107	24062	4207100060	103	TST 75 #1			
-GREAT WESTERN DRILLING COMPANY				RECEIVED: 04/09/81 JA: TX	UMBRELLA POINT	561.0	UNITED TEXAS TRANSMI
8124965	27547	4214930543	102	PIELOP NO 1	GIDDINGS (AUSTIN CHALK)	15.0	SOUTH CEN-TEX GAS CO
8124971	27880	4214930694	102	PIELOP NO 2	GIDDINGS (AUSTIN CHALK)	15.0	SOUTH CEN-TEX GAS CO
-GULF OIL CORPORATION				RECEIVED: 04/09/81 JA: TX			
*8125104	23602	4201330978	103	EMMA TARTT ET AL WELL NO 6	FASHING (EDWARDS LIME A	0.0	NATURAL GAS P/L CO O
8125047	31841	4247532115	107	GREER-MCGINLEY GAS UNIT #2	SODA LAKE (FUSSELMAN)	1737.4	DELHI GAS PIPELINE C
8125038	31713	4221131170	103	J CAMPBELL #1-50	SE CANADIAN/DOUGLAS	715.0	TRANSWESTERN PIPE LI
8124966	27673	4210332190	103	W N WADDELL ET AL TR C NO 1141	SAND HILLS (JUDKINS)	136.0	H & T GATHERING
-GUNN OIL CO				RECEIVED: 04/09/81 JA: TX			
8125002	29843	4226930902	102	GUNN OIL COMPANY - S B BURNETT G-2	TOM (B CONGL)	300.0	LONE STAR GAS
-HANLEY COMPANY				RECEIVED: 04/09/81 JA: TX			
8125039	31750	4238331707	103	S E STOUT A (7C-01453) WELL #5	SPRABERRY (TREND AREA)	65.0	EL PASO NATURAL GAS
8125040	31752	4238331706	103	S E STOUT A (7C-01453) WELL NO 4	SPRABERRY (TREND AREA)	65.0	EL PASO NATURAL GAS
-HENDERSON & ERICKSON				RECEIVED: 04/09/81 JA: TX			
8125072	19735	4210531625	103	THOMPSON ET AL #1	CORVO (CLEARFORK)	18.0	EL PASO NATURAL GAS
-HUMBLE EXPLORATION CO INC				RECEIVED: 04/09/81 JA: TX			
8125090	21496	4228730525	102	LIVIA - 12524	GIDDINGS	162.0	PHILLIPS PETROLEUM
8125090	21498	4228730520	103	LIVIA - 12524	GIDDINGS	162.0	PHILLIPS PETROLEUM
-HURLEY PETROLEUM CORPORATION				RECEIVED: 04/09/81 JA: TX			
8125003	29917	4236530990	107	C O BLACK UNIT #2-T	BETHANY (COTTON VALLEY)	180.0	TENNESSEE GAS PIPELI
-J CLEO THOMPSON				RECEIVED: 04/09/81 JA: TX			
8125017	030066	4210533092	102	UNIVERSITY 28-1	UNIVERSITY 31 (STRAWN-DE	47.0	PHILLIPS PETROLEUM C
8125016	30459	4210532955	107	UNIVERSITY 32-1	OZONA CANYON SAND	0.0	PHILLIPS PETROLEUM C
-JENNINGS EXPLORATION CO				RECEIVED: 04/09/81 JA: TX			
8125034	31552	4250731376	102	NO 3 H&F PROPERTIES E 90241	ALLIGATOR SLOUGH (OLMOS)	156.0	VALERO TRANSMISSION
-JERRY E WYLIE				RECEIVED: 04/09/81 JA: TX			
8125066	31950	4209330555	103	ARNOLD BUTLER BC #1 (15324)	DUSTER NE (MARBLE FALLS	4.0	LONE STAR GAS CO
8125065	31949	4209330594	103	ARNOLD BUTLER BC #2 (15324)	DUSTER NE (MARBLE FALLS	5.0	LONE STAR GAS CO
8125064	31946	4209330718	103	W C SMITH #1 (15942)	DUSTER NE (MARBLE FALLS	3.0	LONE STAR GAS CO
8125063	31945	4209330721	103	W C SMITH #2 (15942)	DUSTER NW (MARBLE FALLS	5.6	LONE STAR GAS CO
-KEITH D GRAHAM				RECEIVED: 04/09/81 JA: TX			
8125027	31157	4205131129	102	TELPHINE SERESTA NO 1 IC-13637	GIDDINGS (AUSTIN CHALK)	182.0	CHAMPLIN PETROLEUM C
-KELLY BELL INC				RECEIVED: 04/09/81 JA: TX			
8125093	21782	4205730958	103	KNIFLING #2	SHERIFF EAST	0.0	
-KILLAM & HURD LTD				RECEIVED: 04/09/81 JA: TX			
8124982	28849	4247432768	102	J C MARTIN III WELL NO 4	LOLORES CREEK (9200)	0.0	TRANSCONTINENTAL GAS
-KIRBY EXPLORATION CO				RECEIVED: 04/09/81 JA: TX			
8125006	30024	4247330324	102	JAMES KERR WELL NO 1	HOWTH (W-1 SAND)	500.0	PRODUCERS GAS CO
-L & B OIL CO INC				RECEIVED: 04/09/81 JA: TX			
8125001	29798	4226700000	102	BARRY ROTHMANN #3	ROTHMANN RANCH (STRAWN 9	118.0	PRESSURE TRANSPORT I
8125000	29767	4226700000	102	BARRY ROTHMANN #4	ROTHMANN RANCH (STRAWN 1	80.0	PRESSURE TRANSPORT I

				RECEIVED: 04/09/81 JA: TX			
-LA SALLE ENERGY CORP				T J ARHOPULOS #1	GIDDINGS	532.6	CLAJON GAS CO
8125014	30307	4206130516	102	RECEIVED: 04/09/81 JA: TX			
-LEAGUE MINERAL CORP				####CWF - LUTZ UNIT #1	RIDINGS (CONGLOMERATE)	10.0	SANFORD P FAGADAU
8125068	14487	4207731357	103	RECEIVED: 04/09/81 JA: TX			
-MARSHALL EXPLORATION INC				WILLIAM J WEINER JR #1-LT	BELLE BOWER - (COTTON VA	260.0	UNITED GAS PIPELINE
8124952	25829	4236530987	103	WILLIAM F WEINER JR #1-LT	BELLE BOWER - (COTTON VA	260.0	UNITED GAS PIPELINE
8124952	25829	4236530987	107	RECEIVED: 04/09/81 JA: TX			
-MCCORMICK OPERATING CO				EMMA THORNTON GAS UNIT NO 3	OAK HILL (COTTON VALLEY)	390.0	HYDROCARBON TRANSFER
8124984	29020	4240130933	103	EMMA THORNTON GAS UNIT NO 3	OAK HILL (COTTON VALLEY)	390.0	HYDROCARBON TRANSFER
8124984	29020	4240130933	107	R D BENNETT GAS UNIT #3	OAK HILL (COTTON VALLEY)	360.0	HYDROCARBON TRANSFER
8124985	29021	4240130943	103	R D BENNETT GAS UNIT #3	OAK HILL (COTTON VALLEY)	360.0	HYDROCARBON TRANSFER
8124985	29021	4240130943	107	RECEIVED: 04/09/81 JA: TX			
-MCMAHON-BULLINGTON DRLG CO				RHODES B-6 64660	PALO PINTO COUNTY (GAS)	4.0	TEXAS UTILITIES FUEL
8125053	31865	4236300000	108	RHODES B-8 71282	PALO PINTO CO (GAS)	12.0	TEXAS UTILITIES FUEL
8125052	31864	4236300000	108	RECEIVED: 04/09/81 JA: TX			
-MGF OIL CORP				STATE TRACT 72-#1 RRC #85636	UMBRELLA POINT NW (F-4)	2164.0	UNITED TEXAS TRANSMI
8125022	30768	4207130958	102	RECEIVED: 04/09/81 JA: TX			
-MITCHELL ENERGY CORPORATION				T P BROWN #1 28577	BOONSVILLE (BEND CONGL G	10.0	NATURAL GAS PIPELINE
8125020	30539	4249700000	108	RECEIVED: 04/09/81 JA: TX			
-MOODY ENERGY CO				MURL KENYON NO 1 LEASE NO 04649	FELDMAN (TONKAWA)	0.0	PHILLIPS PETROLEUM C
8125008	30082	4221131253	103	RECEIVED: 04/09/81 JA: TX			
-MWJ PRODUCING CO				TXL 19 A - #2	SPRABERRY TREND AREA	91.0	
8125109	24299	4217331017	103	RECEIVED: 04/09/81 JA: TX			
-NATURAL GAS ANADARKO INC				OWEN #1-544	LIPSCOMB S W ATOKA	270.0	TRANSWESTERN PIPELIN
8124945	24450	4229530740	102	RECEIVED: 04/09/81 JA: TX			
-OMEGA MINERALS INC				C E PLUMLY NO 2	PLUMLY (NAVARRO)	73.0	VALERO TRANSMISSION
8125095	22261	4250731293	103	RECEIVED: 04/09/81 JA: TX			
-OWL PETROLEUM CO				D S BABCOCK #3	MENEFEE (4175) (PROPOSED	73.0	TRANSCONTINENTAL GAS
8124964	27540	4248100000	102	D S BABCOCK #3	MENEFEE (4175) (PROPOSED	73.0	TRANSCONTINENTAL GAS
8124964	27540	4248100000	103	RECEIVED: 04/09/81 JA: TX			
-QUEST PETROLEUM INC				BROWNLEE NO 1	BOONSVILLE (BEND-CONGL G	146.0	SOUTHWESTERN GAS PIP
8125025	30950	4223700000	103	RECEIVED: 04/09/81 JA: TX			
-ROBERTS & HAMMACK INC				T E HARCROW NO 3	RED OAK (SUB-CLARKSVILLE	19.8	LONE STAR GAS CO
8124979	28603	4228900000	108	T S GASAWAY UNIT NO 2	RED OAK (SUB-CLARKSVILLE	15.4	LONE STAR GAS CO
8124980	028604	4228900000	108	RECEIVED: 04/09/81 JA: TX			
-RUTHERFORD OIL CORP				FAGAN EST B #4	MCFADDIN (4080)	250.0	LONE STAR GAS CO
8124954	26394	4239100000	102	RECEIVED: 04/09/81 JA: TX			
-SABIO OIL & GAS INC				H CLAY RANEY WELL #2	BOONESVILLE (BEND CONGL	16.2	NATURAL GAS PIPELINE
8124999	29662	4249731943	103	RECEIVED: 04/09/81 JA: TX			
-SANCHEZ-OBRIEN MINERALS CORP				HODDEN FROST GAS UNIT #1 WELL #1	WILDCAT FIELD	500.0	UNITED TEXAS TRANSMI
8125103	23471	4229732067	102	RECEIVED: 04/09/81 JA: TX			
-SIMPSON-MANN OIL PRODUCERS				J M BAGGETT EST ET AL #1-3	ADAMS-BAGGETT RANCH (CAN	40.0	VALERO TRANSMISSION
8125054	31882	4210532965	103	J M BAGGETT EST ET AL #1-3	ADAMS-BAGGETT RANCH (CAN	40.0	VALERO TRANSMISSION
8125054	31882	4210532965	107	J M BAGGETT EST ET AL #3-2	ADAMS-BAGGETT RANCH (CAN	40.0	VALERO TRANSMISSION
8125057	031903	4210532968	103	J M BAGGETT EST ET AL #3-2	ADAMS-BAGGETT RANCH (CAN	40.0	VALERO TRANSMISSION
8125057	031903	4210532968	107	RECEIVED: 04/09/81 JA: TX			
-SOUTHWESTERN GAS EXPLORATION				A D ROWDEN #1	BOONESVILLE (BEND CONGL)	180.0	SOUTHWESTERN GAS PIP
8125102	23143	4222130546	103	RECEIVED: 04/09/81 JA: TX			
-SPINDLETOP OIL & GAS CO				DAVIS #1 (85233)	X-RAY (MARBLE FALLS)	15.0	LONE STAR GAS CO
8125084	28458	4214730478	103	HARMS #2-T (78810)	REND (CONGL)	340.0	LONE STAR GAS CO
8125074	28455	4236731074	103	KNIGHT #1-C (75527)	COLEEN (MARBLE FALLS)	137.0	LONE STAR GAS CO
8125081	28479	4236730910	103				

8125082	20448	4236730912	103	KNIGHT #1-T (74R95)	MALES (4850)	223.0	LONE STAR GAS CO
8125075	20458	4236731713	103	LILES #1-C (84832)	WEATHERFORD (STRAWN A)	32.0	BUCKNER GAS CO
8125076	20460	4236731713	103	LILES #1-T (84861)	MALES (4300)	13.0	BUCKNER GAS CO
8125080	20473	4236331743	103	MCCLISH #1 (80687)	MCCLISH-STONE (CONGL UP)	109.0	TEXAS UTILITIES FUEL
8125083	20482	4236730973	103	MCKEON #1 (76187)	MALES (4300)	41.0	LONE STAR GAS CO
8125085	20489	4236731436	103	MIDDLETON #2-T (81353)	MALES (4850)	245.0	LONE STAR GAS CO
8125078	20468	4236332201	103	STEWART #1-C (86031)	MCCLISH-STONE (CONGL UP)	150.0	TEXAS UTILITIES FUEL
8125077	20466	4236332201	103	STEWART #1-T (85799)	MCCLISH-STONE (CONGL LO)	35.0	TEXAS UTILITIES FUEL
8125079	20471	4236231968	103	STONE #1 (80639)	MCCLISH-STONE (CONGL UP)	97.0	TEXAS UTILITIES FUEL
8125073	20451	4236731546	103	STROUD #1-T (83539)	RENO (CONGL)	29.0	LONE STAR GAS CO
8125086	20491	4236731142	103	WALKER #1 (78428)	MALES (4850)	483.0	LONE STAR GAS CO
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/09/81 JA: TX			
8125029	31220	4221932543	103	SOUTHEAST LEVELLAND UNIT #253	LEVELLAND	3.0	AMOCO PRODUCTION CO
8125028	31219	4221932945	103	SOUTHEAST LEVELLAND UNIT #254	LEVELLAND	5.0	AMOCO PRODUCTION CO
-TARINA OIL CO				RECEIVED: 04/09/81 JA: TX			
8125018	30484	4212700000	102	STUMBERG RANCH NO 1-76A	STUMBERG (OLMOS 4150)	40.0	VALERO TRANSMISSION
-TEXACO INC				RECEIVED: 04/09/81 JA: TX			
8125048	31844	4221932929	103	MONTGOMERY ESTATE DAVIES NCT-2 #67	LEVELLAND	34.7	AMOCO PRODUCTION CO
-TEXAS OIL & GAS CORP				RECEIVED: 04/09/81 JA: TX			
8124991	29210	4220330659	107	ABNEY A #1	WASKOM (COTTON VALLEY)	0.0	UNITED GAS PIPELINE
8124977	026535	4202500000	102	BORROUM C #1	PLUMMER	0.0	UNITED GAS PIPELINE
8124996	29292	4216130503	107	DOW CHEMICAL B #1	BEAR GRASS NE (COTTON VA	1100.0	DELHI GAS PIPELINE C
8124990	29269	4205130926	102	DUCKWORTH #1	CALDWELL (AUSTIN CHALK)	100.0	FERGUSON CROSSING PI
8124990	29269	4205130926	103	DUCKWORTH #1	CALDWELL (AUSTIN CHALK)	100.0	FERGUSON CROSSING PI
8124997	29328	4212331025	102	GRUN G U #1	SMITH CREEK FIELD	0.0	UNITED GAS PIPELINE
8124973	28404	4228930351	107	LEWIS B #1	BEAR GRASS (COTTON VALLE	365.0	DELHI GAS PIPELINE C
8125092	21769	4232130957	103	STEELE #2 - UPPER	SO DUNCAN SLOUGH F-6	750.0	DELHI GAS PIPELINE
-TEXAS WEST OIL & GAS CORPORATION				RECEIVED: 04/09/81 JA: TX			
8124981	28840	4219530697	108	LOGSDON #1 84924	HANSFORD (MORROW UPPER)	8.9	PANHANDLE EASTERN PI
-TEXLAND PETROLEUM INC				RECEIVED: 04/09/81 JA: TX			
8125087	20509	4244530669	102	MAUDIE YOUNG NO 1	WARHORSE (CLEARFORK UPPE	50.0	AMOCO PRODUCTION CO
-THOMAS D COFFMAN INC				RECEIVED: 04/09/81 JA: TX			
8125010	30106	4214930342	102	O T A NO 2 049715	GIDDINGS (AUSTIN CHALK)	20.0	PHILLIPS PETROLEUM C
8125009	30105	4214930337	102	O T NO 1 046111	GIDDINGS (AUSTIN CHALK)	20.0	PHILLIPS PETROLEUM C
8124958	27341	4228730740	102	T STRANGER NO 2 086094	GIDDINGS (AUSTIN CHALK)	47.0	PGP GAS PRODUCTS
8124953	26123	4228730573	102	TWO FINGERS A 2 060926	GIDDINGS (AUSTIN CHALK)	122.0	PGP GAS PRODUCTS INC
8124959	27350	4214900000	102	YOUNG NO 1	GIDDINGS (AUSTIN CHALK)	109.0	SOUTH CEN-TEX GAS CO
-U S OPERATING INC				RECEIVED: 04/09/81 JA: TX			
8124957	27014	4228730478	102	GLADYS #1 (12350)	GIDDINGS (AUSTIN CHALK)	90.0	PGP GAS PRODUCTS INC
8125019	30520	4228730735	102	SALLY NO 1 RRC ID #	GIDDINGS (AUSTIN CHALK)	147.0	PGP GAS PRODUCTS INC
-VAUGHAN WELL CORP				RECEIVED: 04/09/81 JA: TX			
8125067	32493	4248300000	108	OGDEMAN #2	EAST PANHANDLE	5.0	SHAMROCK GAS CO
-VENUS OIL COMPANY				RECEIVED: 04/09/81 JA: TX			
8124987	29026	4246931537	102	CLARENCE ALBRECHT NO 1 ID NO 86755	WEBER S (11700) FIELD	0.0	DELHI GAS PIPELINE C
8124986	29025	4235531472	102	CODY NO 1 WELL ID NO 89271	BALDWIN (9070) FIELD	0.0	VALERO TRANSMISSION
8124988	29027	4235531461	102	HILL FARNHART UNIT A1 WELL #89270	BALDWIN (9070) FIELD	0.0	VALERO TRANSMISSION
-W WALDO LYNCH				RECEIVED: 04/09/81 JA: TX			
8125017	30484	4250731398	102	A N NELSON NO 6 RRCOP 90931	LETTIS	350.0	NORTHERN NATURAL GAS
-WARREN PETR CO A DIV OF GULF OIL CO				RECEIVED: 04/09/81 JA: TX			
8124961	27493	4210332204	102	P J LEA FT AL NO 100	LEA (SAN ANDRES)	7.0	EL PASO NATURAL GAS
8124962	27494	4210332205	103	P J LEA FT AL NO 102	LEA (SAN ANDRES)	8.0	EL PASO NATURAL GAS
8124963	27495	4210332206	103	P J LEA FT AL NO 104	LEA (SAN ANDRES)	8.0	EL PASO NATURAL GAS

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	FIELD NAME	PROD	PURCHASER
8124956	26934	4218332864	103	W A ESTES TR B NO 107	SAND HILLS WEST (HOLT)	2.0	EL PASO NATURAL GAS
8125108	24264	4210332184	103	W N WADDELL NO 1118	WADDELL	30.0	EL PASO NATURAL GAS
-WINDSOR PRODUCING CO				RECEIVED: 04/09/81 JA: TX			
8124968	27710	4228730280	103	H KRAUSE #1	GIDDINGS (AUSTIN CHALK)	10.0	PGP GAS PRODUCTS INC
8124975	28419	4205130830	102	JACKSON	GIDDINGS (AUSTIN CHALK)	250.0	PGP GAS PRODUCTS INC
8124975	28419	4205130830	103	JACKSON	GIDDINGS (AUSTIN CHALK)	250.0	PGP GAS PRODUCTS INC
8124967	27704	4228730781	103	JENSEN #1	GIDDINGS (AUSTIN CHALK)	150.0	PGP GAS PRODUCTS INC
8124969	27714	4228730639	103	ROADRUNNER #2	GIDDINGS (AUSTIN CHALK)	5.0	PGP GAS PRODUCTS INC
8124970	27718	4228730683	103	VERNON #1	GIDDINGS (AUSTIN CHALK)	225.0	PGP GAS PRODUCTS INC
-WORLD PRODUCERS INC				RECEIVED: 04/09/81 JA: TX			
P125101	22940	4236721367	102	ROBEY DALTON #1	CABBAGE PATCH (BIG SALIN	250.0	NATURAL GAS PIPELINE
8125096	22657	4236331856	102	HALSELL C #1	KEVIN (ATOKA)	70.0	SOUTHWESTERN GAS PIP
8124966	24592	4223732238	103	HALSELL J #1	ARCO (CONGLOMERATE)	72.0	SOUTHWESTERN GAS PIP

OTHER PURCHASERS

P125104 LONE STAR GAS CO

BILLING CODE 6450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

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 Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 26, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14119 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 4, 1981.

J	JD	TYPE	SEQ - WELL NAME	FIELD NAME	PROD	PURCHASER
********** KENTUCKY DEPARTMENT OF MINES & MINERALS **********						
-ASHLAND EXPLORATION INC			RECEIVED: 04/10/81 JA: KY			
8125259	501879	1607114900 108	JESTER LAURA M #4 - 005040	EASTERN KENTUCKY GAS	10.2	COLUMBIA GAS TRANSMI
-CAPITOL PRODUCING CO LTD PTNSP			RECEIVED: 04/10/81 JA: KY			
8125257	501876	1602500000 108	ARCHIE SMITH	FROZEN CREEK	2.2	CAPITOL OIL & GAS CO
8125255	501874	1602500000 108	BANKS GILLUM	FROZEN CREEK	2.6	CAPITOL OIL & GAS CO
8125243	501862	1602500000 108	BROWN LOE LINDON	FROZEN CREEK	8.3	CAPITOL OIL & GAS CO
8125244	501863	1602500000 108	BROWN LOE LINDON (2)	FROZEN CREEK	8.3	CAPITOL OIL & GAS CO
8125256	501875	1602500000 108	CHESTER GILLUM	FROZEN CREEK	1.7	CAPITOL OIL & GAS CO
8125252	501871	1602500000 108	DAVE BANKS	FROZEN CREEK	5.9	CAPITOL OIL & GAS CO
8125253	501872	1602500000 108	DAVE BANKS (2)	FROZEN CREEK	5.9	CAPITOL OIL & GAS CO
8125228	501847	1602500000 108	GOLDEN RAY	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125229	501848	1602500000 108	GOLDEN RAY #2	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125230	501849	1602500000 108	GOLDEN RAY #3	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125231	501850	1602500000 108	GOLDEN RAY #4	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125232	501851	1602500000 108	GOLDEN RAY #5	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125233	501852	1602500000 108	GOLDEN RAY #6	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125234	501853	1602500000 108	GOLDEN RAY #7	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125235	501854	1602500000 108	GOLDEN RAY #8	FROZEN CREEK	43.4	CAPITOL OIL & GAS CO
8125245	501864	1602500000 108	JEFF TAULBEE	FROZEN CREEK	7.8	CAPITOL OIL & GAS CO
8125246	501865	1602500000 108	JEFF TAULBEE (2)	FROZEN CREEK	1.9	CAPITOL OIL & GAS CO
8125250	501869	1602500000 108	L P GILLUM	FROZEN CREEK	12.7	CAPITOL OIL & GAS CO
8125248	501867	1602500000 108	MILLIE CARPENTER	FROZEN CREEK	8.3	CAPITOL OIL & GAS CO
8125249	501868	1602500000 108	MIZE PARKS	FROZEN CREEK	2.2	CAPITOL OIL & GAS CO
8125258	501877	1602500000 108	ROY NOBLE	FROZEN CREEK	4.5	CAPITOL OIL & GAS CO
8125254	501873	1602500000 108	RUSSELL BANKS	FROZEN CREEK	19.1	CAPITOL OIL & GAS CO
8125251	501870	1602500000 108	RUSSELL MCGUIRE	FROZEN CREEK	3.0	CAPITOL OIL & GAS CO
8125247	501866	1602500000 108	SARA TURNER	FROZEN CREEK	1.9	CAPITOL OIL & GAS CO
8125237	501853	1602500000 108	10 W L KING	FROZEN CREEK	3.3	CAPITOL OIL & GAS CO
8125238	501857	1602500000 108	19 W L KING #2	FROZEN CREEK	8.6	CAPITOL OIL & GAS CO
8125239	501858	1602500000 108	24 W L KING #3	FROZEN CREEK	6.9	CAPITOL OIL & GAS CO
8125240	501859	1602500000 108	32 LINDON MALONEY	FROZEN CREEK	14.4	CAPITOL OIL & GAS CO
8125241	501860	1602500000 108	36 ROBERT TAULBEE	FROZEN CREEK	4.9	CAPITOL OIL & GAS CO
8125242	501861	1602500000 108	47 KINGS ZIEBOLD	FROZEN CREEK	2.2	CAPITOL OIL & GAS CO
8125236	501855	1602500000 108	7 ROY COPE	FROZEN CREEK	8.9	CAPITOL OIL & GAS CO
-DANIEL HENDERSON			RECEIVED: 04/10/81 JA: KY			
8125222	501841	1605100000 108	JOHN BURNS #1 WELL LEASE #5995	CLAY COUNTY FIELD	1.4	WISER OIL CO
-KENTUCKY WEST VIRGINIA GAS CO			RECEIVED: 04/10/81 JA: KY			
8125220	501824	1614900000 103	CHARLES M SLONE - 1727	KENTUCKY EAST	93.6	KENTUCKY WEST VA GAS
8125219	501823	1607100000 103	CHRIS GOBLE - 1726	KENTUCKY WEST	12.3	KENTUCKY WEST VA GAS
8125217	501821	1619500000 103	JERRY FRANCISCO - NO 7259	KENTUCKY EAST	90.8	KENTUCKY WEST VA GAS
8125218	501822	1611900000 103	KENNETH SLONE - NO 1686	KENTUCKY EAST	13.7	KENTUCKY WEST VA GAS

-SPARTAN GAS COMPANY				RECEIVED: 04/10/81 JA: KY			
8125260	501880	1619535950	108	BALLARD WEDDINGTON 1-S-75	BIG SANDY	5.5	COLUMBIA GAS TRANSMI
-THE WISER OIL COMPANY				RECEIVED: 04/10/81 JA: KY			
8125223	501847	1605100000	108	REGLEY COAL CO #3 LEASE #4080	CLAY COUNTY FIELD	0.7	WISER OIL CO
8125224	501843	1605100000	108	REGLEY COAL CO #4 LEASE #4080	CLAY COUNTY FIELD	4.3	WISER OIL CO
8125221	501840	1605100000	108	G G SPURLOCK #1 LEASE #6364	CLAY COUNTY FIELD	2.3	WISER OIL CO
8125227	501846	1612100000	108	JOHN BINGHAM #1 WELL LEASE #6596	KNOX COUNTY FIELD	0.9	WISER OIL CO
8125226	501845	1612100000	108	PARKER BINGHAM #1 LEASE #6594	KNOX COUNTY FIELD	2.2	WISER OIL CO
8125225	501844	1612100000	108	SQUIRE CAMPBELL #1 LEASE #4862	KNOX COUNTY FIELD	10.3	WISER OIL CO
NORTH DAKOTA GEOLOGICAL SURVEY							
-AL-AQUITAINE EXPLORATION LTD				RECEIVED: 04/10/81 JA: ND			
8125111	355	3305300922	102	EZRA P GREEN 1-1	WILDCAT	180.0	
8125110	354	3300700585	102	WHISKEY JOE 1-3	WHISKEY JOE	180.0	
-COASTAL OIL & GAS CORP				RECEIVED: 04/10/81 JA: ND			
8125113	357	3300700572	102	COG/ALAC 23-142-101 6A#1	BIG STICK	236.0	WESTERN GAS PROCESSO
-DEPCO INC				RECEIVED: 04/10/81 JA: ND			
8125112	356	3305500853	102	SMITH WELL #33-2	WILDCAT	0.0	
-EXXON CORPORATION				RECEIVED: 04/10/81 JA: ND			
8125114	358	3305301151	102	STATE OF NORTH DAKOTA #1	SIOUX (RED RIVER)	1.0	
NEW MEXICO DEPARTMENT OF ENERGY & MINERALS							
-AMOCO PRODUCTION CO				RECEIVED: 04/13/81 JA: NM			
8125269		3002526117	103	SOUTH HOBBS UNIT NO 122	HOBBS (GSA)	70.4	PHILLIPS PETROLEUM C
8125277		3001523157	102	STATE IN #1	UND MORROW	208.1	EL PASO NATURAL GAS
8125275		3001523380	102	STATE IN #1	UND MORROW	0.0	EL PASO NATURAL GAS
-BILL J GRAHAM				RECEIVED: 04/13/81 JA: NM			
8125278		3002500000	108	LEWIS STATE #1	LANGLIE MATTIX	0.0	GETTY OIL CO
-EL PASO NATURAL GAS COMPANY				RECEIVED: 04/13/81 JA: NM			
8125267		3004524602	103	ATLANTIC A #13	BLANCO PICTURED CLIFFS	55.0	EL PASO NATURAL GAS
-HNG OIL COMPANY				RECEIVED: 04/13/81 JA: NM			
8125262		3001522529	103	WOODS 9 COM #2	WEST MALAGA ATOKA	657.0	EL PASO NATURAL GAS
-JAKE L HAMON				RECEIVED: 04/13/81 JA: NM			
8125266		3002526846	103	CHILDERS NO 1 WELL	NORTH OSUDO	155.0	WARREN PETROLEUM CO
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 04/13/81 JA: NM			
8125264		3002526678	108	E VACUUM GB/SA TRACT 3226 NO 007	VACUUM GB/SA	12.0	EL PASO NATURAL GAS
8125272		3002526854	103	E VACUUM GB/SA UNIT TRACT 3308	VACUUM GB/SA	4.0	EL PASO NATURAL GAS
-STEVENS OIL COMPANY				RECEIVED: 04/13/81 JA: NM			
8125282		3000560793	103	OBRIEN J #2	TWIN LAKES-SAN ANDRES AS	3.0	TRANSWESTERN PIPELIN
8125273		3000560795	103	OBRIEN J #3	TWIN LAKES-SAN ANDRES AS	7.0	TRANSWESTERN PIPELIN
8125274		3000560796	103	OBRIEN J #4	TWIN LAKES-SAN ANDRES AS	3.0	TRANSWESTERN PIPELIN
8125279		3000560802	103	OBRIEN J #5	TWIN LAKES-SAN ANDRES AS	1.0	TRANSWESTERN PIPELIN
8125280		3000560810	103	OBRIEN J #6	TWIN LAKES-SAN ANDRES AS	3.0	TRANSWESTERN PIPELIN
8125281		3000560814	103	OBRIEN J #7	TWIN LAKES-SAN ANDRES AS	11.0	TRANSWESTERN PIPELIN
8125270		3000560807	103	OBRIEN L #1	TWIN LAKES-SAN ANDRES AS	2.0	TRANSWESTERN P L CO
8125271		3000560824	103	OBRIEN L #2	TWIN LAKES-SAN ANDRES AS	10.0	TRANSWESTERN PIPELIN
8125283		3000560819	103	OBRIEN N #1	TWIN LAKES-SAN ANDRES AS	1.0	TRANSWESTERN P L CO
-TENNECO OIL COMPANY				RECEIVED: 04/13/81 JA: NM			
8125261		3004524477	103	MARQUIS G EATON A 1-E	BASIN DAKOTA	500.0	EL PASO NATURAL GAS
-THE MAURICE L BROWN COMPANY				RECEIVED: 04/13/81 JA: NM			

8125268		3002500000	103	BLUE QUAIL GAS UNIT #1	WADA PENN	11.0	WARREN PETROLEUM CO
-YATES PETROLEUM CORPORATION				RECEIVED: 04/13/81 JA: NM			
8125276		3001523433	102	LATHAM OC STATE COM #1	WILDCAT MORROW	0.0	NORTHERN NATURAL GAS
8125265		3001523511	103	STROMBERG OM #1	PENASCO DRAW SA-YESO	0.0	TRANSWESTERN PIPELIN
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TENNESSEE OIL & GAS BOARD							
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-HICKORY CREEK DEVELOPMENT CORP				RECEIVED: 04/02/81 JA: TN			
8125129	A-623	4103120046	102	CLIFTON SCOTT #2	HICKORY CREEK	75.0	
8125130	A-624	4103120048	102	ED HENLEY #1	HICKORY CREEK	75.0	
8125131	A-603	4103120047	102	RICHARD L WILSON #1	HICKORY CREEK	75.0	
-TOWNER PETROLEUM CO				RECEIVED: 04/02/81 JA: TN			
8125127	A-625	4113320228	102	GEALY #1		9.0	
8125125	A-627	4113320252	102	GEALY #2		85.0	
8125124	A-628	4113320253	102	GEALY #3		82.0	
8125123	A-629	4113320271	102	GEALY #4		5.0	
8125122	A-629	4113320270	102	GEALY #5		1.0	
8125121	A-630	4113320268	102	GEALY #6		7.0	
8125119	A-632	4113320269	102	GEALY #8		3.0	
8125120	A-631	4113320273	102	GIANFTASSIO-PAYNE #1		4.0	
8125115	A-614	4112920782	103	H DUNKELBERG #1-A	INDIAN CREEK	10.9	
8125128	A-624	4113320203	102	PAYNE ETAL #1		74.0	
8125118	A-633	4113320277	102	PAYNE-HARGIS-PICKETT #1		3.0	
8125126	A-626	4113320251	102	PAYNE-WARD-PICKETT #1		10.0	
8125116	A-615	4112920724	103	PEMBERTON F-16	COON HOLLOW	5.4	
8125117	A-616	4112920736	103	PEMBERTON F-25	COON HOLLOW	18.0	
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** U.S. GEOLOGICAL SURVEY - ALBUQUERQUE,NM							
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-ALPHA TWENTY-ONE PRODUCTION CO				RECEIVED: 04/06/81 JA: NM 4			
8125153	NM-0004-81	3002527024	103	BUCKSKIN FEDERAL NO 2	DOLLARHIDE-QUEEN	18.0	EL PASO NATURAL GAS
-AMOCO PRODUCTION CO				RECEIVED: 04/06/81 JA: NM 4			
8125214	NM-0152-81	3004524269	103	GALLEGOS CANYON UNIT NO 111E	BASIN DAKOTA	50.0	AMOCO GAS CO
8125215	NM-0153-81	3004524250	103	GALLEGOS CANYON UNIT NO 172E	BASIN DAKOTA	59.0	EL PASO NATURAL GAS
8125160	NM-0034-81	3003922306	103	JICARILLA TRIBAL 396 NO 1	CHACON DAKOTA	180.0	EL PASO NATURAL GAS
8125213	NM-0151-81	3004524017	103	PAN AM FEDERAL C NO 2E	BASIN DAKOTA	50.0	EL PASO NATURAL GAS
-BILL J GRAHAM				RECEIVED: 04/06/81 JA: NM 4			
8125164	NM-0044-81	3001521877	108	ROSS DRAW UNIT #5-Z	ROSS DRAW - BONE SPRINGS	0.3	EL PASO NATURAL GAS
-BIXCO INC				RECEIVED: 04/06/81 JA: NM 4			
*8125166	NM 0059-81	3004524599	103	CAMPBELL WELL NO 1	WILDCAT	15.0	ARIZONA PUBLIC SERVI
*8125167	NM 0060-81	3004524597	103	GASS WELL NO 1	WILDCAT	10.0	ARIZONA PUBLIC SERVI
*8125168	NM 0061-81	3004524598	103	GASS WELL NO 2	WILDCAT	20.0	ARIZONA PUBLIC SERVI
*8125165	NM 0058-81	3004523589	103	TRAIL CANYON NO 1	BLANCO MESA VERDE	90.0	ARIZONA PUBLIC SERVI
-CHAMA PETROLEUM CO				RECEIVED: 04/06/81 JA: NM 4			
8125149	NM-1693-80	3002525806	103	PENNZOIL FEDERAL WELL NO 1	UNDESIGNATED NORTH GUAIL	750.0	EL PASO NATURAL GAS
-COQUINA OIL CORPORATION				RECEIVED: 04/06/81 JA: NM 4			
8125199	NM-0134-81	3001523175	103	PURE GOLD A FEDERAL #1	WILDCAT	547.5	EL PASO NATURAL GAS
-DUGAN PRODUCTION CORP				RECEIVED: 04/06/81 JA: NM 4			
8125216	NM-0154-81	3004521856	108	OJO HE HE #3	WAW FRUITLAND PC	12.0	EL PASO NATURAL GAS
-EL PASO NATURAL GAS COMPANY				RECEIVED: 04/06/81 JA: NM 4			
*8125143	NM-1375-80	3003920407	108	CANYON LARGO UNIT #165	OTERO CHACRA	21.0	EL PASO NATURAL GAS
8125145	NM-1456-80	3002500000	108	ELLIOTT FEDERAL #2	JALMAT YATES	41.0	EL PASO NATURAL GAS

8125139	NM-1230-80	3004506950	108	HOWELL #3	BLANCO-MESAVERDE	21.0	EL PASO NATURAL GAS
*8125151	NM-0001-81	3004524299	103	HUERFANO UNIT #177R	BASIN DAKOTA	45.0	EL PASO NATURAL GAS
8125144	NM-1413-80	3004521227	108	HUERFANO UNIT #239	ANGELS PEAK-GALLUP GAS	19.0	EL PASO NATURAL GAS
8125182	NM-0112-81	3003922382	103	LINDRITH UNIT #101	BLANCO SOUTH PICTURED CL	70.0	EL PASO NATURAL GAS
8125183	NM-0113-81	3003922383	103	LINDRITH UNIT #102	BLANCO SOUTH PICTURED CL	70.0	EL PASO NATURAL GAS
8125184	NM-0114-81	3003922385	103	LINDRITH UNIT #103	BLANCO SOUTH PICTURED CL	70.0	EL PASO NATURAL GAS
8125148	NM-1660-80	3004506537	108	LODEWICK #2	FULCHER KUTZ - PICTURED	15.0	EL PASO NATURAL GAS
8125147	NM-1651-80	3004505564	108	MC MANUS #10	BALLARD-PICTURED CLIFFS	9.0	EL PASO NATURAL GAS
8125204	NM-0138-81	3002511511	108	PRICHARD A #1	JALMAT YATES	11.0	EL PASO NATURAL GAS
8125146	NM-1647-80	3003906942	108	RINCON UNIT #33	BLANCO-MESAVERDE	22.0	EL PASO NATURAL GAS
8125152	NM 0002-81-A	3003922369	103	SAN JUAN 27-4 UNIT #15A	BLANCO MESAVERDE	180.0	EL PASO NATURAL GAS
8125170	NM-0102-81-A	3003922371	103	SAN JUAN 27-4 UNIT #125A	BLANCO MESAVERDE	220.0	EL PASO NATURAL GAS
8125171	NM-0102-81-B	3003922371	103	SAN JUAN 27-4 UNIT #125A	TAPACITO PICTURED CLIFFS	90.0	EL PASO NATURAL GAS
8125169	NM-0080-81	3003920142	108	SAN JUAN 27-4 UNIT #40	BASIN - DAKOTA	22.0	EL PASO NATURAL GAS
*8125178	NM-0108-81-B	3003922378	103	SAN JUAN 27-5 UNIT #56A	BLANCO SOUTH PICTURED CL	55.0	EL PASO NATURAL GAS
*8125177	NM-0108-81-A	3003922378	103	SAN JUAN 27-5 UNIT #56A	BLANCO MESAVERDE	182.0	EL PASO NATURAL GAS
*8125197	NM-0131-81	3003906847	108	SAN JUAN 27-5 UNIT #68 MV & PC	BLANCO - MESAVERDE & SOU	18.0	EL PASO NATURAL GAS
8125196	NM-0128-81	3003920175	108	SAN JUAN 28-4 UNIT #33	BASIN - DAKOTA	6.0	EL PASO NATURAL GAS
8125173	NM 0104-81	3003922270	103	SAN JUAN 30-6 UNIT #101A	BLANCO MESAVERDE	220.0	EL PASO NATURAL GAS
8125179	NM-0109-81	3003922212	103	SAN JUAN 30-6 UNIT #53A	BLANCO MESAVERDE	250.0	EL PASO NATURAL GAS
8125175	NM 0106-81	3003922241	103	SAN JUAN 30-6 UNIT #57A	BLANCO MESAVERDE	220.0	EL PASO NATURAL GAS
8125176	NM 0107-81	3003922242	103	SAN JUAN 30-6 UNIT #58A	BLANCO MESAVERDE	150.0	EL PASO NATURAL GAS
8125174	NM 0105-81	3003922211	103	SAN JUAN 30-6 UNIT #88A	BLANCO MESAVERDE	220.0	EL PASO NATURAL GAS
8125172	NM-0103-81	3003922193	103	SAN JUAN 30-6 UNIT #91A	BLANCO MESAVERDE	250.0	EL PASO NATURAL GAS
8125137	NM-1019-80	3003907206	108	SJ 27-4 UNIT #19 PC & MV	TAPACITO-PICTURED CLIFFS	17.0	EL PASO NATURAL GAS
8125181	NM-0111-81	3003922264	103	VAUGHN #31	BASIN DAKOTA	60.0	EL PASO NATURAL GAS
8125180	NM-0110-81	3003922197	103	VAUGHN #32	BASIN DAKOTA	60.0	EL PASO NATURAL GAS
8125142	NM-1355-80	3004520489	108	WOODRIVER #3	BLANCO-PICTURED CLIFFS	23.0	EL PASO NATURAL GAS
-EL RAN INC				RECEIVED: 04/06/81 JA: NM 4			
8125194	NM-0125-81	3000520771	103	PHILLIPS FEDERAL #4	CHAVEROO	0.0	TRANSWESTERN PIPELIN
-GETTY OIL COMPANY				RECEIVED: 04/06/81 JA: NM 4			
8125157	NM 0028-81	3001522437	103	FEDERAL 34 WELL NO 1	UNDESIGNATED WOLFCAMP	110.0	TRANSWESTERN PIPELIN
-GRACE PETROLEUM CORPORATION				RECEIVED: 04/06/81 JA: NM 4			
8125154	NM-0007-81	3002576810	103	SMITH RANCH FEDERAL NO 1		182.0	GAS CO OF NEW MEXICO
-HNG OIL COMPANY				RECEIVED: 04/06/81 JA: NM 4			
8125140	NM126480-103	3002526137	103	WILSON 21 FEDERAL #7 NM 23199	COMANCHE STATELINE TANSI	5.4	EL PASO NATURAL GAS
-J GREGORY MERRION&ROBERT L BAYLESS				RECEIVED: 04/06/81 JA: NM 4			
8125161	NM-0035-81-1	3004320498	103	BONANZA #2	CHACON DAKOTA	60.0	EL PASO NATURAL GAS
8125162	NM-0035-81-2	3004320497	103	BONANZA #3	CHACON DAKOTA	75.0	EL PASO NATURAL GAS
-KEN BLACKFORD				RECEIVED: 04/06/81 JA: NM 4			
8125163	NM-0043-81	3003921881	103	WELL 37-6 NO 7 LEASE NO 09-000037-B	BALLARD PICTURED CLIFFS	224.0	EL PASO NATURAL GAS
-LEWIS B BURLESON				RECEIVED: 04/06/81 JA: NM 4			
8125198	NM-0132-81	3002509269	108	FEDERAL Y NO 1-Y	JALMAT YATES GAS	4.6	EL PASO NATURAL GAS
-MOBIL PRDG TEXAS & NEW MEXICO INC				RECEIVED: 04/06/81 JA: NM 4			
8125150	NM-1836-80	3002923414	108	COX FEDERAL B NC 1	VADA PENN/BOUGH	10.4	CITIES SERVICE OIL C
8125195	NM-0127-81	3003922549	103	LINDRITH B UNIT NO 16	CHACON-DAKOTA ASSOCIATED	173.4	EL PASO NATURAL GAS
-NORTHWEST PIPELINE CORPORATION				RECEIVED: 04/06/81 JA: NM 4			
8125136	NM-0810-80	3003921130	108	JICARILLA 92 #8	BLANCO MESAVERDE	24.0	NORTHWEST PIPELINE C
8125138	NM-1053-80	3003907981	108	ROSA UNIT #41	BLANCO MESAVERDE	25.0	EL PASO NATURAL GAS
8125190	NM 0119-81	3003922476	103	SAN JUAN 30-5 UNIT 471	BASIN DAKOTA	78.0	NORTHWEST PIPELINE C
8125191	NM-0120-81	3003922447	103	SAN JUAN 30-5 51	BASIN DAKOTA	170.0	NORTHWEST PIPELINE C
-R & G DRILLING CO				RECEIVED: 04/06/81 JA: NM 4			

J...	...BER	API ...	SEC	WELL NAME
8125135	NM-4994-79	3004520359	108	HAMMOND NO 49
-ROBERT C ANDERSON				RECEIVED: 04/06/81 JA: NM 4
8125132	NM 4861-79	3004521618	102	UTE MOUNTAIN UTE NO 1
8125134	NM 4863-79	3004522242	102	UTE MOUNTAIN UTE NO 3
8125133	NM 4862-79	3004522636	102	UTE MOUNTAIN UTE NO 4
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/06/81 JA: NM 4
8125158	NM-0031-81	3004524344	103	NEW MEXICO FEDERAL -N- NO 1E
-SUPRON ENERGY CORPORATION				RECEIVED: 04/06/81 JA: NM 4
8125202	NM 0137-81A	3003922420	103	JICARILLA J 12-E
8125203	NM 0137-81-B	3003922420	103	JICARILLA J 12-E
8125185	NM-0115-81-A	3003922417	103	JICARILLA J 9E
8125186	NM-0115-81-B	3004522417	103	JICARILLA J 9E
8125205	NM-0141-81-A	3004523911	103	PAYNE 4-A
8125206	NM-0141-81-B	3004523911	103	PAYNE 4-A
8125192	NM-0121-81-A	3004524347	103	QUINN 4-A
8125193	NM-0121-81-B	3004524347	103	QUINN 4-A
8125187	NM-0116-81-A	3004523584	103	QUINN 7-A
8125188	NM-0116-81-B	3004523584	103	QUINN 7-A
8125189	NM-0117-81	3004523711	103	QUINN 9
-TENNECO OIL COMPANY				RECEIVED: 04/06/81 JA: NM 4
8125208	NM-0145-81	3004524136	103	FLORANCE #36 E
8125141	NM-1296-80	3004523546	108	FLORANCE #60-R
8125209	NM-0143-81	3003922292	103	JICARILLA A #4E
8125211	NM 0147-81A	3005921643	103	JICARILLA A #9
8125212	NM 0147-81B	3005921643	103	JICARILLA A #9
8125210	NM 0146-81	3004524430	103	JONES COM #4
8125155	NM 0026-81	3003922328	103	REAMES COM #1-E
8125207	NM-0142-81	3004523980	103	RIDDLE B #1
8125201	NM 0136-81	3004523970	103	WARREN #4
8125200	NM 0135-81	3004524104	103	WARREN COM #3
-TEXACO INC				RECEIVED: 04/06/81 JA: NM 4
8125159	NM-0033-81	3004524554	103	H J LOE P FEDERAL WELL NO 2E
-WILLIAM C RUSSELL				RECEIVED: 04/06/81 JA: NM 4
8125156	NM 0027-81	3004523626	103	RUSSELL #95 MARRON

FIELD NAME	PROD	PURCHASER
S BLANCO PICTURED CLIFF	16.1	EL PASO NATURAL GAS
STRAIGHT CANYON DAKOTA	72.0	GAS CO OF NEW MEXICO
STRAIGHT CANYON DAKOTA	72.0	GAS CO OF NEW MEXICO
STRAIGHT CANYON DAKOTA	72.0	GAS CO OF NEW MEXICO
BASIN DAKOTA	89.0	SOUTHERN UNION GATHE
BLANCO MESAVERDE	639.0	GAS CO OF NEW MEXICO
BASIN DAKOTA	357.0	GAS CO OF NEW MEXICO
BLANCO MESAVERDE	525.0	GAS CO OF NEW MEXICO
BASIN DAKOTA	723.0	GAS CO OF NEW MEXICO
BLANCO MESAVERDE	711.0	SOUTHERN UNION GATHE
BASIN DAKOTA	1008.0	SOUTHERN UNION GATHE
BLANCO MESAVERDE	285.0	SOUTHERN UNION GATHE
BASIN DAKOTA	0.0	SOUTHERN UNION GATHE
BLANCO MESAVERDE	357.0	SOUTHERN UNION GATHE
BASIN DAKOTA	96.0	SOUTHERN UNION GATHE
WILDCAT PICTURED CLIFFS	144.0	SOUTHERN UNION GATHE
BASIN DAKOTA	500.0	NORTHWEST PIPELINE C
AZTEC PICTURED CLIFFS	19.3	EL PASO NATURAL GAS
BASIN DAKOTA	500.0	NORTHWEST PIPELINE C
BASIN MESAVERDE/CHACRA	500.0	NORTHWEST PIPELINE
BASIN MESAVERDE/CHACRA	500.0	NORTHWEST PIPELINE
BASIN DAKOTA	500.0	EL PASO NATURAL GAS
BASIN DAKOTA	500.0	NORTHWEST PIPELINE C
BASIN DAKOTA	500.0	EL PASO NATURAL GAS
BASIN DAKOTA	500.0	EL PASO NATURAL GAS
BASIN DAKOTA	500.0	EL PASO NATURAL GAS
BASIN DAKOTA	112.0	SOUTHERN UNION GATHE
LARGO CHACRA	60.0	EL PASO NATURAL GAS

OTHER PURCHASERS

8125147	NORTHWEST P L CORP
8125151	NORTHWEST P L CORP
8125165	NORTHWEST P L CO
8125166	EL PASO NATURAL GAS CO
8125167	EL PASO NATURAL GAS CO
8125168	EL PASO NATURAL GAS CO
8125177	NORTHWEST PL CORP
8125178	NORTHWEST PL CORP
8125197	NORTHWEST PL CORP

BILLING CODE 6450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that outher purchasers are listed at the end of the notice.

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 Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 26, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14120 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 4, 1981.

JURISDICTIONAL AGENCY	FERC NO.	API NO.	TYP	WELL DATA	FIELD NAME	PROD	PURCHASER
MICHIGAN DEPARTMENT OF NATURAL RESOURCES							
-AMOCO PRODUCTION CO				RECEIVED: 04/10/81 JA: MI			
8125312		2107931516	103	STATE BLUE LAKE /G/WELL NO 1-17	BLUE LAKE 17	120.0	CONSUMERS POWER CO
8125311		2107933860	102	STATE BLUE LAKE/C/WELL NO 3-10	BLUE LAKE 16-28N-5W	110.0	CONSUMERS POWER CO
-MICHIGAN OIL COMPANY				RECEIVED: 04/10/81 JA: MI			
8125316		2104500000	102	KENNETH HOFFMAN #1-22	HAMLIN 22	80.0	CONSUMERS POWER CO
-MILLER BROTHERS				RECEIVED: 04/10/81 JA: MI			
8125318		2110133289	102	MAPLE GROVE #1-10	MAPLE GROVE 10B-23N-14W	365.0	CONSUMERS POWER CO
8125317		2105533290	102	SNYDER ET AL #5-9	MAYFIELD 9-25N-11W	20.0	CONSUMERS POWER CO
-PATRICK PETROLEUM CORP (MI)				RECEIVED: 04/10/81 JA: MI			
8125320		2104534019	102	HOLBROOK - ET AL 1-6	HAMLIN 6	100.0	CONSUMERS POWER CO
8125321		2104534075	102	PAPRANEC 1-6A	HAMLIN - PAPRANEC	100.0	CONSUMERS POWER CO
8125322		2104534020	102	WILSON-HARGRAVE 1-8	HAMLIN 8	100.0	CONSUMERS POWER CO
-REEF PETROLEUM CORP				RECEIVED: 04/10/81 JA: MI			
8125319		2112533713	102	ISIDOR FELBER #1-8	LYON 8	36.0	MICHIGAN CONSOLIDATE
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/10/81 JA: MI			
8125313	#4	2114300000	108	DAVID C HYDE NO 1	ST HELEN	8.0	DOW CHEMICAL CO
8125315	#6	2114300000	108	N-M-L-O-C AND USA NO 1	ST HELEN	11.7	DOW CHEMICAL CO
8125314	#7	2114300000	108	MELLIST-SCHWALM ET AL UNIT NO 1	ST HELEN	10.0	DOW CHEMICAL CO
-TRAVERSE OIL CO				RECEIVED: 04/10/81 JA: MI			
8125323		2110134031	102	SPAULDING-ASHCRAFT #2-32	CLEON 32 B	120.0	CONSUMERS POWER CO
OKLAHOMA CORPORATION COMMISSION							
-A & P DRILLING CO INC				RECEIVED: 04/13/81 JA: OK			
8125444	08284	3507322575	103	ESTELLE 12-1	SOONER TREND	18.3	CONOCO INC
8125443	08283	3507322254	103	JOHNSON 12-1	SOONER TREND	16.2	CONOCO INC
-ANDOVER OIL COMPANY				RECEIVED: 04/13/81 JA: OK			
8125442	8261	3501721540	102	ADAMS PARK #7-1		185.0	DELHI GAS PIPELINE C
-ARCO OIL AND GAS COMPANY				RECEIVED: 04/13/81 JA: OK			
8125421	8104	3509321815	103	ORIE C JOHNSON #2 (CHESTER)	N F CEDARDALE	73.0	MICHIGAN WISCONSIN P
8125409	8103	3509321815	103	ORIE C JOHNSON #2 (MISSISSIPPI)	N E CEDARDALE	73.0	MICHIGAN WISCONSIN P
-ARTHUR I APPLETON D/B/A APPLETON OI				RECEIVED: 04/13/81 JA: OK			
8125434	08389	3511921221	103	KIRK #1-A	MEHAN	73.0	COLORADO GAS COMPRES
-AUSTIN & AUSTIN				RECEIVED: 04/13/81 JA: OK			
8125488	08128	3510300000	108	DAY F	ORLANDO	9.5	AMINOIL USA INC
8125493	08127	3510300000	108	GROOM #1	PERRY DIST	9.9	ARCO OIL & GAS CO
-B & D OIL CO				RECEIVED: 04/13/81 JA: OK			
8125495	08156	3510900000	108	MERSCHEAK (M) #1 08830	WEST EDMOND	0.5	SWAB CORP
-BEREN CORPORATION				RECEIVED: 04/13/81 JA: OK			
8125452	8315	3515121811	103	CRAWFORD #1-15		99.0	PANHANDLE EASTERN PI

-BROCK HYDROCARBONS INC				RECEIVED: 04/13/81 JA: OK			
8125447	08273	3504520838	103	STATE #1-36	MOCANE-LAVERNE	0.0	TRANSWESTERN PIPELIN
8125433	08274	3504520837	103	THURMOND #1-36	GAGE	0.0	PANHANDLE EASTERN PI
-BROWN & BORELLI INC				RECEIVED: 04/13/81 JA: OK			
8125431	8317	3507322599	103	CHARLIE #1	SOONER TREND	58.2	PHILLIPS PETROLEUM C
-CANADIAN EXPLORATION CORP				RECEIVED: 04/13/81 JA: OK			
8125475	7932	3501721599	103	WITTKOPP NO 10-2	NORTH MUSTANG	0.0	MOBIL OIL CORP
-CENTEX OIL & GAS INC				RECEIVED: 04/13/81 JA: OK			
8125406	07080	3504321102	102	MAX E JACKSON NO 1 WELL	S E OKAWOOD AREA	36.0	ARKANSAS LOUISIANA G
-CHAMPLIN EXPLORATION INC				RECEIVED: 04/13/81 JA: OK			
8125423	08248	3504722204	103	HORSTMAN A #1	SOONER TREND	75.0	WELLHEAD ENTERPRISES
8125422	08249	3504722203	103	O L MARKS #1	SOONER TREND	75.0	WELLHEAD ENTERPRISES
-CHASE EXPLORATION CORP				RECEIVED: 04/13/81 JA: OK			
*8125450	08298	3507121532	103	CHAPPELL/MALC 1F #2-5		10.0	CITIES SERVICE GAS C
8125448	08299	3507121477	103	FITCH #2-32		6.8	CITIES SERVICE GAS C
-CLARK RESOURCES INC				RECEIVED: 04/13/81 JA: OK			
8125489	8175	3507322272	103	CRI 36-1	SOONER TREND	75.0	CITIES SERVICE GAS C
8125469	08290	3507322271	103	WEHLING 34-1	SOONER TREND	39.0	PANHANDLE EASTERN PI
-COBRA OIL AND GAS CORPORATION				RECEIVED: 04/13/81 JA: OK			
8125405	07580	3505920531	102	MUNSON 24 #1	UNALLOCATED	365.0	NORTHERN NATURAL GAS
8125405	07580	3505920931	103	MUNSON 24 #1	UNALLOCATED	365.0	NORTHERN NATURAL GAS
-DALCO PETROLEUM INC				RECEIVED: 04/13/81 JA: OK			
8125498	8315	3507322464	103	BETTY #1	SOONER TREND	91.3	DALCO PETROLEUM US L
8125497	8321	3507322471	103	HERBERT #1	SOONER TREND	91.3	DALCO PETROLEUM US L
8125435	8318	3507322675	103	MUEGGENBORG #2	SOONER TREND	91.3	DALCO PETROLEUM US L
8125478	06042	3507322157	103	WAGGENER #1	SOONER TREND	91.3	DALCO PETROLEUM US L
-DEMCO OIL & GAS COMPANY				RECEIVED: 04/13/81 JA: OK			
8125425	08289	3507121158	108	HENSLEY #1		17.2	CHASE EXPLORATION CO
-ECC OIL CO				RECEIVED: 04/13/81 JA: OK			
8125428	8037	3514700000	103	SNOW #2 CW/2 SW/4 SW/4 17-25N-14E	OGLESBY GAS FIELD	61.6	OKAN GAS CO
-ENERGY SERVICES INC				RECEIVED: 04/13/81 JA: OK			
8125496	8208	3508300000	103	SHIMANEK #1-20		0.0	EASON OIL CO
-EXXON CORPORATION				RECEIVED: 04/13/81 JA: OK			
8125446	08278	3507322532	103	JOE SCHEULEN #4	SOONER TREND (HUNTON)	474.0	ONG WESTERN INC
-F C O OIL CORP				RECEIVED: 04/13/81 JA: OK			
8125461	07836	3507322487	103	SIEGMANN 1-34	SOONER TREND	54.8	EASON OIL CO
-FAIN-PORTER PRODUCTION CO INC				RECEIVED: 04/13/81 JA: OK			
8125432	08265	3510320937	103	YOST #1	SOUTH TONKAWA	0.0	
-FALCON PETROLEUM COMPANY				RECEIVED: 04/13/81 JA: OK			
8125420	8209	3500721912	102	JAMES LESLIE MITCHELL NO 1	WILDCAT (NW DOMBEY)	183.0	PANHANDLE EASTERN PI
-FLOYD BERGEN				RECEIVED: 04/13/81 JA: OK			
8125430	8316	3512120711	103	BLOCKER #1	BLOCKER	0.0	SOUTHEAST TRANSMISSI
-GETTY OIL COMPANY				RECEIVED: 04/13/81 JA: OK			
8125494	8257	3505120908	103	LEACH #8-1	MINCO WEST	100.0	DELHI GAS PIPELINE C
8125441	8258	3505120871	103	OSBORN #9-1	MINCO WEST	200.0	DELHI GAS PIPELINE C
-HADSON PETROLEUM CORP				RECEIVED: 04/13/81 JA: OK			
8125476	8022	3505120949	103	MCCASSLAND 1-15	CHITWOOD	472.0	
-HEATH OIL CO INC				RECEIVED: 04/13/81 JA: OK			
8125492	6759	3507121877	103	ARNOLD #2		0.0	CITIES SERVICE GAS C
-HESTON OIL CO				RECEIVED: 04/13/81 JA: OK			
8125449	08255	3507322578	103	ALLEN #36-1	SOONER TREND	120.0	EASON OIL CO
-HILL RESOURCES INC				RECEIVED: 04/13/81 JA: OK			

								FIELD NAME	PROD	PURCHASER	
8125465	08179	3500721730	103	OHERN #1				SOONER TREND	68.0	OKLAHOMA GAS & ELECT	
8125491	08178	3500721730	103	OHERN #1				SOONER TREND	60.0	OKLAHOMA GAS & ELECT	
8125490	08177	3500721781	103	OHERN 25-1				SOONER TREND	108.0	OKLAHOMA GAS & ELECT	
-HOLDEN ENERGY CORP				RECEIVED: 04/13/81	JA: OK						
8125437	08285	3501921941	103	REED 34-1				JOINER CITY	250.0	AMINOIL USA INC	
-JET OIL COMPANY				RECEIVED: 04/13/81	JA: OK						
8125445	08279	3504722224	103	GIBY #1				N ELKHORN	0.0	EASON OIL CO	
8125467	08281	3504722210	103	MURPHY #1				N ELKHORN	0.0	EASON OIL CO	
8125468	08280	3511921146	103	P D GRAY #1				COYLE	0.0	EASON OIL CO	
8125470	08282	3500320712	103	REXROAT B #1				RINGWOOD	0.0	AMINOIL USA INC	
-JONES & PELLOW OIL CO				RECEIVED: 04/13/81	JA: OK						
8125408	08124	3501921995	103	WOODRUFF 28-1				S E JOYNER CITY	0.0	OKLAHOMA NATURAL GAS	
-JORDAN OIL & GAS COMPANY				RECEIVED: 04/13/81	JA: OK						
8125407	04472	3504520755	102	GRAY NO 1				NONE ASSIGNED	50.0	NORTHERN NATURAL GAS	
8125457	04472	3504520755	103	GRAY NO 1				NONE ASSIGNED	50.0	NORTHERN NATURAL GAS	
-KENNEDY & MITCHELL INC				RECEIVED: 04/13/81	JA: OK						
8125402	06068	3505900000	102	WOOLFOLK #8-89-2				EAST SELMAN	200.0	MICHIGAN WISCONSIN P	
8125402	06068	3505900060	103	WOOLFOLK #8-89-2				EAST SELMAN	200.0	MICHIGAN WISCONSIN P	
-L G WILLIAMS OIL COMPANY INC				RECEIVED: 04/13/81	JA: OK						
8125417	08825	3501721427	103	LUDWIG 20-1				N CONCHO	0.0	PHILLIPS PETROLEUM C	
8125418	08824	3501721428	103	STEIFERMAN 20-1				N CONCHO	0.0	PHILLIPS PETROLEUM C	
-LADD PETROLEUM CORPORATION				RECEIVED: 04/13/81	JA: OK						
8125424	08240	3509321856	103	H JOHNSON NO 3				RINGWOOD	128.6	OKLAHOMA NATURAL GAS	
-LENHART & BENNETT INC				RECEIVED: 04/13/81	JA: OK						
8125416	05793	3507121777	103	ROSA GARTNER NO 9-1					7.3	CITIES SERVICE	
-MACKELLAR INC				RECEIVED: 04/13/81	JA: OK						
8125472	8256	3508300020	103	STIANETT #1				SOONER TREND	0.0	CITIES SERVICE GAS C	
-MAY PETROLEUM INC				RECEIVED: 04/13/81	JA: OK						
8125429	08043	3515321064	103	TANGIER #24-142				N W TANGIER	146.0	DELHI GAS PIPELINE C	
-MORAN EXPLORATION INC				RECEIVED: 04/13/81	JA: OK						
8125471	08267	3501721586	103	MULVEY NO 1				YUKON	0.0	PHILLIPS PETROLEUM C	
-MORRIS GRENARD				RECEIVED: 04/13/81	JA: OK						
8125413	8255	3511121808	103	BENNETT #2-6				HENRYETTA DISTRICT	0.0	PHILLIPS PETROLEUM C	
-NATIONAL COOP REFINERY ASSOC				RECEIVED: 04/13/81	JA: OK						
8125486	8163	3509321874	103	RATZLAFF #2				ORIENTA	475.0	UNION TEXAS PETROLEU	
-NORTEX GAS & OIL CO				RECEIVED: 04/13/81	JA: OK						
8125482	08205	3500721855	103	BYRUM NC 1-14				MOCANE-LAVERNE	40.0	INTERNORTH INC	
-OZARK-MAHONING CO				RECEIVED: 04/13/81	JA: OK						
8125403	7525	3509321851	103	HOMER SANDER #2				CEDARDALE	0.0	MICHIGAN-WISCONSIN P	
8125404	7526	3509321851	103	HOMER SANDER #2				CEDARDALE	0.0	MICHIGAN-WISCONSIN P	
-P & W OIL & GAS OPERATORS				RECEIVED: 04/13/81	JA: OK						
8125438	08286	3511121687	103	WILSON 2-A				WILDCAT	0.0	PHILLIPS PETROLEUM C	
-PHILLIPS OIL OPERATING CO				RECEIVED: 04/13/81	JA: OK						
8125480	07700	3504721947	102	HENDRICK NO 2				SOUTHEAST HUNTER	119.0	ATLANTIC RICHFIELD C	
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 04/13/81	JA: OK						
8125415	00353	3513900000	102	HERFEL NO 1				GUYMON HUGOTON	9.0	PANHANDLE EASTERN PI	
8125440	8147	3501721648	103	SCHROEDER D #1					0.0	PANHANDLE EASTERN PI	
-PORTS OF CALL OIL CO				RECEIVED: 04/13/81	JA: OK						
8125439	08307	3501721718	103	WOODS BROTHERS 4-7				S W YUKON	359.0	DORIC PETROLEUM INC	
8125436	08308	3501721769	103	WOODS BROTHERS 4-8				S W YUKON	101.0	DORIC PETROLEUM INC	
-PRODUCTION OIL CORP				RECEIVED: 04/13/81	JA: OK						
8125466	08233	3510521953	103	HALSELL LH-117-#1				EAST LENAPAH	11.6	CITIES SERVICE GAS C	

8125463	08232	3510521954	103	HALSELL LH-118-XI	EAST LENAPAH	12.8	CITIES SERVICE GAS C
8125459	8219	3510522089	103	HALSELL LH-141-XVII	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125455	8217	3510522091	103	HALSELL LH-143-XVII	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125464	08227	3510522093	103	HALSELL LH-145-XVII	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125460	08226	3510522094	103	HALSELL LH-146-XVII	EAST LENAPAH	16.4	CITIES SERVICE GAS
8125461	08224	3510522098	103	HALSELL LH-150-XIX	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125462	8223	3510522099	103	HALSELL LH-151-XIX	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125458	8222	3510522100	103	HALSELL LH-152-XIX	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125456	8216	3510522102	103	HALSELL LH-154-XIX	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125457	8215	3510522103	103	HALSELL LH-155-XIX	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125451	8214	3510522104	103	HALSELL LH-156-XXI	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125453	8213	3510522105	103	HALSELL LH-157-XXI	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125410	8211	3510522420	103	M B F SHARP LFS-190-II	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125465	08234	3510522421	103	M B F SHARP LFS-191-II	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125454	8212	3510522419	103	MBF SHARP LFS-189-II	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125483	08236	3510522422	103	MBF SHARP LFS-192-II	EAST LENAPAH	16.4	CITIES SERVICE GAS C
8125484	08235	3510522423	103	MBF SHARP LFS-193-II	EAST LENAPAH	16.4	CITIES SERVICE GAS C
-RICHARD DEWITT				RECEIVED: 04/13/81 JA: OK			
8125414	3023	3511920845	103	MATLOCK-WILLIAMS #1	VALE WAY	80.0	PHILLIPS PETROLEUM
-RICKS EXPLORATION CO				RECEIVED: 04/13/81 JA: OK			
8125427	08293	3515321087	103	LOOMIS 14A	N MOORELAND	120.0	PANHANDLE EASTERN PI
8125426	08294	3515321097	103	MARY 15A	N E MOORELAND	50.0	PANHANDLE EASTERN PI
-SENECA OIL CO				RECEIVED: 04/13/81 JA: OK			
8125473	1757	3509300000	103	HARPER #1-21		0.0	
8125477	8129	3509321761	102	MARTIN ESTATES NO 1-35	DANE	126.0	PANHANDLE EASTERN PI
8125477	8129	3509321761	103	MARTIN ESTATES NO 1-35	DANE	126.0	PANHANDLE EASTERN PI
-TEXACO INC				RECEIVED: 04/13/81 JA: OK			
8125487	8184	3507322342	103	DONOVAN AHLDEN NO 1	OKARCHE NE	24.0	PHILLIPS PETROLEUM C
-TEXAS OIL & GAS CORP				RECEIVED: 04/13/81 JA: OK			
8125411	07779	3504500000	108	LAUPHAN F #1	SOUTH BISHOP	3.0	CITIES SERVICE
8125412	07778	3504500000	108	MCGUIGG #1	SOUTH BISHOP	9.0	CITIES SERVICE
-THE GHK COMPANY				RECEIVED: 04/13/81 JA: OK			
8125474	07832	3512920426	102	1-15 HEFNER	WEST CARPENTER	55.0	EL PASO NATURAL GAS
-TRANS-WESTERN EXPLORATION INC				RECEIVED: 04/13/81 JA: OK			
8125419	7913	3504321042	102	MARSHALL NO 1X	N OAKWOOD FIELD	183.0	PHILLIPS PETROLEUM C
8125419	7913	3504321042	103	MARSHALL NO 1X	N OAKWOOD FIELD	183.0	PHILLIPS PETROLEUM C
-TRIGG DRILLING COMPANY INC				RECEIVED: 04/13/81 JA: OK			
8125479	7054	3501120838	103	BANK OF TULSA #1	WATONGA TREND	18.0	GELHI GAS PIPELINE C
**********							
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES							
**********							
-A A LOLLAR				RECEIVED: 04/09/81 JA: PA			
8125343	6612	3706522253	103	MCCLURE #11	REED-DEEMER	50.0	CONSOLIDATED GAS SUP
8125344	6620	3706522184	103	MCCLURE A-1	REED-DEEMER	50.0	CONSOLIDATED GAS SUP
-ADOBE OIL & GAS CORPORATION				RECEIVED: 04/09/81 JA: PA			
8125351	6627	3700523P4	103	ELEANOR MONTGOMERY #1	ELDERTON	25.0	INDUSTRIAL ENERGY SE
8125350	6626	3706325841	103	RAYMOND SHIVE #1-A	BRUSH VALLEY	22.0	
8125349	6625	3700522514	103	ROBERT F MCCULLOUGH #1	DISTANT	21.0	
-ARMCLAR GAS CO				RECEIVED: 04/09/81 JA: PA			
8125324	6618	3700522542	103	WOLFE #12 SERIAL #864	HOGBACK	18.3	COLUMBIA GAS TRANS C
-BEREA OIL AND GAS CORPORATION				RECEIVED: 04/09/81 JA: PA			
8125326	6618	3704921135	103	F C GEBHARDT #1	NORTH EAST	25.0	NATIONAL FUEL GAS SU

8125327	E-17	3704921208	102	LARIMER & NORTON UNIT #1	NORTH EAST	25.0	NATIONAL FUEL GAS SU
-BISSETT CONSTRUCTION OIL & GAS				RECEIVED: 04/09/81 JA: PA			
8125352	6673	3705900000	108	WILSON MILLER WELL L-2158	SPRINGHILL TOWNSHIP	1.3	COLUMBIA GAS TRANSMI
8125353	6674	3705900000	108	WM A & RAY HENDERSON WELL L-2793	ALEPPO TOWNSHIP	1.7	COLUMBIA GAS TRANSMI
-C W SUMMERVILLE				RECEIVED: 04/09/81 JA: PA			
8125392	2781	3704920238	108	C W SUMMERVILLE #1 ERI-238	CONNEAUT TOWNSHIP-ALBION	2.1	CONSOLIDATED GAS SUP
-CONSOLIDATED GAS SUPPLY CORPORATION				RECEIVED: 04/09/81 JA: PA			
8125329	5326	3703320841	108	JAMES M MITCHELL ESTATE WN-1719	IRISH RUN 348275	4.0	GENERAL SYSTEM PURCH
8125327	5149	3706521506	108	REED REITER WN-1471	BIG RUN	19.0	GENERAL SYSTEM PURCH
8125328	5152	3706521745	108	ROBERT A HAAG WN-1743	OLIVEBURG 523959	20.0	GENERAL SYSTEM PURCH
8125354	6667	3712921744	103	ROBERT LENHART 1819	HEMPFIELD	4.5	GENERAL SYSTEM PURCH
8125355	6668	3712917150	103	SARA E EISMAN 1797	HEMPFIELD	5.0	GENERAL SYSTEM PURCH
-DELTA 80 S T JOINT VENTURE				RECEIVED: 04/09/81 JA: PA			
8125330	6590	3703321806	103	MILLER #2		25.0	NATIONAL FUEL GAS SU
-DORAN & ASSOCIATES INC				RECEIVED: 04/09/81 JA: PA			
8125358	6634	3706324619	103	D MARSHALL #1 K-L-155	UPPER DEVONIAN SANDS	30.0	INDUSTRIAL GAS SALES
8125331	6621	3706325749	103	ENGLE-FLEMING KA-52	UPPER DEVONIAN SANDS	30.0	COLUMBIA
8125356	6632	3712921479	103	M LEVINE #2 K-L-249	UPPER DEVONIAN SANDS	30.0	PEOPLES NATURAL GAS
8125357	6633	3712921468	103	M SHETTER #2 K-K-2	UPPER DEVONIAN SANDS	30.0	PEOPLES NATURAL GAS
8125334	6601	3703320676	108	S BENNETT #1 K-G-4	UPPER DEVONIAN SANDS	20.0	CONSOLIDATED GAS SUP
8125333	6599	3703320629	108	SAMUEL YODER #1 K-G-7	UPPER DEVONIAN SANDS	20.0	CONSOLIDATED GAS SUP
8125359	6631	3706324019	108	T L EDWARDS #2 K-L-26	UPPER DEVONIAN SANDS	20.0	PEOPLES NATURAL GAS
8125332	6596	3703320679	108	TWILA M LINVILLE #1 K-G-8	UPPER DEVONIAN SANDS	20.0	CONSOLIDATED GAS SUP
-EPSILON 1980 S T JOINT VENTURE				RECEIVED: 04/09/81 JA: PA			
8125335	6547	3703321019	103	DELARME #2		25.0	CONSOLIDATED GAS SUP
-FAIRMAN DRILLING CO				RECEIVED: 04/09/81 JA: PA			
8125361	6623	3706323519	108	CARL HAMMERROAD NO 1 F-1608	BIG RUN	18.0	CONSOLIDATED GAS SUP
8125336	6622	3706323817	108	DAVID N GASTON NO 1 F-1849	ROCHESTER MILLS	18.0	CONSOLIDATED GAS SUP
8125360	6488	3703321017	103	SPENCER LAND CO NO 2 F-2969	LUMBER CITY	15.0	CONSOLIDATED GAS SUP
-FLOYD DELONG				RECEIVED: 04/09/81 JA: PA			
8125366	2234	3704920098	108	F DELONG #1 ERI-98	ALBION	6.4	CONSOLIDATED GAS SUP
-GOE PRO INC				RECEIVED: 04/09/81 JA: PA			
8125339	6522	3704921161	103	ERI-21161 TEED #1	ALBION	0.0	NATIONAL FUEL GAS DI
8125337	6485	3704921162	103	HANS K HALLGREN-ERI-21162	ALBION-WEST	40.0	NATIONAL FUEL GAS DI
8125341	6524	3704921192	103	J & F MADDEN #1 ERI-21192	LUNDYS LANE	18.0	COLUMBIA GAS TRANSMI
8125340	6523	3704921127	103	P & G ZARENKO #1-ERI-21127	ALBION-EDINBORO	0.0	COLUMBIA GAS TRANSMI
8125342	6525	3704921188	103	P & G ZARENKO 2-ERI-21188	ALBION-EDINBORO	0.0	COLUMBIA GAS TRANSMI
8125338	6521	3704921128	103	S & J SMITH #1 ERI-21128	ALBION-EAST	40.1	COLUMBIA GAS TRANSMI
8125363	6624	3704921295	103	P SALLOT #1 ERI-21295	ALBION-EAST	1000.0	COLUMBIA GAS TRANSMI
-J & J ENTERPRISES INC				RECEIVED: 04/09/81 JA: PA			
8125369	6138	3706325721	103	BYRON C FRICK #2 (48 8A)	WHITE	200.0	COLUMBIA GAS TRANSMI
8125376	6659	3703320811	108	JEAN CAMPBELL #2 (100A)	BURNSIDE	25.3	CONSOLIDATED GAS SUP
8125377	6660	3706323920	108	F V OBERLIN #1	CANOE	15.7	CONSOLIDATED GAS SUP
8125378	6661	3703320887	108	LEMAYNE SOLLEY #1 (54A)	BURNSIDE	3.4	CONSOLIDATED GAS SUP
8125375	6658	3703320785	108	MARY MCGEE ESTATE #B-10 (588A)	BURNSIDE	6.2	CONSOLIDATED GAS SUP
8125373	6656	3703320782	108	MARY MCGEE ESTATE #B-13	BURNSIDE	10.6	CONSOLIDATED GAS SUP
8125372	6654	3703320781	108	MARY MCGEE ESTATE B-15 (588A)	BURNSIDE	12.8	CONSOLIDATED GAS SUP
8125381	6664	3703320885	108	MERLE OAKS #1 (50A)	BURNSIDE	25.7	CONSOLIDATED GAS SUP
8125380	6663	3706521505	108	MILTON SHAFFER #2 (175A)	MCCALMONT	0.1	CONSOLIDATED GAS SUP
8125378	6652	3703320812	108	OLER THOMPSON #-1 (407A)	BURNSIDE	9.1	CONSOLIDATED GAS SUP
8125382	6665	3703320813	108	OLER THOMPSON #-2 (407A)	BURNSIDE	9.3	CONSOLIDATED GAS SUP
8125371	6653	3703320815	108	OLER THOMPSON #4 (407A)	BURNSIDE	9.1	CONSOLIDATED GAS SUP
8125374	6656	3706322835	108	PHILLIP HIPPLE #1	CANOE	17.1	CONSOLIDATED GAS SUP

J	CA T	API NO	SPC	WELL NAME	FIELD NAME	PROD	PURCHASER
8125379	6662	3706324391	108	WILLIAM CAMERON #2 (1414)	BANKS	10.9	CONSOLIDATED GAS SUP
-JOHN T GALEY				RECEIVED: 04/09/81 JA: PA			
8125362	6666	3712520082	108	SAMUEL V COOPER #2 (PART OF 699 5 *	DANIELS RUN FIELD GLYDE	5.6	COLUMBIA GAS TRANSMI
-LOYALHANNA DRILLING PROGRAM				RECEIVED: 04/09/81 JA: PA			
8125383	6640	3712921713	103	HEZICH #2	LOYALHANNA	25.0	
8125387	6644	3712921741	103	ROWMAN #1	BELL	25.0	
8125386	6643	3712921740	103	NEISSNER #1	BELL	25.0	
8125388	6645	3712921707	103	QUICK #1	LOYALHANNA	25.0	INDUSTRIAL ENERGY SE
8125385	6642	3712921714	103	STEELE #2	LOYALHANNA	25.0	
8125384	6641	3712921712	103	STINE #1	LOYALHANNA	25.0	
-MITCHELL ENERGY CORPORATION				RECEIVED: 04/09/81 JA: PA			
8125345	6602	3703920806	103	GALLAHER #1-54	UNNAMED FIELD - MEDINA &	40.0	
-NEA CROSS CO				RECEIVED: 04/09/81 JA: PA			
8125390	5953	3704921835	102	P PENNSY #1	MILL VILLAGE	15.0	NATIONAL FUEL GAS SU
-PHILLIPS PRODUCTION CO				RECEIVED: 04/09/81 JA: PA			
8125391	6630	3706325815	103	DANIEL J PERLONGO ET UX #1	EAST MAHONING	35.0	
-ROBERT THORSEN				RECEIVED: 04/09/81 JA: PA			
8125368	2237	3704920233	108	C EBNER ERI-233	ALBION	3.3	NATIONAL FUEL GAS CO
8125367	2236	3704920276	108	J J WHEFLER ERI-276	ALBION	19.2	NATIONAL FUEL GAS CO
8125365	2233	3704920169	108	M PANKO #1 ERI 169	ELK CREEK	3.2	NATIONAL FUEL GAS CO
8125364	2232	3704920275	108	M PANKO #2 ERI 275	ELK CREEK	10.6	NATIONAL FUEL GAS CO
-THE MUTUAL OIL & GAS COMPANY				RECEIVED: 04/09/81 JA: PA			
8125389	6635	3704921019	102	HOJARSKI #1	MCKEAN	50.0	COLUMBIA GAS TRANSMI
-TRI-COUNTY OIL & GAS INC				RECEIVED: 04/09/81 JA: PA			
8125394	6639	3705900000	108	HEWITT #1	RICHHILL TOWNSHIP	3.5	COLUMBIA GAS TRANSMI
8125393	6638	3705900000	108	HEWITT #2	RICHHILL TOWNSHIP	3.0	COLUMBIA GAS TRANSMI
-UNION DRILLING INC				RECEIVED: 04/09/81 JA: PA			
8125401	6650	3706324700	108	ARTHUR J MCEWAN #1 0618	RAYNE TOWNSHIP	4.0	PEOPLES NATURAL GAS
8125400	6649	3706324016	108	EARL C FENCE #1 0593	RAYNE TOWNSHIP	10.0	PEOPLES NATURAL GAS
8125399	6648	3706324235	108	EDWARD & CHARLES MEARS #2 0604	RAYNE TOWNSHIP	19.0	PEOPLES NATURAL GAS
8125397	6646	3712521210	106	ETHELWIN C RINNE #1 0621	SOMERSET TOWNSHIP	17.0	BROCKWAY GLASS CO IN
8125395	6603	3704921180	102	LYNFORD F PROPER #1 0726	LEBOEUF TWP	0.0	COLUMBIA GAS TRANSMI
8125398	6647	3706324175	108	PHILIP R & JUDITH A FORRESTER #2 0*	RAYNE TOWNSHIP	6.0	PEOPLES NATURAL GAS
8125396	6604	3704921177	102	WILLIAM RODGER SCOTT #1 0615	WATERFORD	0.0	COLUMBIA GAS TRANSMI
-WAINOCO OIL & GAS CO				RECEIVED: 04/09/81 JA: PA			
8125346	6614	3703920797	102	JOSEPH & MILLER NO 1 (W-50)	ATHENS	25.0	COLUMBIA GAS TRANSMI
8125347	6615	3703920787	102	SETH P FALLOG NO 1 (W-84)	ATHENS	24.0	COLUMBIA GAS TRANSMI
-WATSON & SWANSON INC				RECEIVED: 04/09/81 JA: PA			
8125348	6616	3706325824	103	J O CLARK ET AL NO 8	CHERRY TREE	1.5	COLUMBIA GAS TRANSMI
**********							
** U.S. GEOLOGICAL SURVEY - DENVER,CO							
**********							
-ARCO OIL AND GAS COMPANY				RECEIVED: 04/09/81 JA: CO 1			
8125284	CC0077-81	0506706409	103	SOUTHERN UTE 15-2 32-R (MV)	IGNACIO BLANCO (MV)	235.0	WESTERN SLOPE GAS CO
8125286	CC0075-81	0506706355	103	SOUTHERN UTE 18-1 32-11 (MV)	IGNACIO BLANCO (MV)	292.0	NORTHWEST PIPELINE C
8125285	CC0075-81	0506706304	103	SOUTHERN UTE 22-1 33-10 (MV)	IGNACIO BLANCO	257.0	NORTHWEST PIPELINE C
-MCW DRILLING PARTNERSHIP 75				RECEIVED: 04/09/81 JA: CO 1			
8125293	CC501-8	0510307752	108	USA 23-C-2	TRAIL CANYON	17.0	NORTHWEST PIPELINE C
-MESA PETROLEUM				RECEIVED: 04/09/81 JA: CO 1			
8125287	CC0043-81	0506700000	105	UTE INDIAN #11	IGNACIO	18.0	EL PASO NATURAL GAS
-MURCHISON BROTHERS				RECEIVED: 04/09/81 JA: CO 1			
8125289	CC0041-81	0506706352	103	FLOOK 10 WELL #12-31	IGNACIO-BLANCO	60.0	WESTERN SLOPE GAS CO

8125290	CD0074-81-A	0506706390	103	BLOCK 11 WELL 3-12			IGNACIO-BLANCO	62.0	WESTERN SLOPE GAS CO
8125296	CD0074-81-B	0506706350	103	BLOCK 11 WELL 4-12			IGNACIO-BLANCO	115.0	WESTERN SLOPE GAS CO
8125294	CD0030-81-A	0506706391	103	BLOCK 11 WELL 5-12			IGNACIO-BLANCO	115.0	WESTERN SLOPE GAS CO
8125295	CD0030-81-B	0506706391	103	BLOCK 11 WELL 5-12			IGNACIO-BLANCO	62.0	WESTERN SLOPE GAS CO
8125292	CD0040-81-A	0506706389	103	BLOCK 16 WELL 3-13			IGNACIO-BLANCO	58.0	WESTERN SLOPE GAS CO
8125297	CD0040-81-B	0506706389	103	BLOCK 16 WELL 3-13			IGANCIO-BLANCO	98.0	WESTERN SLOPE GAS CO
-PALMER OIL & GAS COMPANY				RECEIVED: 04/09/81	JA: CO	1			
8125299	CC12-0	0504506151	102	FEDERAL #6-3				96.0	COLORADO INTERSTATE
-TENNECO OIL COMPANY				RECEIVED: 04/09/81	JA: CO	1			
8125283	CD0070-81	0504506123	108	FEDERAL #12-16			SOUTH CANYON	16.0	COLORADO INTERSTATE
8125300	CD 0097-81	0504506155	102	FEDERAL 33-15			SOUTH CANYON	18.0	WESTERN SLOPE GAS CO
8125291	CD0073-81	0510308419	107	GOVERNMENT #10-30			FOUNDATION CREEK	30.0	NORTHWEST PIPELINE C
8125298	CD0072-81	0510308414	107	GOVERNMENT #7-23			FOUNDATION CREEK	45.0	NORTHWEST PIPELINE C
8125302	CC 424-0	0504506164	102	LEWIS USA 36-1			PRAIRIE CANYON	336.0	SOUTHWEST GAS CORP
-TWIN ARROW INC				RECEIVED: 04/09/81	JA: CO	1			
8125310	CD0101-80	0510308107	108	BROWN 2-17			CATHEDRAL	1.3	IGC PRODUCTION CO
8125309	CD0104-80	0510308051	108	C & K 4-24			CATHEDRAL	1.5	IGC PRODUCTION CO
8125305	CD0103-80	0510308037	108	CONTINENTAL 1-16			CATHEDRAL	21.6	IGC PRODUCTION CO
8125304	CD0102-80	0510307733	108	FEDERAL 1-3 A			EAST DOUGLAS CREEK	18.1	IGC PRODUCTION CO
8125308	CD0105-80	0510308119	108	RAINBOW 2-30X			CATHEDRAL	1.2	IGC PRODUCTION CO
-BELCO PETROLEUM CORPORATION				RECEIVED: 04/09/81	JA: UT	1			
8125288	UD0076-81	4304730541	103	DUCK CREEK 17-16			DUCK CREEK	0.0	NORTHWEST PIPELINE C
-CIG EXPLORATION INC				RECEIVED: 04/09/81	JA: UT	1			
8125301	UD0023-81	4304730737	103	CIGE 25-34-9-22			NATURAL BUTTES	410.0	COLORADO INTERSTATE
8125306	UD0025-81	4304730738	103	CIGE 27-33-9-22			NATURAL BUTTES	296.0	COLORADO INTERSTATE
8125307	UD0024-81	4304730740	103	CIGE 40-3-10-21			NATURAL BUTTES	602.0	COLORADO INTERSTATE
-TENNECO OIL COMPANY				RECEIVED: 04/09/81	JA: UT	1			
8125303	UC 425-0	4301930516	102	FEDERAL #6-7			SAN ARROYO	559.0	SOUTHWEST GAS CORP

OTHER PURCHASERS

8125450 CHASE GATHERING SYSTEMS INC

BILLING CODE 6450-85-C

Insert illustrations 3429–3435

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

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 Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 26, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14121 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

JD/FT	JA/ST	API NO.	SEC/TWN/RNG	FIELD NAME	PROD	PURCHASER
CALIFORNIA DEPARTMENT OF CONSERVATION						
-HILLIARD OIL & GAS INC			RECEIVED: 04/14/81 JA: CA			
8125650	80-6-0037	0411320555	102 ARCO MOUND FARMS #1	EAST MILLER	82.0	SHELL OIL CO
-NATURAL GAS CORPORATION OF CALIF			RECEIVED: 04/14/81 JA: CA			
8125651	80-6-0011	0411320510	102 CAPITOL-SWANSTON 2	SAXON	160.0	PACIFIC GAS & ELECTR
8125652	80-6-0012	0411320519	102 SWANSTON NO 3	SAXON	160.0	PACIFIC GAS & ELECTR
8125654	80-6-0013	0411320564	102 VENADA-LAUREL 6 RANCH 2	SAXON	160.0	PACIFIC GAS & ELECTR
-QUINTANA PETROLEUM CORP			RECEIVED: 04/14/81 JA: CA			
8125655	80-6-0002	0409520413	102 GIANNONI #1	MILLAR (US FORTY AREA)	180.0	PACIFIC GAS & ELECTR
8125656	80-6-0003	0409520429	102 T J SANCHEZ #1 (SIDETRACK)	MILLAR (US FORTY AREA)	180.0	PACIFIC GAS & ELECTR
-SANTA FE ENERGY COMPANY			RECEIVED: 04/14/81 JA: CA			
8125649	80-6-0036	0411320477	103 CWAC-WFL #11 UPPER	CONWAY RANCH FIELD	110.0	PACIFIC GAS & ELECTR
-SEAWARD RESOURCES INC			RECEIVED: 04/14/81 JA: CA			
8125653	80-6-0032	0411320610	102 HARLAN 1-13	(SUGGEST HARLAN RANCH)	200.0	PACIFIC GAS & ELECTR
-TENNECO OIL COMPANY			RECEIVED: 04/14/81 JA: CA			
8125648	80-6-0038	0401120143	102 POUNDSTONE 24-1	SOUTH GRIMES	297.5	PACIFIC GAS & ELECTR
-TEXACO INC			RECEIVED: 04/14/81 JA: CA			
8125647	80-6-0033	0411320557	103 TRANSAMERICA #1-16	MERRITT FIELD	182.0	PACIFIC GAS & ELECTR
MICHIGAN DEPARTMENT OF NATURAL RESOURCES						
-MACK OIL CO			RECEIVED: 04/14/81 JA: MI			
8125644		2105533696	102 BALDWIN-STEADMAN #1-26B	PARADISE 26(A) FIELD	300.0	CONSUMERS POWER CO
NORTH DAKOTA GEOLOGICAL SURVEY						
-KISSINGER PETROLEUM CORPORATION			RECEIVED: 04/14/81 JA: ND			
8125645	364	3310500820	102 D CARLSON #8-36	BATTLEVIEW	5.5	AMINOIL
8125646	365	3305301145	102 D DOLLAN #6-15		40.0	AMINOIL
NEW MEXICO DEPARTMENT OF ENERGY & MINERALS						
-AMERADA HESS CORPORATION			RECEIVED: 04/14/81 JA: NM			
8125504		3003900000	108 HARVEY STATE #2	OTERO	16.1	GAS CO OF NEW MEXICO
OHIO DEPARTMENT OF NATURAL RESOURCES						
-ADOBE OIL & GAS CORPORATION			RECEIVED: 04/13/81 JA: OH			
8125564		3413322390	103 THELMA STUTZMAN #1	KENT	25.0	EAST OHIO GAS CO
-ALSID OIL & GAS DEVELOPMENT CO			RECEIVED: 04/13/81 JA: OH			
8125562		3412725078	103 FLAGG #1-A	HARRISON	15.0	
8125559		3412724891	103 FLAGG #2	HARRISON	15.0	

[illegible]	[illegible]	[illegible]	SEC T	WELL NAME	FIELD NAME	PROD	PURCHASER
8125560		3412724892	103	SLAGG #3	HARRISON	15.0	
-APEX NATURAL GAS COMPANY INC				RECEIVED: 04/13/81 JA: OH			
8125523		3408322854	103	KENNETH SWENDAL #R	BEREA	4.0	
-APPALACHIAN PETROLEUM CORP				RECEIVED: 04/13/81 JA: OH			
8125557		3412122410	107	DEXTER REALTY #1	JACKSON	3.5	COLUMBIA GAS TRANSMI
-ATLAS ENERGY GROUP INC				RECEIVED: 04/13/81 JA: OH			
8125563		3413322343	103	PEMBERTON NO 2	DEERFIELD	8.0	EAST OHIO GAS CO
8125608		3415521581	103	ROMAN CATH DIOCESE YOUNGSTOWN 2	CHAMPION	65.0	COLUMBIA GAS TRANS C
-BARTLO OIL AND GAS COMPANY				RECEIVED: 04/13/81 JA: OH			
8125533		3410322300	103	DAGUE-MARRONE UNIT #1	SHARON	15.0	
8125540		3410322495	103	GILBERT DILLEY #2	SHARON	5.0	
8125539		3410322494	103	MONDLE UNIT #1	SHARON	5.0	
8125541		3410322526	103	MOSS UNIT #1	SHARON	10.0	
8125542		3410322527	103	MOSS UNIT #2	SHARON	15.0	
8125543		3410322530	103	PEDCO UNIT #1	SHARON	10.0	
-BELDEN & BLAKE & CO L P NO 76				RECEIVED: 04/13/81 JA: OH			
8125593		3415123418	103	J & L MAARSCHALK #3-1029	MARLBORO	36.5	EAST OHIO GAS CO
-BERMAN J SHAFER				RECEIVED: 04/13/81 JA: OH			
8125534		3410322350	103	JULIA DEWAR #2	SPENCER	83.0	COLUMBIA GAS TRANSMI
8125535		3410322374	103	JULIA DEWAR #3		83.0	COLUMBIA GAS TRANSMI
-CARL M POSTON				RECEIVED: 04/13/81 JA: OH			
8125518		3407322422	103	RUTHERFORD HEIRS NO 2	WARD	50.0	
-COLLINS-MCGREGOR OPERATING COMPANY				RECEIVED: 04/13/81 JA: OH			
8125524		3408923934	103	HIGGINS B-1	HOPEWELL	1.5	NEWZANE GAS CO
-DAVID SHAFER OIL PRODUCERS INC				RECEIVED: 04/13/81 JA: OH			
8125545		3410322558	103	RAYMOND C FIRESTONE #3	GRANGER	5.0	COLUMBIA GAS TRANSMI
8125544		3410322551	103	RAYMOND C FIRESTONE #4	GRANGER	5.0	COLUMBIA GAS TRANSMI
-DAVIS FRAC TANKS & SUPPLY				RECEIVED: 04/13/81 JA: OH			
8125556		3412121497	198	M B KEITH #1		19.0	EAST OHIO GAS
-DERBY OIL & GAS CORP				RECEIVED: 04/13/81 JA: OH			
8125516		3405922873	103	FRANKLIN MOORE #1	SPENCER	12.0	COLUMBIA GAS TRANSMI
8125515		3405922872	103	RICHARD MARTIN #1	SPENCER	12.0	COLUMBIA GAS TRANSMI
-DORAN & ASSOCIATES INC				RECEIVED: 04/13/81 JA: OH			
8125561		3412725076	103	FREEMAN TYLER-JOHN HERSHBERGER #1	READING	12.0	COLUMBIA GAS TRANSMI
-EDCO DRILLING & PRODUCING INC				RECEIVED: 04/13/81 JA: OH			
8125513		3403124173	103	BL-2A DUSENBERRY	NEW CASTLE	18.0	
8125519		3407522367	103	KB-2B JOHNSON	RICHLAND	18.0	
-FORAKER PRODUCING COMPANY INC				RECEIVED: 04/13/81 JA: OH			
8125552		3411924783	103	CANNON #1	NEWTON	4.0	
-FRANK W HOOVER PROD				RECEIVED: 04/13/81 JA: OH			
8125529		3408924057	103	JAY W MILLER #1	MARY ANN	5.0	NATIONAL OIL & GAS C
-GASEARCH INC				RECEIVED: 04/13/81 JA: OH			
8125566		3413322467	103	CLARK #1	WINDHAM	20.0	EAST OHIO GAS CO
-GENERAL ELECTRIC CO				RECEIVED: 04/13/81 JA: OH			
8125565		3413322408	103	LEMASTERS-WISE UNIT #1	RAVENNA	64.0	EAST OHIO GAS CO
-GIANT PETROLEUM CORPORATION				RECEIVED: 04/13/81 JA: OH			
8125505		3400713330	103	A MILLER #1	ORWELL	20.0	EAST OHIO GAS CO
8125506		3400713340	103	A MILLER #2	ORWELL	20.0	EAST OHIO GAS CO
-HADDAD & BROOKS INC				RECEIVED: 04/13/81 JA: OH			
8125631		3416726245	103	C & C KENDALL #1	LIBERTY	30.0	
8125633		3416726327	103	HARRY LEASURE #1	INDEPENDENCE	35.0	
8125632		3416726276	103	J G REYNOLDS #1	INDEPENDENCE	30.0	

8125548		3411122186	103	NELLIE HALL #1	BETHEL	45.0	
8125547		3411122185	103	NELLIE HALL #2	BETHEL	45.0	
8125549		3411122187	103	NELLIE HALL #3	BETHEL	30.0	
8125630		3416726226	103	VIVIAN J MYERS #2	LIBERTY	40.0	
-HOPEWELL OIL AND GAS DEVELOPMENT CO				RECEIVED: 04/13/81 JA: CH			
8125550		3411522217	103	EARL CAMPBELL #1	DEERFIELD	12.0	COLUMBIA GAS TRANSMI
8125553		3411925495	103	HARLAN ANDERS #1	HARRISON	12.0	
-HORTIN & HUFFMAN				RECEIVED: 04/13/81 JA: CH			
8125525		3408923984	103	POWELL NO 1	FALLSBURG	1.0	COLUMBIA GAS TRANS C
-J P WHITE				RECEIVED: 04/13/81 JA: CH			
8125507		3400721404	103	T & I MOSLEY #1	SHEFFIELD	0.0	COLUMBIA GAS TRANSMI
-JOHN C MASON				RECEIVED: 04/13/81 JA: CH			
8125512		3403124162	103	CRUDE OIL CO #1	JEFFERSON	15.0	COLUMBIA GAS TRANS C
-KING DRILLING CO				RECEIVED: 04/13/81 JA: CH			
8125635		3416922432	103	IDA RAMSEYER #1	GREEN	10.0	COLUMBIA GAS TRANSMI
-L & M PETROLEUM INC				RECEIVED: 04/13/81 JA: CH			
8125558		3412724762	103	CLAYTON SAUNDERS #1	CLAYTON	7.0	FORAKER GAS CO INC
-LAKE REGION OIL INC				RECEIVED: 04/13/81 JA: CH			
8125538		3410322452	103	F & M & G & R KUNGL #1	SPENCER	10.0	COLUMBIA GAS TRANSMI
8125607		3415123494	103	J & J LINGENHOEL #1	NIMISHILLEN	15.0	EAST OHIO GAS CO
-LBJ DRILLING DBA JEFF MORAN				RECEIVED: 04/13/81 JA: CH			
8125528		3408924026	103	ALICE COLVILLE #1A	EDEN	18.0	
8125527		3408924012	103	JAMES B & ROSALIE M SMITH #1	EDEN	18.0	
-LEW BATES JR				RECEIVED: 04/13/81 JA: CH			
8125522		3408322728	103	FRAZEE-MOLLISON #1	HARRISON	1.8	COLUMBIA GAS TRANSMI
-MICHAEL HASKA				RECEIVED: 04/13/81 JA: CH			
8125567		3415121140	108	PANDORA PARK #1		0.4	EAST OHIO GAS CO
-MICHAELS OIL & GAS CO				RECEIVED: 04/13/81 JA: CH			
8125537		3410320244	103	MICHAELS #5	SHARON	200.0	
-MITCHELL ENERGY CORPORATION				RECEIVED: 04/13/81 JA: CH			
8125514		3405320599	103	BALLMAN #1-32	CLINTON SAND	22.0	
-OHIO PARTNERS OIL CO				RECEIVED: 04/13/81 JA: CH			
8125508		3408922131	103	ADRA J SIMMS #1	YORK	35.0	COLUMBIA GAS TRANSMI
-OXFORD OIL CO				RECEIVED: 04/13/81 JA: CH			
8125554		3411925503	103	GERALD WAGNER #1	SALT CREEK	10.0	
8125530		3408924069	103	RAMOS #5	HOPEWELL	11.0	
8125555		3411925641	103	ROBERT THOMPSON #1	SPRINGFIELD	10.0	
8125526	DN-1523	3408924006	103	S M GUTRIDGE #14	HOPEWELL	10.0	
8125551		3411522237	103	URBAN DUTCHER #1	YORK	10.0	
8125521		3407522942	103	WILBUR MANCHESTER #1	RIPLEY	11.0	
-PREMIER ENERGY CORP				RECEIVED: 04/13/81 JA: CH			
8125634		3416922369	103	MELVIN MARKLEY #1	BAUGHMAN	0.0	COLUMBIA GAS TRANSMI
8125520		3407522640	103	WM SHONAUER #1	KILLBUCK	0.0	COLUMBIA GAS TRANSMI
-RELIANCE ENERGY				RECEIVED: 04/13/81 JA: CH			
8125640		3416922494	103	JOHN J ZOOK #1	SALT CREEK	15.0	COLUMBIA GAS TRANSMI
8125641		3416922505	103	MARK A TROYER #1	SALT CREEK	15.0	COLUMBIA GAS TRANSMI
8125517		3407322325	103	SUNDAY CREEK COAL SER.	WARD	10.0	COLUMBIA GAS TRANSMI
-REPUBLIC MINERAL CORP				RECEIVED: 04/13/81 JA: CH			
8125620		3416723319	108	ARTHUR MILLER #1	SIMMONS GAS FIELD	1.5	COLUMBIA GAS TRANSMI
8125622		3416723332	108	C SCHILLING #1	SIMMONS GAS FIELD	2.3	COLUMBIA GAS TRANSMI
8125616		3416723273	108	CHARLES C SCHILLING #1	SIMMONS GAS FIELD	3.6	COLUMBIA GAS TRANSMI
8125614		3416723258	108	CHARLES HESS #1	SIMMONS GAS FIELD	4.5	COLUMBIA GAS TRANSMI

[illegible]	[illegible]	[illegible]	[illegible]	WELL NAME	FIELD NAME	PROD	PURCHASER
8125624		34167235?5	108	PARSON WELL #1	SIMMONS GAS FIELD	5.0	COLUMBIA GAS TRANSMI
8125619		3416723299	108	FAYE OAKES #1	SIMMONS GAS FIELD	2.6	COLUMBIA GAS TRANSMI
8125612		3416723237	108	FRIEDA WHARFF #1	SIMMONS GAS FIELD	3.0	COLUMBIA GAS TRANSMI
8125617		3416723278	108	HARRIS - HIENER UNIT #1	SIMMONS GAS FIELD	5.1	COLUMBIA GAS TRANSMI
8125621		3416723320	108	HUEY GREATHOUSE #1	SIMMONS GAS FIELD	1.4	COLUMBIA GAS TRANSMI
8125611		3416700000	108	J PERRY JR	SIMMONS GAS FIELD	5.5	COLUMBIA GAS TRANSMI
8125623		3416723376	108	MYRTA WOLFE #1	SIMMONS GAS FIELD	2.1	COLUMBIA GAS TRANSMI
8125615		3416723268	108	REED WELL #1	SIMMONS GAS FIELD	9.3	COLUMBIA GAS TRANSMI
8125618		3416723290	108	REED-AUGENSTEIN UNIT #1	SIMMONS GAS FIELD	7.8	COLUMBIA GAS TRANSMI
8125625		3416723948	108	SCHANTZ WELL #1	SIMMONS GAS FIELD	7.7	COLUMBIA GAS TRANSMI
8125613		3416723241	108	WALTER F DOBBINS #1	SIMMONS GAS FIELD	2.0	COLUMBIA GAS TRANSMI
-RIMCO OPERATING INC				RECEIVED: 04/13/81 JA: CH			
8125639		3416922491	103	D & G SIGLER #1	PLAIN	12.0	COLUMBIA GAS TRANS
8125637		3416922489	103	D & G SIGLER #2	PLAIN	12.0	COLUMBIA GAS TRANS
8125638		3416922490	103	D & G SIGLER #3	PLAIN	12.0	COLUMBIA GAS TRANS
8125642		3416922515	103	ICKES #1	PLAIN	12.0	COLUMBIA GAS TRANS
8125636		3416922452	103	RHAMY #1	FRANKLIN	12.0	COLUMBIA GAS TRANS
-ROBERT E SHERRY				RECEIVED: 04/13/81 JA: CH			
8125546		3410522080	103	LAMBERT #2	SALSBURY	12.0	
-SCHRIMSHER OIL & GAS EXPLORATION				RECEIVED: 04/13/81 JA: CH			
8125536		3410322382	103	OWEN-ICF UNIT #1	GUILFORD	20.0	COLUMBIA GAS TRANSMI
-SMITH SHAFER SMITH (A PARTNERSHIP)				RECEIVED: 04/13/81 JA: CH			
8125643		3416922566	103	JOHN & MARION WISE #1	CONGRESS	10.0	COLUMBIA GAS TRANSMI
-SUPERIOR PETROLEUM INC				RECEIVED: 04/13/81 JA: CH			
8125510		3401921348	103	M W C D 7-E	MONROE	0.0	M&B OPERATING INC
8125511		3401921349	103	M W C D 8-E	MONROE	20.0	M&B OPERATING INC
8125509		3401921346	103	MWCD 6-F	MONROE	20.0	M&B OPERATING INC
-THE MUTUAL OIL & GAS COMPANY				RECEIVED: 04/13/81 JA: CH			
8125609		3415723555	103	MARTY #1	GOSHEN	50.0	EAST OHIO GAS CO
-UNITED PETROLEUM CORP				RECEIVED: 04/13/81 JA: CH			
8125532		3409920734	108	RENOUF #1	ELLSWORTH	0.5	AMERICAN ENERGY SERV
8125531		3409920730	108	STERNAGLE #1	ELLSWORTH	0.0	AMERICAN ENERGY SERV
-VALENTINE OIL PROPERTIES				RECEIVED: 04/13/81 JA: CH			
8125626		3416725835	103	JAMES H & PHYLLIS ANDERSON #3	ADAMS	3.0	
8125627		3416725893	103	JAMES H & PHYLLIS ANDERSON #5	ADAMS	15.0	
8125628		3416726195	103	KUNTZ-HETRICK #2	ADAMS	14.4	
8125629		3416726194	103	KUNTZ-HETRICK #3	ADAMS	14.4	
-VIKING RESOURCES CORP				RECEIVED: 04/13/81 JA: CH			
8125568		3415122933	103	DEHOFF UNIT #1	WASHINGTON	30.0	
8125602		3415123431	103	DERENZO-FIMPLE UNIT #1	PARIS	30.0	
8125587		3415123403	103	DERENZO-FIMPLE UNIT #2	PARIS	30.0	
8125603		3415123432	103	DERENZO-FIMPLE UNIT #3	PARIS	30.0	
8125604		3415123433	103	DERENZO-FIMPLE UNIT #4	PARIS	30.0	
8125571		3415123310	103	FOLTZ UNIT #2	PARIS	30.0	
8125572		3415123311	103	FOLTZ UNIT #3	PARIS	30.0	
8125589		3415123406	103	FORESTER #2	PARIS	30.0	
8125592		3415123412	103	GORRELL-CUPP UNIT #2	PARIS	30.0	
8125588		3415123404	103	H MILLER #1	PARIS	30.0	
8125585		3415123377	103	HAAS #2	PARIS	30.0	
8125596		3415123414	103	KEITH UNIT #1	PARIS	30.0	
8125597		3415123424	103	KEITH UNIT #2	PARIS	30.0	
8125579		3415123342	103	KIKO #1	PARIS	30.0	

JO...	JO... AT	API ...	SEC ... WELL NAME	FIELD NAME	PROD	PURCHASER
8125606		3415123455 103	LYTLE UNIT #1	PARIS	30.0	
8125605		3415123454 103	LYTLE UNIT #2	PARIS	30.0	
8125598		3415123424 103	LYTLE UNIT #3	PARIS	30.0	
8125594		3415123422 103	M & G COAL UNIT #3	PARIS	30.0	
8125590		3415123410 103	MIKES-MILLER UNIT #1	PARIS	30.0	
8125591		3415123411 103	MIKES-MILLER UNIT #2	PARIS	30.0	
8125560		3415123343 103	MILLER-SMITH UNIT #3	PARIS	30.0	
8125575		3415123334 103	OWENS/ICKES UNIT #2	PARIS	30.0	
8125576		3415123335 103	OWENS/ICKES UNIT #3	PARIS	30.0	
8125570		3415123306 103	P SLAGLE #2	PARIS	30.0	
8125601		3415123430 103	ROHRER UNIT #1	PARIS	30.0	
8125573		3415123312 103	SAEGER/DEPALMO UNIT #1	PARIS	30.0	
8125574		3415123313 103	SAEGER/DEPALMO UNIT #2	PARIS	30.0	
8125583		3415123364 103	SICKAFOOSE UNIT #1	PARIS	30.0	
8125584		3415123365 103	SICKAFOOSE UNIT #2	PARIS	30.0	
8125569		3415123305 103	SLAGLE UNIT #1	PARIS	30.0	
8125577-		3415123336 103	SPEAKMAN UNIT #1	PARIS	30.0	
8125578		3415123337 103	SPEAKMAN UNIT #2	PARIS	30.0	
8125595		3415123423 103	T POWELL #1	PARIS	30.0	
8125566		3415123370 103	THAYER UNIT #1	WASHINGTON	30.0	
8125599		3415123427 103	UNKEFER UNIT #1	PARIS	30.0	
8125600		3415123428 103	UNKEFER UNIT #2	PARIS	30.0	
8125582		3415123363 103	WAYNE FARMS UNIT #3	PARIS	30.0	
8125581		3415123361 103	WAYNE/FARMS UNIT #1	PARIS	30.0	
-WAYNE HAMMOND			RECEIVED: 04/13/81 JA: OH			
8125610		3415713574 103	HYKES NO 1	GOSHEN	5.0	
**********						
VIRGINIA DEPARTMENT OF LABOR & INDUSTRY						
**********						
-ASHLAND EXPLORATION INC			RECEIVED: 04/13/81 JA: VA			
8125503		4502719940 108	W H MATNEY #3 - 020690	VIRGINIA	16.2	CONSOLIDATED GAS SUP
**********						
** U.S. GEOLOGICAL SURVEY - DENVER,CO						
**********						
-BELCO PETROLEUM CORPORATION			RECEIVED: 04/13/81 JA: UT 1			
8125500	UD 0065-81	4304730649 103	DUCK CREEK 15-1C	DUCK CREEK	0.0	NORTHWEST PIPELINE C
8125499	UD 0064-81	4304730515 103	NBU 2-36E	NATURAL BUTTES UNIT	0.0	NORTHWEST PIPELINE C
-TEXOMA PRODUCTION CO			RECEIVED: 04/13/81 JA: UT 1			
8125502	UD 0063-81	4301930375 103	FEDERAL 10A #1	WILDCAT	547.0	NATURAL GAS PIPELINE
8125501	UD 0062-81	4301930445 103	USA 497 #1	WILDCAT	547.0	NATURAL GAS PIPELINE
**********						
** DEPARTMENT OF ENERGY						
**********						
-NAVAL PETROLEUM RESERVES IN CALIFOR			RECEIVED: 04/14/81 JA: CA 9			
8125660		0402900000 103	24Z - 3834	NAVAL PETROLEUM RESERVES	0.0	CHEVRON USA INC
8125657		0402900000 102	36R - 4513	NAVAL PETROLEUM RESERVES	402.0	CHEVRON USA INC
8125658		0402900000 102	9G - 4514	NAVAL PETROLEUM RESERVES	0.0	CHEVRON USA INC
8125659		0402900000 103	9R - 4515	NAVAL PETROLEUM RESERVES	64.0	CHEVRON USA INC

BILLING CODE 6450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

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 Division of Public Information, Room 1000, 825 North Capitol Street NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 26, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14122 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[illegible]	[illegible]	[illegible]	[illegible] Issued May 5, 1981	FIELD NAME	PROD	PURCHASER
LOUISIANA OFFICE OF CONSERVATION						
-ACE DRILLING SERVICES INC			RECEIVED: 04/16/81 JA: LA			
8125815	81-129	1711122154 108	JARMON ESTATE #1	MONROE	11.0	WEST MONROE GAS GATH
8125816	81-133	1711122196 108	JARMON ESTATE #3	MONROE	4.0	WEST MONROE GAS GATH
8125817	81-134	1711122201 108	JARMON ESTATE #8	MONROE	13.0	WEST MONROE GAS GATH
-ANADARKO PRODUCTION COMPANY			RECEIVED: 04/16/81 JA: LA			
8125803	81-115	1701722165 102	CYRUS FIELDER #1 PET RA SUG	METCALF	524.0	J-W OPERATING CO
-CEKA GAS CORP			RECEIVED: 04/16/81 JA: LA			
8125860	81-200	1711121996 108	HSC NO 7	MONROE	0.1	INTERNATIONAL MINERA
-CHEVRON U S A INC			RECEIVED: 04/16/81 JA: LA			
8125824	81-145	1707720228 107	A R ALBRITTON #1 L TUSC RA SUE	JUDGE DIGBY	376.0	SUGAR BOWL GAS CORP
8125823	81-144	1707720222 107	M M WAGLEY ET AL #2 L TUSC RA SUF	JUDGE DIGBY	788.0	SUGAR BOWL GAS CORP
-CNG PRODUCING COMPANY			RECEIVED: 04/16/81 JA: LA			
8125802	81-112	1711321006 107	INDIAN POINT #9	HELL HOLE BAYOU	800.0	TEXAS GAS TRANSMISSI
-CRYSTAL OIL COMPANY			RECEIVED: 04/16/81 JA: LA			
8125771	81-749	1701521561 103	A B TURNER #1 CV RA SU A	PLAIN DEALING	182.5	ARKANSAS LOUISIANA G
8125821	81-141	1701521461 102	HAY RA SU W WISE A # 1	ARKANA	76.2	ARKANSAS LOUISANA GA
8125822	81-142	1701521453 102	RINSLAND ESTATE #1 HAY RA SU J	ARKANA	32.8	ARKANSAS LOUISIANA G
-DESCO OIL CO			RECEIVED: 04/16/81 JA: LA			
8125774	81-752	1712120102 102	RIVER INV CO #1 NS-4-C RA SUA	CINCLARE	730.0	MONTEREY PIPELINE CO
-ERGON INC			RECEIVED: 04/16/81 JA: LA			
8125862	81-202	1711122777 103	RICHARD J THOMAS NO 1	MONROE (6824)	9.3	IMC PIPELINE CO INC
8125861	81-201	1711122776 103	SALLIE I PEPPONO NO 1	MONROE (6824)	10.9	IMC PIPELINE CO INC
-EXXON CORPORATION			RECEIVED: 04/16/81 JA: LA			
8125773	81-751	1710922217 107	LATERRE CO INC NO 31	LIRETTE	1825.0	COLUMBIA GAS TRANS C
-GAS CAPITOL CORP			RECEIVED: 04/16/81 JA: LA			
8125768	81-746	1711120982 108	MOSES #1	MONROE GAS	8.8	MID LOUISIANA GAS CO
-GAS DEVELOPMENT CORP			RECEIVED: 04/16/81 JA: LA			
8125784	81-762	1711121517 108	EXXON 16 #1	MONROE GAS	13.7	IMC EXPLORATION CO I
8125776	81-754	1711121634 108	EXXON 16 #10	MONROE GAS	8.9	IMC EXPLORATION CO I
8125775	81-753	1711121720 108	EXXON 16 #13	MONROE GAS	17.3	IMC EXPLORATION CO I
8125783	81-761	1711121518 108	EXXON 16 #2	MONROE GAS	8.6	IMC EXPLORATION CO I
8125782	81-760	1711121519 108	EXXON 16 #3	MONROE GAS	3.2	IMC EXPLORATION CO I
8125781	81-759	1711121520 108	EXXON 16 #4	MONROE GAS	7.9	IMC EXPLORATION CO I
8125780	81-758	1711121629 108	EXXON 16 #5	MONROE GAS	12.3	IMC EXPLORATION CO I
8125779	81-757	1711121631 108	EXXON 16 #7	MONROE GAS	10.7	IMC EXPLORATION CO I
8125778	81-756	1711121632 108	EXXON 16 #8	MONROE GAS	13.2	IMC EXPLORATION CO I
8125777	81-755	1711121633 108	EXXON 16 #9	MONROE GAS	8.7	IMC EXPLORATION CO I
8125786	81-764	1711121753 108	EXXON 20 #10	MONROE GAS	7.8	IMC EXPLORATION CO I
8125796	81-774	1711121754 108	EXXON 20 #11	MONROE GAS	7.7	IMC EXPLORATION CO I
8125795	81-773	1711121736 108	EXXON 20 #12	MONROE GAS	6.6	IMC EXPLORATION CO I
8125794	81-772	1711121755 108	EXXON 20 #13	MONROE GAS	7.1	IMC EXPLORATION CO I

JD LSE	JA LSE	API NO	SEC T WELL NAME	FIELD NAME	PROD	PURCHASER
8125793	81-771	1711121739	108 EXXON 20 #14	MONROE GAS	10.4	IMC EXPLORATION CO I
8125792	81-770	1711121756	108 EXXON 20 #15	MONROE GAS	4.5	IMC EXPLORATION CO I
8125791	81-769	1711121417	108 EXXON 20 #4	MONROE GAS	5.7	IMC EXPLORATION CO I
8125790	81-768	1711121505	108 EXXON 20 #5	MONROE GAS	7.7	IMC EXPLORATION CO I
8125785	81-763	1711121506	108 EXXON 20 #6	MONROE GAS	4.8	IMC EXPLORATION CO I
8125788	81-766	1711121507	108 EXXON 20 #7	MONROE GAS	2.8	IMC EXPLORATION CO I
8125789	81-767	1711121508	108 EXXON 20 #8	MONROE GAS	3.8	IMC EXPLORATION CO I
8125787	81-765	1711121729	108 EXXON 20 #9	MONROE GAS	9.5	IMC EXPLORATION CO I
-GATOR HAWK GAS CO			RECEIVED: 04/16/81 JA: LA			
8125766	81-744	1707321630	103 HEMPHILL #1	MONROE	12.0	IMC PIPELINE CO INC
8125767	81-745	1707321631	103 HEMPHILL #2	MONROE	12.0	IMC PIPELINE CO INC
-GLENDA PETROLEUM CORP			RECEIVED: 04/16/81 JA: LA			
8125774	81-244	1711122357	108 RABUN 1 #3 S/N 168188	MONROE	12.6	MID LOUISIANA GAS CO
-GOLDSBERRY OPERATING CO INC			RECEIVED: 04/16/81 JA: LA			
8125754	80-3177	1708120376	102 HOOK #2 (HOOK RA SU A)	GAHAGAN	350.0	LOUISIANA INTRASTATE
-HADDOX PETROLEUM CORP			RECEIVED: 04/16/81 JA: LA			
8125811	81-122	1711122864	103 MANVILLE 743 #3	MONROE	0.0	IMC PIPELINE CO INC
-HIBBARD-FROST-SMITH			RECEIVED: 04/16/81 JA: LA			
8125828	81-153	1707321532	103 MOBIL OIL E & P SE INC #11	MONROE GAS	7.0	MID LOUISIANA GAS CO
-JOHN O CLAY EXPLORATION INC			RECEIVED: 04/16/81 JA: LA			
8125753	80-3176	1702120500	102 REITZELL NO 1	WEST CLARKS	90.0	GLASS CONTAINERS COR
-LAHOMA GAS COMPANY			RECEIVED: 04/16/81 JA: LA			
8125819	81-138	1707321567	103 ABE AREAT #3 - 170938	MONROE GAS ROCK	20.4	IMC PIPELINE CO INC
-LANKFORD & NANCE			RECEIVED: 04/16/81 JA: LA			
8125832	81-160	1711122280	108 BEASLEY NO 1	MONROE	0.0	TEXAS GAS TRANSMISSI
8125829	81-157	1711122281	108 BROWN NO 1	MONROE	8.0	TEXAS GAS TRANSMISSI
8125830	81-158	1711122283	108 HAILE NO 2	MONROE	8.0	TEXAS GAS TRANSMISSI
8125831	81-159	1711122284	108 J P LANKFORD NO 1	MONROE	2.0	TEXAS GAS TRANSMISSI
-LOUISIANA LAND & EXPLORATION CO			RECEIVED: 04/16/81 JA: LA			
8125756	80-3603	1710922155	102 LL&E FEE NO 8	LAKE HATCH	852.0	COLUMBIA GAS TRANSMI
-MARSHALL EXPLORATION INC			RECEIVED: 04/16/81 JA: LA			
8125820	81-140	1703120896	108 A E ATWOOD #1 FBG RA SU 146	LOGANSPORT	5.0	TENNESSEE GAS PIPELI
8125763	81-741	1703120995	108 A E ATWOOD #2 FBG RA SU 129	LOGANSPORT	20.0	TENNESSEE GAS PIPELI
8125764	81-742	1703120943	108 HOLLEN #1 FBG RA SU 123	LOGANSPORT	20.0	TENNESSEE GAS PIPELI
8125806	81-117	1703120892	108 CORA BARNES #1 FBG RA SU 105	LOGANSPORT	5.0	TENNESSEE GAS PIPELI
8125762	81-740	1703120838	108 COVINGTON #2 FBG RA SU 108	LOGANSPORT	19.0	TENNESSEE GAS PIPELI
8125808	81-119	1703120897	108 COVINGTON #6 FBG RA SU 144	LOGANSPORT	3.0	TENNESSEE GAS PIPELI
8125807	81-118	1703120945	108 CURRY #1 FBG RA SU 103	LOGANSPORT	14.0	TENNESSEE GAS PIPELI
8125759	81-737	1703120966	108 EDWARDS #1 FBG RA SU 79	LOGANSPORT	17.0	TENNESSEE GAS PIPELI
8125809	81-120	1703100089	108 EDWARDS #2 FBG RA SU 97	LOGANSPORT	6.3	TENNESSEE GAS PIPELI
8125810	81-121	1703121025	108 FIELDS A #1 FBG RA SU 148	LOGANSPORT	15.4	TENNESSEE GAS PIPELI
8125761	81-739	1703120840	108 FONVILLE #1 FBG RA SU 107	LOGANSPORT	18.0	TENNESSEE GAS PIPELI
8125760	81-738	1703120841	108 FONVILLE #2 FBG RA SU 119	LOGANSPORT	19.0	TENNESSEE GAS PIPELI
8125805	81-115	1703120858	108 INGLET #1 FBG RA SU 85	LOGANSPORT	10.0	TENNESSEE GAS PIPELI
8125804	81-114	1703100411	108 KYLE #1 FBG RA SU 122	LOGANSPORT	10.0	TENNESSEE GAS PIPELI
-MCCORMICK OIL & GAS CORP			RECEIVED: 04/16/81 JA: LA			
8125755	80-3353	1705120500	102 A F MAYRONNE #1	SOUTH BAYOU DE FLEUR	172.0	SOUTHERN NATURAL GAS
-MID LOUISIANA GAS COMPANY			RECEIVED: 04/16/81 JA: LA			
8125875	81-246	1711122750	103 MLGC FEE GAS NO 1001	MONROE FIELD	72.0	
8125838	81-166	1711122852	103 MLGC FEE GAS NO 1005	MONROE FIELD	48.9	
8125876	81-247	1711122900	103 MLGC FEE GAS NO 1006	MONROE FIELD	90.0	
8125837	81-165	1711121957	103 MLGC FEE GAS NO 827	MONROE FIELD	102.6	

8125765	81-743	1711122040	103	MLGC FEE GAS NO 853	MONROE FIELD	36.5	
8125836	81-164	1711122541	103	MLGC FEE GAS NO 913	MONROE FIELD	93.6	
8125839	81-168	1711122552	103	MLGC FEE GAS NO 920	MONROE FIELD	60.4	
8125841	81-172	1711122743	103	MLGC FEE GAS NO 994	MONROE FIELD	34.2	
8125840	81-171	1711122744	103	MLGC FEE GAS NO 995	MONROE FIELD	35.2	
-MIDWAY PRODUCTION CO VII				RECEIVED: 04/16/81 JA: LA			
8125867	81-236	1707321384	108	SUNSHINE #1	MONROE	11.0	PETRO-LEWIS CORP
8125864	81-233	1707321385	108	SUNSHINE #2	MONROE	11.0	PETRO-LEWIS CORP
8125865	81-234	1707321386	108	SUNSHINE #3	MONROE	11.0	PETRO-LEWIS CORP
8125866	81-235	1707321390	108	SUNSHINE #7	MONROE	11.0	PETRO-LEWIS CORP
-MONROE GAS JOINT VENTURE				RECEIVED: 04/16/81 JA: LA			
8125850	81-188	1711120967	108	GRAYLING N-18 152432	MONROE	18.7	IMC PIPELINE CO INC
8125851	81-189	1711120968	108	GRAYLING N-19 152433	MONROE	18.7	IMC PIPELINE CO INC
8125854	81-193	1711120969	108	GRAYLING N-20 152434	MONROE	15.6	IMC PIPELINE CO INC
8125847	81-185	1711120970	108	GRAYLING N-21 152435	MONROE	19.0	IMC PIPELINE CO INC
8125856	81-195	1711120971	108	GRAYLING N-22 152436	MONROE	6.6	IMC PIPELINE CO INC
8125857	81-196	1711120972	108	GRAYLING N-23 152437	MONROE	9.5	IMC PIPELINE CO INC
8125853	81-191	1711120973	108	GRAYLING N-24 152438	MONROE	9.5	IMC PIPELINE CO INC
8125846	81-182	1711121042	108	GRAYLING N-27 153243	MONROE	5.6	IMC PIPELINE CO INC
8125855	81-194	1711121043	108	GRAYLING N-28 153244	MONROE	10.5	IMC PIPELINE CO INC
8125844	81-178	1711121058	108	GRAYLING N-29 153501	MONROE	1.1	IMC PIPELINE CO INC
8125845	81-179	1711121063	108	GRAYLING N-30 153540	MONROE	5.6	IMC PIPELINE CO INC
8125843	81-177	1711121065	108	GRAYLING N-32 153570	MONROE	6.9	IMC PIPELINE CO INC
8125852	81-190	1711121066	108	GRAYLING N-33 153571	MONROE	6.9	IMC PIPELINE CO INC
8125848	81-186	1711121070	108	GRAYLING N-34 153583	MONROE	10.5	IMC PIPELINE CO INC
8125849	81-187	1711121080	108	GRAYLING N-35 153678	MONROE	5.4	IMC PIPELINE CO INC
8125842	81-176	1711121096	108	GRAYLING N-37 153770	MONROE	3.8	IMC PIPELINE CO INC
-PRIMOS-DEAN PRODUCING CO				RECEIVED: 04/16/81 JA: LA			
8125818	81-136	1707321156	108	CEMETERY #1	MONROE	7.4	MID LOUISIANA GAS CO
-QUINTANA PRODUCTION COMPANY				RECEIVED: 04/16/81 JA: LA			
8125757	80-3713	1702320172	102	STATE LEASE 7026 NO 2	WEST CAMERON BLOCK 33	2920.0	MID LOUISIANA GAS CO
-RELIANCE CLEMENT & HOOTKINS				RECEIVED: 04/16/81 JA: LA			
8125798	81-776	1711122127	107	A J RILEY NO 1	MONROE	13.0	TEXAS GAS TRANSMISSI
8125800	81-778	1711122129	107	EXXON 31 NO 1	MONROE	13.0	TEXAS GAS TRANSMISSI
8125801	81-779	1711122130	107	EXXON 6 NO 1	MONROE	13.0	TEXAS GAS TRANSMISSI
8125797	81-775	1711122126	107	G M WEIR NO 1	MONROE	13.0	TEXAS GAS TRANSMISSI
8125799	81-777	1711122128	107	H D GREEN NO 2	MONROE	13.0	TEXAS GAS TRANSMISSI
-RELIANCE TR-JV				RECEIVED: 04/16/81 JA: LA			
8125813	81-127	1711122922	103	BARRON #1	MONROE	15.0	TEXAS GAS TRANSMISSI
8125814	81-128	1711122928	103	H D GREEN #2	MONROE	15.0	TEXAS GAS TRANSMISSI
8125873	81-243	1711122921	103	HOPKINS #10	MONROE	11.0	TEXAS GAS TRANSMISSI
8125872	81-242	1711122920	103	HOPKINS #9	MONROE	11.0	TEXAS GAS TRANSMISSI
8125834	81-162	1711122824	103	OLINKRAFT #21	MONROE	15.0	TEXAS GAS TRANSMISSI
8125833	81-161	1711122929	103	OLINKRAFT #22	MONROE	13.0	TEXAS GAS TRANSMISSI
8125835	81-163	1711122930	103	OLINKRAFT #23	MONROE	15.0	TEXAS GAS TRANSMISSI
8125812	81-125	1711122581	103	W WAYNE ESTATE #1	MONROE	11.0	TEXAS GAS TRANSMISSI
-SUBURBAN PROPANE GAS CORP				RECEIVED: 04/16/81 JA: LA			
8125769	81-747	1704500090	108	TREMONT #1 JSUI	CHATHAM	2.4	VALLEY GAS TRANSMISS
8125770	81-748	1704500101	108	TREMONT #2 AH JSUI	CHATHAM	2.1	VALLEY GAS TRANSMISS
-TEXACO INC				RECEIVED: 04/16/81 JA: LA			
8125825	81-146	1710921981	103	FSE U-7 SD VU-7	BAY ST ELAINE	730.0	KAISER ALUMINUM & CH
8125826	81-147	1710921950	103	TERREBONNE BAY 346 SL 301	CAILLOU ISLAND	150.0	KAISER ALUMINUM & CH

-TEXAS CRUDE INC				RECEIVED: 04/16/81 JA: LA			
8125863	81-203	1704520635	107	PETIT ANSE CO WELL NO 3	AVERY ISLAND	0.0	LOUISIANA INTRASTATE
-TEXAS OIL & GAS CORP				RECEIVED: 04/16/81 JA: LA			
8125827	81-150	1703121243	103	ATWOOD #1 HOSS RA SUB	SPIDER	496.0	DELHI GAS PIPELINE C
-VIKING RESOURCES (LA)				RECEIVED: 04/16/81 JA: LA			
8125868	81-237	1711122868	103	UNION POWER C #5	MONROE	29.0	PETRO-LEWIS FUNDS IN
8125870	81-239	1711122862	103	UNION POWER C #7	MONROE	26.0	PETRO-LEWIS FUNDS IN
8125859	81-198	1711122475	108	UNION POWER C NO 3	MONROE	40.0	PETRO-LEWIS FUNDS IN
8125858	81-197	1711122476	108	UNION POWER C NO 4	MONROE	51.0	PETRO-LEWIS FUNDS IN
8125871	81-240	1711122942	103	UNION PRODUCING 6 #2	MONROE	27.0	PETRO-LEWIS FUNDS IN
8125869	81-238	1711122943	103	UNION PRODUCING 6 #3	MONROE	29.0	PETRO-LEWIS FUNDS IN
-WAGNER & BROWN				RECEIVED: 04/16/81 JA: LA			
8125772	81-750	1707720243	107	A BATTLEY NO 1	MOORE-SAMS	2450.0	COLUMBIA GAS TRANSMI
-WILLIAMS EXPLORATION COMPANY				RECEIVED: 04/16/81 JA: LA			
8125758	80-4025	1702321463	102	C R JONES ET AL NO 1	WEST KINGS BAYOU	373.0	LOUISIANA RESOURCES

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WEST VIRGINIA DEPARTMENT OF MINES

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-PENNZOIL COMPANY			RECEIVED: 04/16/81 JA: WV			
8125743	4708702816	108	A D TALLMAN #1	REEDY	0.1	
8125744	4708702817	108	A D TALLMAN #6	REEDY	0.1	
8125709	4708703019	108	A W SUMMERS #1	WALTON	2.1	
8125737	4708702755	108	A W SUMMERS #11	WALTON	2.1	
8125676	4708702761	108	A W SUMMERS #20	WALTON	2.1	
8125703	4710300949	108	ANSON CAIN #4	GRANT	0.0	
8125704	4710300943	108	BLACKSHERE WELLS #59	GRANT	0.0	
8125674	4708702910	108	C C HIVELY #16	WALTON	2.1	
8125748	4708702916	108	C C HIVELY #25	WALTON	2.1	
8125670	4708703362	108	C C HIVELY #5	WALTON	2.1	
8125686	4710700152	108	C H SHATTUCK #25	WALKER	0.0	
8125696	4710700226	108	C H SHATTUCK #28	WALKER	0.0	
8125713	4708702496	108	C P & G H DAVIS #3	REEDY	0.1	
8125732	4708703056	108	CORA MARKS #2	HARPER	2.1	
8125733	4708703057	108	CORA MARKS #5	HARPER	2.1	
8125710	4708702471	108	D T CUMMINS #14	WALTON	2.1	
8125714	4708702487	108	DAVIS CP & GR #5	REEDY	0.1	
8125723	4708702539	108	E L FLEMING #3	REEDY	0.1	
8125727	4708702601	108	E LEWIS #4	WALTON	2.0	
8125728	4708702602	108	E LEWIS #5	WALTON	2.0	
8125729	4708702603	108	E LEWIS #6	WALTON	2.0	
8125740	4708702766	108	E T MCVEY #1	REEDY	0.1	
8125706	4709500627	108	ELI WETZEL #3	ELLSWORTH	0.1	
8125719	4708702514	108	ENOCH HRS #1	REEDY	0.1	
8125720	4708702515	108	ENOCH HRS #2	REEDY	0.1	
8125721	4708702517	108	ENOCH HRS #6	REEDY	0.1	
8125722	4708702518	108	ENOCH HRS #7	REEDY	0.1	
8125698	4710311150	108	F S SNODGRASS #7	GRANT	0.0	
8125711	4708702474	108	G A CUMMINGS #2	WALTON	2.1	
8125685	4708702003	108	G M & M A SUMMERS #5	WALTON	2.1	
8125699	4710301094	108	GENINE ROBINSON #13	GRANT	0.0	
8125750	4708702982	108	H M LYNCH #1	WALTON	2.1	
8125735	4708702991	108	H M LYNCH #7	WALTON	2.0	

JOB NO	JOB CAT	API NO	DIST	WELL NAME	FIELD NAME	PROD	PURCHASER
8125749		4708702926	108	H W ALLEN #1	REEDY	0.1	
8125697		4708700233	108	H W ALLEN #3	REEDY	0.1	
8125726		4708702565	108	HUBBARD-SUMMERS #12	WALTON	0.0	
8125725		4708702560	108	HUBBARD-SUMMERS #3	WALTON	2.1	
8125700		4710301037	108	I D MORGAN #18	GRANT	0.0	
8125742		4708702800	108	I L SUMMERS #8	WALTON	2.1	
8125715		4708702492	108	ISAAC DONOHOE #8	WALTON	2.1	
8125702		4710300988	108	ISAAC HOGE #14	GRANT	0.0	
8125701		4710300989	108	ISAAC HOGE #17	GRANT	0.0	
8125662		4708701987	108	J H HINKLE #10	HARPER	2.1	
8125669		4708701162	108	J H HINKLE #6	HARPER	2.1	
8125731		4708703044	108	J H HIVELY #4	WALTON	2.1	
8125661		4708701998	108	J H SUMMERS #8	WALTON	2.1	
8125663		4708701990	108	J H SUMMERS #9	WALTON	2.1	
8125677		4708702632	108	J L & M LOONEY #3	HARPER	2.1	
8125736		4708702992	108	J L LOONEY #8	WALTON	2.0	
8125678		4708702551	108	J M HIVELY #1	WALTON	1.7	
8125694		4710700823	108	J R BARRETT #2	CLAY	0.0	
8125668		4706100449	108	J S WALKER #3	CLAY	2.4	
8125741		4708702786	108	J W & W C STANLEY #2	REEDY	0.1	
8125745		4708702894	108	J W WINE #5	SPENCER	0.0	
8125664		4708701992	108	JAMES SUMMERS #5	HARPER	2.1	
8125705		4709500632	108	JAMES WOOD #2	ELLSWORTH	0.1	
8125679		4708703364	108	LUCINDA SHAFFER #3	WALTON	2.1	
8125693		4710700824	108	M D DAVIS #2	UNION	0.0	
8125691		4710301245	108	M J WELCH #4	GRANT	0.0	
8125689		4710700067	108	M MCPHERSON #6	WALKER	0.0	
8125724		4708702541	108	M S GREEN #5	REEDY	0.1	
8125673		4708703125	108	MARSHALL LARCH #3	WALTON	2.1	
8125746		4708702891	108	MARY J GIBSON #2	WALTON	2.0	
8125747		4708702892	108	MARY J GIBSON #4	WALTON	2.0	
8125751		4708702984	108	MARY J GIBSON #5	WALTON	2.0	
8125712		4708702477	108	P G CUNNINGHAM #2	WALTON	2.0	
8125717		4708702511	108	R C ELMORE #2	WALTON	2.0	
8125718		4708702512	108	R C ELMORE #3	WALTON	2.0	
8125738		4708702762	108	R L MYLES #1	WALTON	2.1	
8125739		4708702763	108	R L MYLES #2	WALTON	2.1	
8125695		4710700722	108	R P INGRAHAM #29	UNION	0.0	
8125716		4708702496	108	R W DONOHOE #1	WALTON	2.1	
8125752		4708702990	108	R W SWINEY #2	WALTON	2.1	
8125686		4708702454	108	ROBERT CROMWELL #2	WALTON	2.0	
8125692		4710700825	108	ROBT M GRANT #5	CLAY	0.0	
8125730		4708703043	108	S E PHILLIPS #1	HARPER	2.1	
8125707		4708703011	108	S P SHAVER #2	WALTON	2.0	
8125734		4708703004	108	SP SHAVER #1	WALTON	2.1	
8125671		4708702162	108	T M ASHBY #1	HARPER	2.1	
8125708		4708703018	108	W H SLEATH #8	WALTON	2.1	
8125675		4708702859	108	W L TAYLOR #2	WALTON	2.1	
8125672		4708702433	108	W R CALDWELL #1	HARPER	2.1	
8125690		4710700065	108	W S WILLIAMSON #15	UNION	0.0	
8125687		4710700167	108	WM ESCHBACHER #11	WALKER	0.0	

-UNITED OPERATING COMPANY RECEIVED: 04/16/81 JA: WV

[illegible]	[illegible]	[illegible]	[illegible]	WELL NAME	FIELD NAME	PROD	PURCHASER
8125684		4709701152	108	HARVEY LENTZ	MIDDLE FORK RIVER		1.9 PARTNERSHIP PROPERTI
8125666		4708100486	108	HOLBERT #1	BELINGTON		3.5 PARTNERSHIP PROPERTI
8125665		4708100625	108	JESSIE SIBERT	BELINGTON		5.7 PARTNERSHIP PROPERTI
8125683		4709701243	108	MARY L HINKLE A	BUCKHANNON RIVER		1.0 PARTNERSHIP PROPERTI
8125681		4708100473	108	OPHA CHENOWETH	BELINGTON		1.6 PARTNERSHIP PROPERTI
8125682		4708100476	108	OTTO SHOCKEY A	BELINGTON		1.5 PARTNERSHIP PROPERTI
8125667		4708100486	108	SEECH #1	BELINGTON		1.4 PARTNERSHIP PROPERTI
8125680		4708100469	108	WILHER NITZ #1	BELINGTON		4.2 PARTNERSHIP PROPERTI

CORRECTIONS TO PREVIOUS NOTICES/REVISIONS TO PRIOR DETERMINATIONS

JD No.	JA	Applicant	Well Name	Orig. FERC Vol. No.	Date Pub. in Federal Register	R: Revision of Redetermination by Jurisdictional Agency C: Correction to Prior Fed. Reg. Notice
80-38371	OK	Samson Resources Inc	L. M. Coblentz #1	223	07-16-81	C: 102 & 103 Approved
81-21667	WY	Union Oil Co. of California	Jayson Unit #1-6	397	03-31-81	C: API - 25524
81-21666	WY	Union Oil Co. of California	Jayson Unit #3-8	397	03-31-81	C: Well No. API 25578
81-20345	LA	Texaco Inc	Miami Corp E TR2 No 4	392	03-24-81	C: Approved for 103 and 107
81-20541	LA	Elgie Company Inc	Soniat # 2 PXY SUB N	392	03-24-81	C: Well Name
81-22786	WV	Star Gas Company	Sebert Cooper # 1	403	04-16-81	C: Well Name
81-22444	TX	Amoco Production Co	Prentice Northeast Unit # 144	401	04-08-81	C: 103 Approved not 108
81-20938	TX	Perryman Operating Co Inc	David L Goforth #1	394	03-25-81	C: 102 & 103 Approved
81-14383	OK	Andover Oil Company	Walter Mills 4-2	365	02-20-81	C: 102 & 103 Approved
81-09396	OK	Andover Oil Company	Alfadale Farms 2-2	346	01-27-81	C: 102 & 103 Approved
81-09417	OK	Andover Oil Company	Rother 10-1	346	01-27-81	C: 102 & 103 Approved
81-16657	OK	Andover Oil Company	Rother 11-1	373	03-02-81	C: 102 & 103 Approved
81-06163	OK	Andover Oil Company	Jensen 35-4	329	12-12-80	C: 102 & 103 Approved
81-04840	OK	Andover Oil Company	Jensen 2-1	321	11-26-80	C: 102 & 103 Approved
81-01604	OK	Reading & Bates Petroleum Co	Noble "B" Lease #1	306	10-31-8-	R: 108 Approved
81-01628	OK	Reading & Bates Petroleum Co	Noble "B" Lease #3	306	10-31-80	R: 108 Approved
80-44580	OK	Andover Oil Company	Miller 30-1	246	08-06-80	C: 102 & 103 Approved
80-40536	OK	Andover Oil Company	Cooksey 10-1	231	07-10-80	C: 102 & 103 Approved
81-03966	OK	Devon Corporation	Fred Factory #1	317	11-20-80	C: 102 & 103 Approved
81-20483	LA	Bass Enterprise Production Co	J. L. Smith JR #1	392	03-24-81	C: 102 & 103 Approved
81-20924	TX	BTA Oil Producers	Howe #1 (8001)	394	03-31-81	C: 102 & 103 Approved
81-20772	OK	P-T II LTD	Scott #15-1	394	03-31-81	C: Well Name
81-20180	OH	Belden & Blake Oil Production	J&F King Comm #2-355	391	03-27-81	C: 108 Approved
81-20236	OH	United Petroleum Corp	Hirt #1	391	03-27-81	C: 108 Denied
81-20237	OH	United Petroleum Corp	Barnes #1	391	03-27-81	C: 108 Denied
80-26404	USGS(LA)	Union Oil Company	OCS-G 3530 #A-1	188	05-12-80	C: Well Name
80-10936	OK	Arco Oil & Gas Company	Louis Barby #2	138	01-22-80	C: 103 Denied
80-38631	TX	Texas Oil & Gas Corp	Toward # 1	225	07-14-80	C: 102 & 103 Approved
80-44563	OK	Kaiser-Francis Oil Co	Watson # 1	246	08-06-80	C: 102 & 103 Approved

BILLING CODE 6450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

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 Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 26, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14123 Filed 5-5-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. ER80-373 and ER80-549]

Arkansas Power & Light Co.; Filing

May 5, 1981.

The filing company submits the following:

Take notice that Arkansas Power & Light Company on March 3, 1981, submitted redetermined rates and charges in accordance with the Power Coordination, Interchange and Transmission Service Agreements between the Company and certain Wholesale Customers based on the revised formulas incorporated in the Settlement Agreement recently filed with the Commission in the above-referenced dockets.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, on or before May 13, 1981. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14087 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4371-000]

City of Chetek; Application for Preliminary Permit

May 6, 1981.

Take notice that the City of Chetek (Applicant) filed on March 16, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for proposed Project No. 4371 to be known as Chetek Dam located on the Chetek River in Barron County, Wisconsin. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Honorable John H. Beaty, Mayor, City of Chetek, 220 Stout Street, Chetek, Wisconsin 54728. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing 80-foot long and 27-foot high concrete dam with a gravity spillway and earth embankments sections; (2) an existing reservoir with a maximum 3,800 acre surface area, a maximum 42,000 acre-foot storage at 1039.3 feet msl and a drainage area of 204 square miles; (3) an existing powerhouse with a proposed installed capacity of 250 kW; (4) a proposed 2.5-kV transmission line to be interconnected to a Northern States Power Substation; and (5) appurtenant facilities. Project No. 4371 is not located on Federal lands. The Applicant estimates that the average annual energy output would be 900,000 kWh.

Purpose of Project—The Applicant proposes to utilize the output energy within its own system and the excess energy sold to a local utility.

Proposed Scope and Cost of Studies under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be $20,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 19, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 18, 1981. A notice of intent must conform with the requirements of 18 C.F.R. § 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 C.F.R. § 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 C.F.R. § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments,

protest, or petition to intervene must be received on or before June 19, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4371. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14089 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-433-000]

Commonwealth Electric Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that on April 29, 1981, Commonwealth Electric Company (formerly New Bedford Gas and Edison Light Company) filed, pursuant to Section 205 of the Federal Power Act and the implementing provisions of Section 35.13 of the Commission's Regulations thereunder, an amendment to its currently effective Rate Schedule FERC No. 38.

By the tendered amendatory agreement, Commonwealth Electric Company (Commonwealth) proposes to make available to the Massachusetts Municipal Wholesale Electric Company ("MMWEC") certain increased quantities of capacity and related energy from Commonwealth's entitlement in Canal Electric Company's Unit No. 2.

Commonwealth requests that the Commission's notice requirements be waived in order to allow said filing to become effective January 13, 1981.

Copies of this filing have been served by Commonwealth upon Buyer.

Any person wishing 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, NE., 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 May 25, 1981. 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14072 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-285-000]

Consolidated Gas Supply Corp.; Application

May 6, 1981.

Take notice that on April 14, 1981, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP81-285-000 an application pursuant to Section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing a five-year program of improvements of the Fink Storage Pool, Lewis County, West Virginia, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes herein to recondition and abandon up to 23 abandoned wells, abandon one active production well, recondition and operate 3 wells for storage observation purposes, drill and operate one new well for storage injection and withdrawal and operate 4 wells for storage observation purposes all in Applicant's Fink Storage area.

Applicant estimates the capital cost of the proposed program to be $5,700,000 which would be financed by either funds on hand or funds obtained from Applicant's parent, Consolidated Natural Gas Company.

Applicant asserts that the proposed program would allow it to properly maintain its expanded storage field and further measure and observe any changes which may occur in the southwest corner of the field.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 27, 1981, 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 157.70). 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. 81-14114 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-284-000]

Consolidated Gas Supply Corp.; Application

May 6, 1981.

Take notice that on April 14, 1981, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP81-284-000 an application pursuant to Section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing

the reconditioning of 34 wells in the Lost Creek Storage Field, Lewis and Harrison Counties, West Virginia, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes herein to recondition and replug up to 23 abandoned wells, recondition and retain 8 wells for storage observation purposes in connection with the operation of its Lost Creek Storage Field.

Applicant estimates the capital cost of the proposed program would be $6,660,000 which would be financed by either funds on hand or from funds from Applicant's parent, Consolidated Natural Gas Company.

Applicant asserts the proposed activities would enable it to monitor more closely the pressures and water levels in the storage formation in this area.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 27, 1981, 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. 81-14073 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4418-000]

Consolidated Hydroelectric, Inc. Application for Preliminary Permit

May 6, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on March 25, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for proposed Project No. 4418 to be known as Middle Fork Applegate River, Siskiyou located on Middle Fork Applegate River in Siskiyou County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: L. Porter Davis, consolidated Hydoelectric, Inc., 698 Azalea Avenue, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a natural rock diversion structure; (2) a 56-foot long, 5-foot high, 8-foot wide concrete diversion structure; (3) a 13,100-foot long diversion conduit or channel; (4) a 1,550-foot long, 31-inch diameter penstock; (5) a powerhouse containing generating equipment with a combined capacity of 2,400 kW; and (6) an 8-mile long, 12.5-kV transmission line. The Applicant estimates that the average annual energy output would be 9.3 million kWh.

Purpose of Project—The power generated by the proposed project would be sold to Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would survey the project boundary; perform geological studies; prepare an environmental report; study the economic and financial feasibility; and apply for necessary rights. The cost of these studies is estimated by the Applicant to be $80,000 to $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 9, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 8, 1981. A notice of intent must conform with the requirements of 18 C.F.R. § 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 C.F.R. § 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 C.F.R. § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 9, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION",

"COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4418. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14090 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4415-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

May 6, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on March 25, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for proposed Project No. 4415 to be known as Cold Creek, Glenn located on Cold Creek in Glenn and Mendocino Counties, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: L. Porter Davis, Consolidated Hydroelectric, Inc., 698 Azalea Avenue, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of five facilities. The First and Upper Facility would consist of: (1) a natural rock diversion structure; (2) a 146-foot long, 5-foot high, 8-foot wide concrete diversion structure; (3) a 6,800-foot long diversion conduit or channel; (4) a 600-foot long 40-inch diameter penstock; (5) a powerhouse containing generating equipment with a combined capacity of 3,800 kW; and (6) a 16-mile long, 12.5-kV transmission line. The Applicant estimates that the average annual energy output from the Upper Facility would be 15.1 million kWh.

The Second Facility would consist of: (1) a natural rock diversion structure; (2) a 190-foot long, 5-foot high, 8-foot wide concrete diversion structure; (3) a 3,800-foot long diversion conduit or channel; (4) a 450-foot long, 49-inch diameter penstock; (5) a powerhouse containing generating equipment with a combined capacity of 3,700 kW; and (6) a 1-mile long, 12.5-kV transmission line. The Applicant estimates that the average annual energy output from the Second Facility would be 14.7 million kWh.

The Third Facility would consist of: (1) a natural rock diversion structure; (2) a 118-foot long, 5-foot high, 8-foot wide concrete diversion structure; (3) a 5,500-foot long diversion conduit or channel; (4) a 1,560-foot long, 41-inch diameter penstock; (5) a powerhouse containing generating equipment with a combined capacity of 4,800 kW; and (6) a 1-mile long, 12.5-kV transmission line. The Applicant estimates that the average annual energy output from the Third Facility would be 18.7 million kWh.

The Fourth Facility would consist of: (1) a natural rock diversion structure; (2) a 142-foot long, 5-foot high, 8-foot wide concrete diversion structure; (3) a 5,300-foot long diversion conduit or channel; (4) an 800-foot long, 39-inch diameter penstock; (5) a powerhouse containing generating equipment with a combined capacity of 4,800 kW; and (6) a 1-mile long, 12.5-kV transmission line. The Applicant estimates that the average annual energy output from the Fourth Facility would be 18.9 million kWh.

The Fifth and Lower Facility would consist of: (1) a natural rock diversion structure; (2) a 193-foot long, 5-foot high, 8-foot wide concrete diversion structure; (3) a 2,250-foot long diversion conduit or channel; (4) a 950-foot long, 52-inch diameter penstock; (5) a powerhouse containing generating equipment with a combined capacity of 4,700 kW; and (6) a 0.5-mile long, 12.5-kV transmission line. The Applicant estimates that the average annual energy output from the Lower Facility would be 18.9 million kWh.

Purpose of Project—The power generated by the proposed project would be sold to Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would survey the project boundary; perform geological studies; prepare an environmental report; study the economic and financial feasibility; and apply for necessary rights. The cost of these studies is estimated by the Applicant to be $80,000 to $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 9, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 8, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's

Rules. Any comments, protest, or petition to intervene must be received on or before July 9, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4415. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14091 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4410-000]

City of Des Moines, Iowa; Application for Preliminary Permit

May 6, 1981.

Take notice that City of Des Moines, Iowa (Applicant) filed on March 21, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for proposed Project No. 4410 to be known as Saylorville Dam located on Des Moines River in Polk County, Iowa. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Richard Wilkey, City Manager, City of Des Moines, City Hall, East First and Locust Streets, Des Moines, Iowa 50307. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) as proposed powerhouse containing generating units having a total installed capacity of 6,000 kW; (2) proposed 69 kV transmission lines, and (3) appurtenant facilities. Applicant would utilize an existing dam owned by the U.S. Army Corps of Engineers, and the Applicant's facilities would be located mostly on U.S. lands. The Applicant estimates that the average annual energy output would be 20,900,000 kWh.

Purpose of Project—Energy produced at the project would be mostly consumed by the Applicant to operate its flood control pumping stations. Any excess energy would be sold to Iowa Power and Light Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 12 months. During this time studies would be conducted to determine the economic, environmental, and engineering feasibility of the project, along with preparing an application for FERC license. Applicant estimates the cost of the studies would be $55,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Mitchell Energy Company, Inc. Project No. 3596 filed on October 22, 1980, and the City of Ankeny Project No. 4039 filed on January 21, 1981, under 18 CFR § 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR §§ 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 2, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4410. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208, RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14088 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-430-000]

Duke Power Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that Duke Power Company (Duke Power) tendered for filing on April 27, 1981 a supplement to

the Company's Electric Power Contract with the Town of Maiden. Duke Power states that this contract is on file with the Commission and has been designated Duke Power Company Rate Schedule FERC No. 246.

Duke Power further states that the Company's contract supplement, made at the request of the customer and with agreement obtained from the customer, provides for the termination of Delivery Point No. 1.

Duke Power indicates that this supplement also includes an estimate of sales and revenue for twelve months immediately proceeding and for the twelve months immediately succeeding the effective date. Duke Power proposes an effective date of March 19, 1981.

According to Duke Power copies of this filing were mailed to the Town of Maiden and the North Carolina Utilities Commission.

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 protest should be filed on or before May 25, 1981. 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14074 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-426-000]

El Paso Electric Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that El Paso Electric Company (EPEC) on April 24, 1981, tendered for filing proposed changes in its rates for wholesale service to customers served under its FERC Rate Schedules 17, 18 and 19. EPEC indicates that the proposed changes would increase revenues from jurisdictional sales and service by $995,662 based on the 12-month period ending December 31, 1980. El Paso also included a separate request for authorization to include Construction Work in Progress (CWIP) in jurisdictional rate base under the "severe financial difficulty" standard of Order No. 555. Based on the 12-month period ending December 31, 1980, EPEC states that the CWIP application, if granted, would increase EPEC's revenues for wholesale service by $3,819,743 over rates presently in effect. EPEC requests that the cost of service (non-CWIP) increase be made effective on July 1, 1980 and requests that expedited procedures be implemented by the Commission for its CWIP application.

According to El Paso copies of the filing were served upon Community Public Service Company and Rio Grande Electric Cooperative, Inc., El Paso's customers under these schedules, and upon the New Mexico Public Service Commission and the Public Utility Commission of Texas.

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 May 25, 1981. 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. 81-14075 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4167-000]

Energenics Systems, Inc.; Application for Preliminary Permit

May 6, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on February 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4167 to be known as St. Vrain Canal Project located on the St. Vrain Canal in Boulder County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Energenics Systems, Inc., 1727 Q Street NW., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the Water and Power Resources Service's St. Vrain Canal and consist of: (1) a new intake structure and check structure; (2) a new penstock; (3) a new powerhouse with an installed capacity of 2,100 kW; (4) a new transmission line about 6 miles long; and (5) other appurtenances.

The Applicant estimates that the average annual energy output would be 5,800,000 kWh.

Purpose of Project—Project energy would be sold to the Western Area Power Administration.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of three years during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of studies under permit would be $30,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 9, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an

interested person to file the competing application no later than September 8, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 9, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4167. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14092 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4280-000]

Energenics Systems, Inc.; Application for Preliminary Permit

May 6, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on March 2, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for proposed Project No. 4280 to be known as Mississippi River Lock and Dam No. 5 located on the Mississippi River in Winona County, Minnesota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, President, ENERGENICS SYSTEMS, INC., 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a proposed powerhouse, located at the northeastern end of the existing dam, containing generating units having a total installed capacity of 6.0 MW; (2) proposed penstock and intake structures; (3) proposed 115-kV transmission lines; and (4) appurtenant facilities. Applicant would utilize an existing dam owned by the U.S. Army Corps of Engineers, and the Applicant's facilities would be located mostly on U.S. lands.

The Applicant estimates that the average annual energy output would be 45.2 GWh.

Proposed of Project—Power generated at the project would be sold to Northern States Power Company or other public institutions.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months. During this time studies would be made to determine the engineering, economic, and environmental feasibility of the project, along with consulting Federal, State, and local government agencies to determine the environmental effects of the project and preparing an application for FERC license. Applicant estimates the cost of the studies would be $40,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Mitchell Energy Company, Inc., Project No. 3652, filed November 3, 1980, under 18 CFR 4.33 (1980), and therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be received on or before June 2, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4280. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy

Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14093 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4209-000]

Energenics Systems, Inc.; Application for Preliminary Permit

May 6, 1981.

Take notice that ENERGENICS SYSTEMS, INC. (Applicant) filed on February 17, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for proposed Project No. 4209 to be known as the Monongahela River Lock and Dam No. 4 Project located on the Monongahela River in Westmoreland County, Pennsylvania. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, ENERGENICS SYSTEMS, INC., 1727 Q Street NW., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers' Monongahela River Lock and Dam No. 4 and would consist of: (1) a new powerhouse containing generating unit(s) having a total rated capacity of 13.5 MW; and (2) appurtenant facilities. The Applicant estimates that the average annual energy output would be 49.5 GWH.

Purpose of Project—Project energy would be sold to the West Penn Power Company or to nearby public institutions or industrial users.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be $50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Atlantic Power Development Corporation's Monongahela River Lock and Dam 4 Project No. 3522 filed on October 2, 1980, under 18 CFR 4.33 (1980), and therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petitions to intervene must be received on or before June 3, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTESTS", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4209. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14094 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4437-000]

Glacier Energy Co.; Application for Preliminary Permit

May 5, 1981

Take notice that Glacier Energy Company (Applicant) filed on March 30, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4437 to be known as Diobsud Creek Project located on Diobsud Creek in Skagit County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. William L. Devine, 8040 Mt. Baker Highway, P.O. Box 68, Maple Falls, Washington 98266. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a pre-fabricated concrete diversion structure on Diobsud Creek at elevation 1,200 feet; (2) an 8,000-foot long, 48-inch diameter penstock; (3) a powerhouse with a capacity of 3,000 kW located adjacent to Diobsud Creek at elevation 450 feet; and (4) associated electrical and transmission equipment. The Applicant

estimates that the average annual energy output would be 19,000 MWh.

Purpose of Project—Project energy would be sold.

Proposed Scope and Cost of Studies Under Permit—Applicant has submitted a study plan and schedule. Studies to be conducted by Applicant include engineering design and feasibility, environmental, and economic feasibility. Test borings would be made at the site of the proposed diversion dam, penstock, and powerhouse with a small, portable, hand operated machine. Disturbed areas would be returned to their natural state. No new roads are proposed under the permit. Applicant estimates the cost of its studies to be $125,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 9, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 8, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 9, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4437. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14115 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3730-001]

Henwood Associates, Inc.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

May 6, 1981.

Take notice that on March 27, 1981, Henwood Associates, Inc. (Applicant) filed an application, under Section 408 of the Energy Security Act of 1980 (Act) (Public Law 96-294, 94 Stat. 611) (16 U.S.C. 2705, and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed Salmon Creek small hydroelectric project (FERC Project No. 3730) would be located on the Salmon and Sardine Creeks in Sierra County, California. Correspondence with the Applicant should be directed to: Dr. Kenneth Henwood, P.O. Box 7, Smartville, California 95977. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing 23-foot high and 165-foot long, earthfilled U.S. Forest Service's Upper Sardine Lake Dam, impounding a reservoir with a gross storage capacity of 975 acre-feet; (2) a 5-foot high and 30-foot long timber-crib diversion weir on Sardine Creek; (3) an 18-inch diameter pipeline; (4) a 6-foot high and 50-foot long concrete diversion weir on Salmon Creek; (5) a 5,700-foot long and 30-inch diameter steel penstock; (6) a 25-foot long and 20-foot wide concrete powerhouse containing one generating unit rated at 1,000 kW; and (7) a 600-foot long transmission line.

Purpose of Project—The energy generated by the project would be sold to Pacific Gas and Electric Company.

Agency Comments—The U.S. Fish and Wildlife Service and the California Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to submit appropriate terms and conditions to protect any fish and wildlife resources. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before June 19, 1981, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely

notice of intent allows an interested person to file the competing license application no later than October 19, 1981. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 19, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for exemption for Project No. 3730. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14096 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 2845-000]

Idaho Power Co.; Application for a New Major License

May 7, 1981.

Take notice that on August 28, 1980, the Idaho Power Company (IPC) of Boise, Idaho (Applicant) filed an application for license with the Federal Energy Regulatory Commission [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for construction, operation and maintenance of the A. J. Wiley Hydroelectric Project, FERC No. 2845 to be located on the Snake River in Twin Falls and Gooding Counties, Idaho. Correspondence with the Applicant should be directed to: Mr. Paul L. Jauregui, Secretary and General Counsel, Idaho Power Company, P.O. Box 70, Boise, Idaho 83707.

The proposed project would consist of: (1) Wiley Dam, a 680-foot long, 100-foot high earth filled embankment with an impervious core and rock surface containing a 175-foot wide concrete ogee spillway located on the north abutment controlled by three 45-foot wide and 35-foot high tainter gates; (2) a reservoir, which would extend to the tailwaters of the existing Lower Salmon and Lower Malad Power Plants of FERC Projects Nos. 2061 and 2726, respectively, with a gross storage capacity of 24,000 acre-feet and a surface area of 625 acres at elevation 2,735 feet m.s.l.; (3) a concrete intake structure within the dam, south of the spillway, forming a monolithic structure with; (4) a reinforced concrete powerhouse located below the dam, housing 3 identical generating units with a total rated capacity of 85.8 MW; (5) a 13.8/138-kV 3-phase transformer and switching structures adjacent to the powerhouse; (6) a 3-mile long transmission line connecting the proposed powerhouse to the IPC's existing transmission line, south of the project site. Applicant states that the Bliss Bridge and adjacent portions of Shoestring Road would be inundated by the proposed project. Applicant proposes to build a new bridge at a point 1,500 feet downstream of the proposed dam and reroute and reconstruct the inundated portions of the road.

Applicant proposes to construct 6 public day-use recreational facility areas around the reservoir and estimates the total cost of the project to be $126,000,000. Project power would be integrated into the Applicant's interconnected transmission and distribution system.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than November 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c), (*as amended*, 44 *FR* 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d), (*as amended*, 44 *FR* 61328, October 25, 1979).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's rules. Any comments, protests, or petition to intervene must be filed on or before July 13, 1981. The Commission's address: 825 North Capitol Street, N.E., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14096 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4345-000]

Mega-Hydro, Inc.; Application for Preliminary Permit

May 7, 1981.

Take notice that Mega-Hydro, Inc. (Applicant) filed on March 16, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for proposed Project No. 4345 to be known as Dutch Creek located on Dutch Creek and

Maple Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Messrs. Colley, Chain, and Dellaragione, Mega-Hydro, Inc., 1155 Hilltop Drive, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) two natural rock and concrete diversion structures; (2) two existing 5-foot wide, 5-foot deep channels; (3) a 2,760-foot long, 36-inch diameter penstock; (4) a powerhouse containing a 1,000-kW generating unit; and (5) a 12.5-kV transmission line.

The Applicant estimates that the average annual energy output would be 7,022,500 kWh.

Purpose of Project—The power generated by the proposed project would be sold to the Pacific Gas and Electric Company or other power purchasers.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would perform geographical studies; assess the environmental impacts; study the economic and financial feasibility; and apply for necessary rights. The cost of these studies is estimated by the Applicant to be $56,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 11, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 13, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4345. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14097 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-428-000]

Middle South Services, Inc.; Filing

May 6, 1981.

Take notice that on April 27, 1981, Middle South Services, Inc. (Services) tendered for filing a Memorandum of Understanding that affects §§ 2.10, 10.02 and 30.03 of the Agreement Among Arkansas Power & Light Company (AP&L), Louisiana Power & Light Company (LP&L), Mississippi Power & Light Company (MP&L), New Orleans Public Service Inc. (NOPSI) and Services dated April 16, 1973 as amended.

Services states that the changes are necessary because of the impact of Section 210 of PURPA on the companies in the aforementioned Agreement as the individual companies are required to purchase electric power from and sell electric power to cogenerators and small power producers. Section 292.304 of the Commission's Regulations states in (a)(2)—"Nothing in this subpart requires any utility to pay more than the avoided costs for purchases." The purchase of cogeneration power can adversely impact the customers of companies not involved in the transaction because of the "System Agreement." Therefore, Services states it is necessary to make changes in the handling of cogeneration power and energy under the System Agreement. This will in no way stop any company from participating in or with a cogenerator.

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 NE., 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 May 25, 1981. 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 filing are on file

with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14077 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4044]

State of Minnesota, Department of Natural Resources; Application for Preliminary Permit

May 6, 1981.

Take notice that State of Minnesota, Department of Natural Resources (Applicant) filed on January 21, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4044 to be known as Kettle River Dam located on the Kettle River near Sandstone in Pine County, Minnesota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Larry Seymour, Director, Division of Waters, Minnesota Department of Natural Resources, Space Center Building, 3rd Floor, 444 Lafayette Road, St. Paul, Minnesota 55101. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing earth and masonry dam composed of several sections with a total length of approximately 900 feet and maximum height of 34 feet; (2) an existing reservoir with a surface area of 30 acres at a normal maximum surface elevation of 956.3 feet m.s.l. with a storage at spillway crest of 230 acre-feet; (3) a proposed powerhouse containing two 500 kW units and having an installed capacity of 1,000 kW; (4) an existing electrical substation and transmission line located near the dam. The Applicant estimates that the average annual energy output would be 4.15 GWh.

Purpose of Project—The energy produced at the site will be sold to either Minnesota Power and Light Company or United Power Associates.

Proposed Scope and Cost of Studies Under Permit—The Applicant has already completed a preliminary study which determined that the site has a potential for hydropower development. A follow-up comprehensive study would include the following investigations: hydraulic intergity, economic analysis, market analysis and environmental analysis. The cost of the aforementioned studies is estimated by the Applicant to be $57,000. The Applicant seeks issuance of a preliminary permit for a period of 18 months.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 19, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 18, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirments of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 19, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protest, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4044. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14116 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-427-000]

Montana Power Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that on April 27, 1981, the Montana Power Company tendered for filing in compliance with the Federal Power Commission's Order of May 6, 1977, a summary of sales made under the Company's FPC Electric Tariff M-1 during January and February, 1981, along with cost justification for the rate charged.

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, NE., 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 May 25, 1981. 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. 81-14078 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4493-000]

North Valley Land Corp. Application for Preliminary Permit

May 6, 1981.

Take notice that North Valley Land Corporation (Applicant) filed on April 7, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4493 to be known as Middle Fork Applegate River, Siskiyou located on Grider Creek Hydroelectric Project located on Brider Creek in Siskiyou County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Sam e. Nelson, 50 Wilshire Drive, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Projection Description—The proposed project would consist of: (1) a 4-foot high diversion structure across the Grider Creek; (2) an outlet structure within the east bank; (3) a 16,000-foot long, 48-inch diameter low pressure pipe; (4) a 1,000-foot long, 48-inch diameter penstock; (5) a powerhouse containing a single generating unit with a rated capacity of 2,200 kW; and (6) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 8.5 million kWh.

Purpose of Project—Project energy would be sold to a public utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested an 18-month permit to prepare a definitive project report including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Forest Service and other Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be $60,000.

Purpose of Prelimianry Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 9, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 8, 1981. A notice of intent must conform with the requirements of 18 C.F.R. 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 C.F.R. 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 C.F.R. 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 9, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4493. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14098 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-280-000]

Northwest Pipeline Corp.; Application

May 6, 1981.

Take notice that on April 9, 1981, Northwest Pipeline Corporation (Applicant), 315 East Second Street, Salt Lake City, Utah 84111, filed in Docket No. CP81-280-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities for a new point of delivey of natural gas in Bannock County, Idaho, and the reallocation of certain natural gas service to Intermountain Gas Company (Intermountain), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Intermountain, an existing customer, has informed it of its need for a delivery point to provide additional natural gas service to the Pocatello, Idaho, area. It is stated that the proposed delivery point is required to provide natural gas service to the Great Western Malting Company which

is an essential agricultural user and to meet future requirements of residential and commercial users of natural gas caused by a shift in the growth pattern of the city of Pocatello.

It is asserted that the daily delivery volume requirements for the proposed delivery point would be 6,660 Mcf per day for 1981–82 and increasing up to 13,321 Mcf per day for the period 1983–1989.

Applicant proposes to construct and operate the following facilities in order to establish the requested additional point for Intermountain: (1) a measuring and regulating station with appurtenances located in Bannock County, Idaho (Pocatello No. 2); (2) a tap on Applicant's 26-inch O.D. mainline located in Bannock County, Idaho; and (3) 2,800 feet of 6⅝-inch O.D. pipeline necessary to connect the proposed tap and meter station.

It is stated that the site of the proposed meter station would be approximately 2,800 feet from the proposed mainline tap adjacent to an existing road.

Applicant asserts that pursuant to a March 25, 1981, letter of agreement between itself and Intermountain, Intermountain would reimburse Applicant for all reasonable costs incurred in constructing the proposed facilities which are estimated to be $116,275. It is further stated that Intermountain would provide for the installation of the 2,800 feet of 6⅝-inch O.D. pipeline and upon completion Intermountain would assign all of its rights, title and interest to the line to Applicant for a consideration of one dollar.

Applicant further proposes to reallocate the natural gas service currently being rendered under its existing Rate Schedule ODL–1 to Intermountain as follows:

ODL–1 Maximum Daily Delivery Obligation

(In therms)

Delivery points	Presently effective	Proposed
Pocatello No. 2	0	70,000
Idaho Falls, Shelley, Blackfoot, Rexburg, Rigby, Lewisville, Ucon, Iona, St. Anthony, and Sugar City, Idaho, and environs including intermediate communities	585,000	515,000
Total	585,000	585,000

It is stated that the volumes of natural gas to be sold and delivered at the Pocatello No. 2 meter station would be from volumes of natural gas which Applicant has heretofore been authorized to sell and deliver to Intermountain. Applicant asserts that no increase in the contract quantity of natural gas is proposed nor would any such increase result from the reallocation.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 27, 1981, 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. 81-14079 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-287-000]

Ohio River Pipeline Corp.; Application

May 6, 1981.

Take notice that on April 16, 1981, Ohio River Pipeline Corporation (Applicant), 1630 North Meridian Street, Indianapolis, Indiana 46202, filed in Docket No. CP81–287–000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a new pipeline crossing under the Ohio River, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes herein to construct and operate a new 12-inch dual pipeline river crossing immediately downstream of and parallel to the present 10-inch dual crossing. It is asserted that each dual 12-inch pipeline would be approximately 4,100 feet in length and would be installed with a minimum cover of 10 feet under the bottom of the Ohio River and a minimum cover of 5 feet on the private right-of-way on each river bank. It is stated that the present 10-inch dual crossing would be connected at each end by a valving arrangement to the new 12-inch crossing.

It is submitted that the present dual pipeline is seriously impaired because of continuous exposure to additional segments of the pipeline.

It is stated that the total estimated cost of $2,045,940 would be financed by bank loans, long-term loans, and by the sale of securities to its parent, Indiana Gas Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 27, 1981, 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. 81-14080 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-429-000]

Pacific Power & Light Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that Pacific Power & Light Company (Pacific) on April 27, 1981, tendered for filing, in accordance with Sections 35.12 of the Commission's Regulations, a Letter Agreement with the Public Service Company of Colorado (Colorado) dated December 10, 1980 providing for sale of 110 megawatts of firm electric capacity and energy.

Pacific requests waiver of the Commission's notice requirements to permit this rate schedule to become effective January 1, 1981, which it claims is the date of commencement of service.

Copies of the filing were supplied to Colorado.

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 NE., 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 May 25, 1981. 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14081 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-431-000]

Pacific Power & Light Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that Pacific Power & Light Company (Pacific) on April 27, 1981, tendered for filing, in accordance with § 35.12 of the Commission's Regulations, a Letter Agreement with Sierra Pacific Power Company (Sierra) dated November 18, 1980. Under this agreement, Pacific is providing for sale of nonfirm thermal energy.

Pacific requests waiver of the Commission's notice requirements to permit this rate schedule to become effective December 3, 1980, which it claims is the date of commencement of service.

A copy of this filing was supplied to Sierra.

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 May 25, 1981. 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14082 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-152]

Panhandle Eastern Pipe Line Co. and Trunkline Gas Co.; Amendment to Application

May 6, 1981.

Take notice that on April 13, 1981, Panhandle Eastern Pipe Line Company (Panhandle), P.O. Box 1642, Houston, Texas 77001, and Trunkline Gas Company (Trunkline), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP81-152 an amendment to the pending application in the instant docket filed pursuant to Section 7(c) of the Natural Gas Act so as to reflect revision to the transportation and exchange agreement dated October 31, 1980, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Applicants state that in their pending application in the instant docket they proposed, *inter alia*, to transport natural gas for the account of United Gas Pipe Line Company from Ellis County, Oklahoma, to points of redelivery in Louisiana and Texas.

Applicants propose herein pursuant to an amendment to the transportation and exchange agreement dated January 30, 1981, to change the agreement from a volumetric basis to a thermal basis and to lower the minimum Btu requirement from 1,015 to 985.

Applicants further state pursuant to an amendment to the transportation and exchange agreement dated March 23, 1981, that the correct mileage for this transportation service is 703.1 miles and the correct charge for redelivery in Waller County, Texas, is 1.47 cents per Mcf which equates to a monthly charge of $168,300 and a unit rate per Mcf of 18.44 cents.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before May 27, 1981, 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. 81-14083 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4470-000]

Puget Sound Power and Light Co.; Application for Preliminary Permit

May 6, 1981.

Take notice that Puget Sound Power and Light Company (Applicant) filed on April 6, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for proposed Project No. 4470 to be known as Deschutes-Tumwater Project located on the Deschutes River in Thurston County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Robert V. Myers, Vice President, Puget Sound Power & Light Company, Puget Power Building, Bellevue, Washington 98009.

Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing 25-foot high concrete gravity diversion dam, having an existing intake structure on the right bank; (2) a 1,250-foot long wood-stave penstock; (3) a 400-foot long tunnel; (4) a powerhouse containing one generating unit rated at 2,500 kW; and (5) a 750-foot long transmission line.

The Applicant estimates that the average annual energy output would be 7.8 million kWh.

Purpose of Project—The energy generated by the project would be sold to Puget Sound Power & Light Company's 500,000 customers.

Proposed Scope and Cost of Studies Under Permit.—Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would conduct engineering, environmental, economic, and financial studies, and prepare an FERC license application. No new roads would be required to conduct the studies.

The cost of the work to be performed under the preliminary permit is estimated to be $150,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 9, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 8, 1981. A notice of intent must conform with the requirements of 18 C.F.R. § 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 C.F.R. § 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by confroming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protest or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 9, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4470. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14099 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ID-1950-000]

Michael P. Sullivan; Application

May 5, 1981.

The filing individual submits the following:

Take notice that on April 13, 1981, Michael P. Sullivan, pursuant to Section 305(b) of the Federal Power Act, tendered for filing an application for authority to hold the following positions:

Clerk—Cambridge Electric Light Company, Canal Electric Company, Commonwealth Electric 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 NE., 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 May 18, 1981. 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. 81-14076 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RI76-31 and Docket No. RI80-13]

Tenneco Oil Co. (Operator) et al. (Agent for Tenneco Oil Co. and Ashland Oil Co.) and Amoco Production Co.; New Briefing Dates and Notice of Compliance With Freedom of Information Act Request

May 5, 1981.

Take notice that parties desiring to file briefs in these consolidated proceedings shall file their initial briefs on or before May 28, 1981; answering briefs are due on or before June 29, 1981. This notice is in accordance with a rehearing order, issued April 23, 1981, in these proceedings. In the above-mentioned order, the Commission stated, among other things, that new briefing dates would be set after

compliance with Amoco Production Company's Freedom of Information Act Request. The Commission responded to Amoco's FOIA request on April 22, 1981.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14085 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-282-000]

Transcontinental Gas Pipe Line Corp. and Mid Louisiana Gas Co.; Application

May 6, 1981.

Take notice that on April 10, 1981, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77001, and Mid Louisiana Gas Company (Mid Louisiana), 21st Floor, Lykes Center, 300 Poydras Street, New Orleans, Louisiana 70130, filed in Docket No. CP81-282-000 a joint application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange and transportation of natural gas and the construction and operation by Transco of facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants proposed to institute an exchange and transportation service pursuant to an agreement between the parties dated March 19, 1981. It is stated that the agreement provides for Transco and Mid Louisiana to be obligated to receive for exchange from the other at various points of receipt quantities of gas of up to a maximum daily quantity of 25,000 Mcf. It is further provided under the agreement that the exchange would be on a firm basis and that the parties would be obligated, provided adequate capacity exists on the respective systems, to amend the agreement to add other sources of gas which each party may acquire and can deliver to the other party in order to enable such delivering party to utilize the 25,000 Mcf per day maximum daily quantity. Applicants state that any exchange imbalance which may exist would be eliminated by one party delivering to the other quantities of gas at one or more of the prescribed balancing points which would be located at the Transco-Mid Louisiana interconnections at Ethel, East Feliciana Parish, Louisiana, and Hester, St. James Parish, Louisiana.

It is further stated that the exchange of gas from additional sources would also be performed on a firm basis and that neither party would charge a rate for effectuating the exchange of gas or delivery of imbalance quantities thereunder.

Applicants state that each may elect to tender quantities of gas to the other party in excess of the 25,000 Mcf per day and that upon mutual agreement the other party would receive such quantities for exchange and/or transportation provided sufficient capacity exists on its system. It is stated that any imbalance of quantities in excess of the maximum daily quantity would be eliminated by the transportation and delivery of such volumes by the receiving party to the other at the balance points. For any quantities of gas which may be transported the transporting party would charge the appropriate system tariff rate(s) charged to other pipeline customers for whom similar service is rendered.

Applicants also propose to add additional points of receipt to their agreement as new gas sources are discovered so that the new gas supplies may be subject to the exchange and transportation arrangement in an expeditious manner. It is asserted that the agreement is for a primary term of ten years from the date of initial delivery and from year to year thereafter.

Transco also proposes to construct and operate a 1,100 horsepower reciprocating engine compressor unit at the existing interconnection between Transco and Mid Louisiana at Ethel, East Feliciana Parish, Louisiana, which is near Transco's Station No. 61. It is stated that the pipeline system of Mid Louisiana is a relatively low-pressure system which requires the assistance of compression facilities to deliver the gas quantities to Transco's system at Ethel. Applicants state that the construction of the proposed facilities would not increase the delivery capacity of Transco's main transmission system. Applicants estimate that the cost of the proposed compression facilities would be $900,000 which would be financed initially through short-term loans and available cash and permanent financing undertaken as 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 May 27, 1981, 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. 81-14084 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-432-000]

Wisconsin Power & Light Co.; Filing

May 6, 1981.

The filing company submits the following:

Take notice that on April 27, 1981, Wisconsin Power and Light Company (WPL) tendered for filing a new Wholesale Power Agreement dated April 12, 1981, between the Waushara County Electric Cooperative and WPL. WPL states that this is a new agreement between itself and the Cooperative, superseding the existing Wholesale Power Agreement, which previously was designated FPC Rate Schedule No. 105, Supplement 7.

WPL requests a proposal effective date of April 2, 1981, and, therefore, requests waiver of the notice requirements of the Commission's regulations. WPL states that a copy of the Wholesale Power Agreement and the filing have been provided to the Waushara County Electric Cooperative and the Public Service Commission of Wisconsin.

Any person desiring to be heard or to protest this filing should file a petition to

intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure. All such petitions or protests should be filed on or before May 25, 1981. 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14086 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4430-000]

Wisconsin Public Power Inc. System; Application for Preliminary Permit

May 7, 1981.

Take notice that Wisconsin Public Power Incorporated System (Applicant) filed on March 27, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for proposed Project No. 4430 to be known as Mississippi River Lock and Dam No. 5 located on the Mississippi River in Buffalo County, Wisconsin and Winona County, Minnesota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Wisconsin Public Power Incorporated System, c/o Richard L. Olson, P.O. Box 927, Madison, Wisconsin 53701. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a proposed powerhouse containing generating units with a total installed capacity of 5,808 kW; (2) proposed transmission lines; and (3) appurtenant facilities. Applicant would utilize an existing dam owned by the U.S. Army Corps of Engineers, and the Applicant's facilities would be located on U.S. lands. The Applicant estimates that the average annual energy output would be 45,041 MWh.

Purpose of Project—Energy produced at the project would be marketed to the municipal members of the Wisconsin Public Power Incorporated System.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months to assess the technical and economic feasibility of the proposed project, and consult Federal, State, and local government agencies concerning the environmentsl effects of the project. In addition, all the information necessary for FERC license application would be obtained. Applicant estimates the cost of the studies would be $51,086.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Mitchell Energy Company, Inc. Project No. 3652 filed on November 3, 1980, under 18 C.F.R. (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 C.F.R. § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 5, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4430. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14100 Filed 5-8-81; 8:45 am]

BILLING CODE 6450-85-M

ENVIRONMENTAL PROTECTION AGENCY

[PF-226; PH-FRL-1824-2]

Abbott Laboratories; Filing of Pesticide Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the filing of a pesticide petition by Abbott Laboratories proposing the establishment of an exemption from the requirement of a tolerance for *Hirsutella thompsonii* when used on citrus, blueberries, and turf to control insects.

ADDRESS: Written comments and inquiries should be directed to: Franklin D. R. Gee, Product Manager (PM) 17, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460.

Written comments may be submitted while the petition is pending before the agency. The comments are to be identified by the document control number "[PF-226]" and the petition number (OF 2400). All written comments filed pursuant to this notice will be

available for public inspection in the product manager's office from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Franklin D. R. Gee (703–557–7028).

SUPPLEMENTARY INFORMATION: Abbott Laboratories, Chemical and Agricultural Products Div., North Chicago, IL 60064, has submitted pesticide petition OF 2400 to the EPA. The petition proposes that 40 CFR Part 180 be amended by establishing an exemption from the requirement of a tolerance for the mycoacaricide *Hirsutella thompsonii* when used as a miticide on citrus, blueberries, and turf to control insects.

(Sec. 408(d)(1), 68 Stat. 512, (7 U.S.C. 136)).

Dated: May 4, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81–14054 Filed 5–8–81; 8:45 am]

BILLING CODE 6560–32–M

[OPP–30156A; PH–FRL 1823–8]

Ventron Corp.; Approval of Application To Register a Pesticide Product Containing a New Active Ingredient

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces approval of an application to register the pesticide product VINYZENE SB–129 containing the new active ingredient *N*-(2-methyl-1-naphthyl) maleimide.

FOR FURTHER INFORMATION CONTACT: Henery M. Jacoby, Product Manager (PM) 21, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 418, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703–557–7060).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the Federal Register of December 28, 1978 (43 FR 60652) that Ventron Corp., Beverly, MA 01915, had filed an application, EPA File Symbol 2829–RRI, with the EPA to register the pesticide product VINYZENE SB–129, containing 12.5 percent of the active ingredient *N*-(2-methyl-1-naphthyl) maleimide. The application proposed that the fungicide be registered for general use as an antimicrobial for plastic compounds.

This application was approved on February 25, 1981. The product has been assigned EPA Registration No. 2829–118. A copy of the approved label and the list of data references used to support registration are available for public inspection in the office of the product manager. The data and other scientific information used to support registration, except for the material specifically protected by section 10 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (92 Stat. 819; 7 U.S.C. 136) will be available for public inspection in accordance with section 3(c)(2) of FIFRA within 30 days after the registration date of February 25, 1981. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A–101), EPA, 401 M St. SW., Washington, D.C. 20460. Such requests should: (1) identify the product by name and registration number and (2) specify the data or information desired.

(Sec. 3(c)(5), 92 Stat. 824 (7 U.S.C. 136))

Dated: April 29, 1981.

James M. Conlon,

Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81–14053 Filed 5–8–81; 8:45 am]

BILLING CODE 6560–32–M

[ER–FRL–1823–3]

Upper Blue River Basin (Breckenridge, Colo.); Wastewater Management Plan Environmental Impact Statement

AGENCY: Environmental Protection Agency.

ACTION: Withdrawal of Notice of Intent to prepare an Environmental Impact Statement (EIS).

FOR FURTHER INFORMATION CONTACT: Mr. John M. Brink, Environmental Evaluation Branch (8W–EE), U.S. Environmental Protection Agency, Region VIII, 1860 Lincoln Street, Denver, CO 80295, Telephone: (Commercial) 303–837–4831, (FTS) 8–237–4831.

SUMMARY: EPA Region VIII issued a Notice of Intent to prepare an Environmental Impact Statement for the Upper Blue River Basin Wastewater Management Plan on May 16, 1980 (45 FR 32419). EPA is withdrawing that Notice at this time because the Breckenridge Sanitation District, the project sponsor, has informed EPA that it does not intend to seek Federal funds for design or construction of its wastewater treatment facilities in the lower portion of the Study Area. The Agency will review the facility plan and project report for the upper portion of the Study Area upon its completion to ensure that the requirements of the National Environmental Policy Act are met.

Date: Effective April 15, 1981.

Dated: April 30, 1981.

William N. Hedeman, Jr.,

Director, Office of Federal Activities (A–104).

[FR Doc. 81–14066 Filed 5–8–81; 8:45 am]

BILLING CODE 6560–37–M

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 78–97; Transmittal Nos. 7346 and 7691]

The Western Union Telegraph Co.; Revisions to Tariffs FCC Nos. 240, 252, 260, 263, and 269; Restructuring of Telex and TWX Services

AGENCY: Federal Communications Commission.

ACTION: Memorandum opinion and order.

SUMMARY: The Federal Communications Commission has included in CC Docket No. 78–97 (43 FR 11753; March 21, 1978) tariff revisions filed by the Western Union Telegraph Company which restructure rates for that carrier's Telex and TWX services. By a prior order, 67 FCC 2d 1420 (1978), any cancellations, amendments or reissues of the subject rate schedules are included in the CC Docket No. 78–97 proceeding.

EFFECTIVE DATE: April 22, 1981.

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

FOR FURTHER INFORMATION CONTACT: Randall S. Coleman, Common Carrier Bureau, Telephone: (202) 632–6917.

In the Matter of the Western Union Telegraph Company; Revisions to Tariffs FCC Nos. 240, 252, 258, 260, 263, and 269—Restructuring of Telex and TWX Services (CC Docket No. 78–97; Transmittal Nos. 7346 & 7691); memorandum opinion and order.

Adopted: April 22, 1981.

Released: April 30, 1981.

By the Acting Chief, Common Carrier Bureau:

1. Before the Bureau are petitions by Graphnet, Inc. (Graphnet) and RCA Global Communications, Inc. (RCA Globcom) requesting rejection or alternatively suspension and investigation of proposed tariff revisions filed by the Western Union Telegraph Company (Western Union).[1] These revisions, scheduled to become effective April 24, 1981, would restructure rates for the carrier's integrated teleprinter

[1] Graphnet seeks only rejection. ITT World Communications, Inc. (ITT Worldcam) has filed reply comments in support of rejection or alternatively suspension and investigation. Western Union, in turn, has filed a response to these comments.

exchange services, Telex and TWX, offered under Tariff FCC Nos. 240 and 258, respectively, and associated services available to Telex and TWX subscribers.[2] Generally, Western Union proposes to establish a nondistance sensitive or "postalized" usage rate structure for the services involved, and to decrease overall rate levels for usage, while increasing charges for access.[3] Western Union also plans to expand its exchange city service locations from approximately 300 to 1600 in the case of Telex, and from approximately 600 to 1600 in the case of TWX. Petitioners argue that Western Union's proposed tariff revisions are unreasonable and unjustly discriminatory within the meaning of Sections 201(b) and 202(a) of the Communications Act, 47 U.S.C. 201(b), 202(a), and violative of Section 222 of the Act, 47 U.S.C. 222(e)(1).[4]

[2] Western Union's tariff filing includes revisions to its Telex and TWX Computer Services (TCS), Telex and TWX originated MAILGRAM Service, and Telex and TWX Services for connection with the overseas Telex Services of the international record carriers (IRCs). Western Union has also filed revised rates for the InfoMaster 300 and InfoCom services related to Telex and TWX services. These revisions appear to have been proposed for purposes of consistency between rate elements among Telex and TWX and associated services.

[3] "Access" relates to the facilities and associated services provided by the carrier which allow customers to reach its interexchange networks for Telex and TWX. "Local" access is required where the customer's premise is located in a city in which Western Union maintains a terminating device through which the customer may enter the desired network. The charge for local access covers 1) the line between the customer and the carrier's terminating device; 2) the equipment located at the customer's premise other than a terminal device; and 3) associated maintenance services. "Remote" access is required by subscribers located in communities where there is no Western Union terminating device. In those cases, the customer, is charged for a line between his station and the nearest city in which a Western Union terminating device is located.

[4] Section 201(b) requires that all charges, practices, classifications and regulations for and in connection with interstate or foreign communications by wire or radio, shall be just and reasonable, and makes unlawful any charge, practice, classification, or regulation that is unjust or unreasonable. Section 202(a) in turn provides that it shall be unlawful for any common carrier to make "any unjust or unreasonable discrimination in charges, practices, classifications, regulations, facilities, or services for or in connection with like communications service * * *."

Section 222(e)(1) states that:

In the case of any consolidation or merger of telegraph carriers pursuant to this section, the consolidated or merged carrier shall, except as provided in paragraph (2) of this subsection, distribute among the international telegraph carriers, telegraph traffic by wire or radio destined to points without the continental United States, and divide the charges for such traffic, in accordance with such just, reasonable, and equitable formula in the public interest as the interested carriers shall agree upon and the Commission shall approve: *Provided, however,* That in case the interested carriers shall fail to agree upon a formula which the Commission approves as above provided, the Commission, after due notice and hearing, shall prescribe in its order approving and authorizing the proposed consolidation or merger a formula which it finds will be just, reasonable, equitable, and in the public interest, will be, so far as is consistent with the public interest, in accordance with the existing contractual rights of the carriers, and will effectuate the purposes of this subsection.

Additionally, they contend that Western Union has failed to supply the economic support data required by Section 61.38 of the Commission's Rules (47 CFR 61.38). For reasons to be explained, we find that neither rejection nor suspension is warranted. However, in light of the Commission's original designation order in the ongoing Docket No. 78-97, *Telex/TWX Investigation*, 67 FCC 2d 1420 (1978), these revisions are automatically included in that investigation.

Background

2. Before turning to petitioners' claims, a brief description of the services involved and Western Union's proposed revisions is helpful. The basic Telex and TWX offerings provide for the transmission of typewritten and data communications between the stations of subscribers to these services.[5] More specifically, a Telex subscriber has the ability to dial any other subscriber station on the Telex network to establish direct, real time, two-way communications in the typewritten or data mode. A TWX subscriber has a similar ability to dial any other TWX station and both Telex and TWX subscribers may "talk" to each other via the carrier's Infomaster service. TWX is a higher speed service, operating at speeds up to 100 words per minute, whereas Telex operates at up to 66.67 words per minute. Another difference is that Telex uses Baudot code while TWX uses the ASCII code, one of the standard codes for computer operation. Thus, although both services serve largely the same market, i.e., the business community, and are used for the transmission of both typewritten messages and low speed data, Telex is the more message oriented service while TWX is better suited to the transmission of low speed data.

3. Telex and TWX services are comprised of several rate elements. At present, the monthly usage rates associated with both services are priced on the basis of monthly usage time and distance. Telex usage, under the currently effective tariff, is measured by "pulses," which reflect both a call's duration and the distance or the number of rate "zones", traversed by the call. TWX usage, under the currently effective tariff, is measured on the basis of call duration (full minutes) and airline mileage between points of origination and destination. In addition, Telex and TWX subscribers pay separate fees for local access and for terminal equipment, if supplied by Western Union. Finally, Telex and TWX subscribers located beyond the city limits of exchange cities must pay an additonal remote access line charge on a per mile basis. Thus, although actual rate levels differ between the two services, the rate structures are similar.

4. The instant revisions mark the initial utilization of Western Union's Digital Exchange System (DES) network costs as the basis for Telex and TWX rate structures. As such, the revisions represent a comprehnsive departure from the Telex and TWX rate structures currently in place. Western Union maintains that with the implementation of its computer-based DES network, distance is no longer a significant factor in its cost of providing service.

5. According to Western Union, the DES network is not linear in the sense that a message follows a reasonably straight-line path from origination to destination. Switching functions are limited to four locations—New York, San Franscisco, Atlanta and Chicago. Each terminal in the system is "homed" on one of these sites and each site is directly connected to the others via satellite links. Thus, a call between two terminals located in Dallas, Texas, which is "homed" on Atlanta, will follow a path from Dallas to the Atlanta DES switch and then back to Dallas. On the other hand, a call from Dallas to a terminal in Atlanta will travel from Dallas to the Atlanta DES switch and from there to the Atlanta terminal, or approximately one-half the route distance of the Dallas-to-Dallas call. A call from Pittsburgh to Denver is routed via the New York switch to the San Francisco switch and from there to the Denver terminal. In other words, unlike the previous linear network, there is no significant correlation between airline or straight-line distance between points of origination and distination and the distance a message actually travels over the DES network.

6. Thus, Western Union reasons that since distance is no longer a significant cost-causative factor, distance sensitive rate structures for Telex and TWX services are not warranted. It points out that the only elements of cost affected by geographical considerations are those which relate to switching equipment and "inter-site trunking." However, because inter-site

[5] According to Western Union, as of year's end 1980 there were approximately 77,000 Telex subscribers and approximately 56,000 TWX subscribers.

transmission is accomplished through satellite facilities, Western Union maintains that its DES network remains relatively distance insensitive. The remaining small cost differences that truly are a function of the distance between stations do not in Western Union's view justify continuation of the current distance sensitive rate structure or the development of a new structure founded on distance. In fact, Western Union argues that a structure which accounts for the small cost differences that exist among various calls would only complicate its tariff and confuse customers. For these reasons, Western Union proposes a postalized rate structure for Telex and TWX usage.[6]

7. The carrier also proposes to increase charges for local access to a point where local access charges applicable to Telex and TWK subscribers would be equalized and range between $30 and $40.[7] Western Union concedes that even with the proposed increases the access rates would not be compensatory. That is, the rates would not cover the costs it incurs in providing access facilities, as shown in its fully distributed cost (FDC) studies. It neverthless contends that its local access charge proposal goes further than ever toward earning a full return without pricing itself out of the competitive market for the services involved.[8]

8. Similarly, Western Union's proposed two-fold increase in the rates for "remote" accesss do not, according to the carrier, cover, fully allocated access costs. Where a subscriber station is located in a city in which there is no Western Union terminating device, voice grade facilities must be leased from another carrier. Western Union asserts that because the rates local telephone carriers charge other carriers for such facilities vary from one location to another, it has averaged these charges to produce a uniform mileage rate of $3.00 for remote access to both services. Although Western Union's studies put the average cost of remote access at $3.71 per mile for Telex and $3.70 per mile for TWX, even taking into consideration the proposed expansion of access cities, it regards the $3.00 rate as the maximum it could possibly seek without risking the loss of subscribers.

9. As a separate matter, because the petitions call into play the record to date in the *Telex/TWK Investigation*, Docket No. 78–97, a brief description of the issues involved in that proceeding is also helpful. There, the Commission has set for investigation proposed Telex and TWK rate revisions filed by Western Union in 1977 under which rates for short-hall traffic would be increased while rates for long-haul traffic would be lowered.[9] Noting Western Union's projections that by 1981 these changes would generate revenues yielding nearly 26 percent and 19 percent rates of return for Telex and TWX respectively, the Commission has questioned whether such returns are excessive. Moreover, because Western Union projected that its overall rate of return would range from 5.0 percent in 1978 to 8.8 percent in 1981, the Commission has expressed concern that the high returns on Telex and TWK are being used to offset losses or deficient returns on other services, and taken it upon itself to determine the need for and permissible degree of such cross-subsidization. The Commission also has inquired into the reasonableness of the cost-allocation procedures used by Western Union in allocating costs to the various services. The investigation has been enlarged to incorporate subsequently filed revisions aimed at establishing rates applicable to the IRCs in connection with their overseas Telex services, at levels equal to public rates, and to consider additional Telex and TWK related rate increase proposals by Western Union filed in anticipation of increased costs resulting from the imminent expiration of its facilities contracts with AT&T. See 69 F.C.C. 2d 924 (1978).[10]

Contentions

10. Graphnet argues that the proposed revisions are unjust and unreasonable within the meaning of Section 201(b) of the Act and unjustly and unreasonably discriminatory under Section 202(a) of the Act. Rejection is warranted, it says, because the only available evidence, namely the Docket No. 78–79 record, supports a distance sensitive, rather than a postalized, rate structure. Although that proceeding is as yet undecided, Graphnet believes the record there shows that even under the current distance sensitive rate structure, short-haul customers are paying unreasonably high rates vis-a-vis long-haul customers. Thus, Graphnet reasons, since the proposed rate structure would eliminate distance as a ratemaking variable altogether where usage is concerned, the alleged existing unlawful discrimination against short-haul customers would only be exacerbated.

11. Graphnet asserts also that the proposed postalization of Telex and TWX rates is anticompetitive. It maintains that because Western Union enjoys a virtual monopoly over the domestic market for record services, new competitors who wish to enter that market must interconnect with Western Union in order to reach their own customers. In its view, since the charge for dialing into a competing network alone would equal the charge for completing the call over Western Union's Telex or TWK network, the postalized rate structure will eliminate customer incentive to access a competitor of Western Union via Telex or TWK for the purpose of sending a message over a competitor's network.

12. Graphnet next contends in support of rejection that Western Union's tariff filing fails to comply with the requirements of Section 61.38 of the Commission's Rules that proposed tariff changes be accompanied by supporting cost and other economic data. It states the Western Union's revenue and cost analyses are developed on a total system basis including facilities employed in providing services in both interstate and intrastate jurisdictions. Graphnet asserts, however, that Section 61.38 requires that only relevant costs be

[6] Western Union states that prior to the effective date of the instant revisions, DES will be the sole system for the transmission of TWX traffic. In addition, it represents that approximately one-half of all Telex subscribers are now terminated on DES and that by year-end 1983, over 58 percent of these subscribers will be connected to DES. Western Union also asserts that all future Telex growth will be handled on DES. On this basis, Western Union maintains that its use of the DES network as the foundation of rate structure development is justified. However, the present mix of facilities, i.e., both the DES network and the remaining electromechanical facilities, have been used for purposes of allocating costs to the services involved.

[7] The proposal represents a small increase in the local access charge for Telex and approximately a two-fold increase in such charges for TWX.

[8] Western Union estimates local access revenue requirements to range between approximately $50.00 and $69.00 for Telex and between approximately $46.00 and $59.00 for TWX.

[9] See 67 F.C.C. 2d 1420 (1978).

[10] 68 F.C.C. 2d 96 (1978). As an additional matter, the Commission has delegated authority to the presiding judge in the investigation to prescribe, pursuant to Section 222 (e) of the Act, divisions of charges between Western Union and the IRCs for the joint provision of outbound international Telex and TWK services. The law judge in turn has issued and interim presciption order under which adjustments to Western Union rates applicable to the IRCs for outbound international messages are required to equal the adjustments made to rates applicable to the general public for commensurate service. See *Western Union Telegraph Company*, FCC 79–845, released July 24, 1979. The Commission denied petitions to stay the effectiveness on the interim order in *Western Union Telegraph Company*, 73 FCC 2d 736 (1979), and dismissed the IRC application for review of the interim order by memorandum Opinion and Order released December 13, 1979 (FCC 79–812). The IRCs have appealed the interim prescription order, and that appeal is pending. *Western Union International v. FCC*, D.C. Cir. No. 79–2063. The Commission's order refusing to review the interim prescription order was also appealed. *TRT Telecommunications Corp. v. FCC*, D.C. Cir. No. 79–2524. The Court of Appeals has refused to stay the interim prescription order.

shown and that the inclusion of intrastate costs is impermissible because intrastate rates are beyond the authority of the Commission.

13. Similarly, Graphnet points out that Western Union has based its entire cost analysis on DES costs as a proxy for both Telex and TWK networks, even though only approximately 50 percent of Telex lines are terminated on DES. In this regard it contends that Western Union's justification amounts to nothing more than the "alignment" theory which we found to be "patently illegal" in *American Telephone and Telegraph Company*, 59 F.C.C. 2d 671, 703 (1976).

14. Finnally, Graphnet urges rejection of the rates proposed for local and remote access services. According to Graphnet, these rates are not compensatory and thus openly violate Commission policy.

15. RCA Globcom, for its part, seeks rejection of the revisions to Tarrif FCC Nos. 263 and 269, under which Western Union offers Telex and TWK services, respectively, for connection with the services of the IRCs. It argues that Western Union is attempting to dictate the amount that the IRCs would pay for the domestic portion of outbound international traffic. This attempt is said to violate the requirements of Section 222(e)(1) that Western Union and the IRCs agree as to the division of revenues for such traffic, subject to Commission approval or prescription.

16. RCA Globcon next alleges that at least suspension and investigation is warranted because the revisions fail to account for what it believes to be considerable cost savings associated with handling the traffic of other carriers. Based on the record in Docket No. 78-97, it insists that Western Union experiences savings in capital costs, labor costs, and costs of promotion, sales or advertising when serving other carriers as compared with the general public. These savings, therefore, should be reflected in lower rates to the carriers. Similarly, RCA Globcom contends that the proposed rate structure unjustifiably shifts the brunt of usage costs to short-haul users. Moreover, it shares Graphnet's concern that a non-distance sensitive rate structure is proposed for Telex when only approximately 50 percent of Telex lines are terminated on DES.

Discussion

17. The Commission's authority to reject a tariff filing is limited. To invoke it there must be a clear violation of the Act, a prior Commissioner order, or its Rules. *Associated Press* v. *FCC*, 448 F.2d 1095 (D.C. Cir. 1971). Upon careful consideration, we find the petitions fail to demonstrate that rejection is warranted.

18. As noted, Graphnet relies heavily on the record in Docket No. 78-97 in urging rejection of the instant tariff revisions. The evidence, it says, shows that non-distance sensitive rate structures for Telex and TWK would unlawfully discriminate against a short-haul customers. However, even assuming the correctness of Graphnet's interpretation of that record, Western Union is by no means barred from implementing changes to its tariffs. The ongoing proceeding in Docket No. 78-97 concerns Telex and TWK rates which are not based on costs resulting from Western Union's current DES network. As such, those rates are based on different cost considerations. By contrast, the instant rate proposal is predicated on a different technology, which assertedly eliminates distance as a significant cost-causative factor and therefore obviates the need for a rate differential between short-haul and long-haul customers. Under these circumstances, absent any other showing that the new rates are unreasonable or unjustly discriminatory on their face, we cannot reject simply because the proposed revisions would equalize rates for short-haul and long-haul traffic.

19. Graphnet's contentions that the proposed revisions are anticompetitive likewise do not support rejection. The argument here is simply that postalization would eliminate customer incentive to use services offered by Western Union's competitor because the Western Union charge for service to access a competitor's network would be as great as the charge for transmitting the message entirely over Western Union facilities. Although we can indeed appreciate that a distance sensitive rate structure may be more favorable to Graphnet, it does not follow that rejection of Western Union's postalized rate structure is warranted. The stated preference by one competitor for a structure that would allow it a greater ability to compete, is not the equivalent of a showing that a filing carrier's proposed structure is anticompetitive *per se*. Thus, although the proposed postalized rates may well have some impact in the domestic record marketplace, there is no evidence to suggest that the proposed rate structure is an unreasonable competitive response.

20. Nor do we find any merit to the claim that Western Union has violated Section 61.38 by aggregating intrastate and interstate costs. In this regard, Graphnet relies upon a Bureau order in which rate increases proposed by Western Union for its Public Message Service (PMS) were rejected because the carrier had sought to support those increases with cost data that included non-jurisdictional, i.e., non-communications, services. *Western Union Telegraph Company*, Mimeo No. 99222, released April 7, 1978. Graphnet's reliance on that finding is misplaced, however. Unlike the earlier order, the cost information here does not include the cost of non-communication services. In fact, Western Union has shown that under the proposed rate structure the cost per call would be the same for both intrastate and interstate service and, conversely Graphnet has not substantiated its claim that the inclusion of intrastate costs would have a negative impact on interstate rates.[11] For these reasons, we see no basis to reject on Section 61.38 grounds either.

21. This brings us to Graphnet's contention regarding the propriety of using DES costs to develop the Telex rate structure.[12] The underlying thought here appears to be that because Western Union will continue to use some distance sensitive transmission facilities in providing Telex services, it cannot base its Telex rates on DES costs alone. Initially, it bears pointing out that as we read the cost data, Western Union appears to have considered all of the facilities costs, i.e., the current and projected mix of DES and other facilities, in determining the revenue requirement for Telex service. While not all of these Telex costs are distance insensitive, it is by no means clear that Western Union's decision to postalize Telex rates is unlawful. In fact, RCA Globcom concedes that the proposed postalized structure "probably most accurately mirrors relevant costs."

22. Nevertheless, Graphnet maintains that Western Union's postalization of Telex rates is prompted by its desire to have consistent rate structures and that its justification is based on the same "alignment" theory the Commission rejected in *American Telephone and Telegraph Company, supra*, with respect to revisions of that carrier's Wide Area Telecommunications Service (WATS) tariff. There, however, AT&T had presented no independent cost data to justify its WATS rate proposal. Rather, it had supported WATS rates solely on

[11] Western Union states that it will shortly make correspondings filings with state public utility commissions and that it intends to file rate proposals identical to those at issue here.

[12] Graphnet does not dispute the TWX rate structure. All TWX calls will be transmitted over the DES network.

the basis of maintaining a structure consistent with its MTS rate structure.

23. Hence, the *WATS* decision is simply inapposite. Unlike that case, Western Union here has independently the shown costs of providing Telex and TWX services. These costs, in turn serve as a benchmark from which departures in Telex and TWX rate design may be considered. For its part, Graphnet has submitted no evidence that similar rates for Telex and TWX would lead to cross-subsidization between the two services. On the other hand, Western Union has pointed to the similarity of the two services, their increasing use of common plant, the ability of customers to achieve inter-service communication and the competitive domestic record marketplace, as support for rate structure consistency. Thus, we find that Western Union had provided sufficient justification to avoid rejection.

24. We also are unpersuaded that the filing should be rejected because the proposed rates for local and remote access are not compensatory. Western Union concedes that these rates will not cover fully distributed costs. However, the fact that these separate components of Telex and TWX services may not recover their full costs does not in itself warrant rejection of the filing. The Commission has never required that Western Union earn a specified return on every rate element, as Graphnet implies. Moreover, as noted earlier, the Commission's rejection authority is not triggered simply because there is some reason to believe an individual rate may be too high or too low. *Associated Press, supra.* In any event, because rates for access are being increased significantly in the case of TWX, and to a lesser extent in the case of Telex, we view these revisions as a step justified by the record here.

25. RCA Globcom's arguments for suspension and investigation also concern alleged unreasonable discrimination against short-haul customers and the postalization of Telex rates. We do not judge either of these to be grounds for suspension. For one thing, RCA Globcom's allegation of unreasonable discrimination against short-haul users is inconsistent with its statement elsewhere that the postalized rate structure "probably most accurately mirrors relevant costs." (RCA Globcom Petition, p. 2.) As noted above, DES is the principal switching and transmission technology for Telex and TWX services. Moreover, Western Union anticipates that the DES network will accommodate all future Telex growth and replacement facilities and projects that 58% of Telex subscribers will be connected to the DES network by year-end 1983. Therefore, we do not think Western Union's decision to postalize Telex rates raises substantial questions of reasonableness to warrant suspension.

26. We also are unconvinced by RCA Globcom's Section 222(e)(1) argument. Western Union Tariffs F.C.C. Nos. 268 and 269 cover rates for inbound international traffic only. In the second designation order in Docket No. 78–97, 68 FCC 2d 98, 118 (1978), the Commission found that Section 222(e)(1), which requires agreement between Western Union and the IRCs as to their division of charges applies only with respect to outbound international traffic. The divisions of charges for outbound Telex and TWX traffic are already the subjects of an interim prescription tied to domestic rates. See note 10, above.

Conclusion

27. In sum, while the Bureau has not been persuaded by petitioners that the postalized Telex and TWX rate structures raise questions of lawfulness requiring rejection or suspension, we recognize that the current investigation in Docket No. 78–97 encompasses issues relating to rate structure. Therefore, the law judge may, in his discretion, examine the lawfulness of the postalized rate structures in light of the record developed in that proceeding. As to rate levels, our independent analysis of the cost support data reveals that Telex service overall, under the proposed rates, is expected to produce revenues yielding returns of 17.0% in 1981, 18.0% in 1982 and 18.3 % in 1983. Returns on TWX service under the proposed rates for those same years are estimated at 15.7%, 17.1% and 16.9% respectively. Composite Telex and TWX returns are estimated to be 16.6% in 1981, 17.6% in 1982, and 17.8% in 1983. Since Telex and TWX rates of return and the permissible extent of cross-subsidization between Telex and TWX services on the one hand, and Western Union's remaining communications services on the other hand, are being investigated in Docket No. 78–97, the findings there may well have an impact on the lawfulness of the proposed Telex and TWX rate levels. We remind Western Union that the accounting order imposed in the original designation order, 67 FCC 2d 1420. (1978), remains in effect to facilitate refunds should the rates be found excessive.

28. As one final matter, the interim prescription bases outbound rates applicable to the IRCs on public domestic Telex and TWX rates and requires that adjustment to outbound rates track percentage adjustments made to public rates. Therefore, by operation of the intermin prescription, Western Union's divisions of revenues for outbound Telex and TWX traffic may have to be adjusted correspondingly once the proposed rates become effective.

29. Accordingly, it is ordered, That the petitions for rejection of the tariff revisions of the Western Union Telegraph Company under Transmittal No. 7691, filed by Graphnet, Inc. and RCA Global Communications, Inc., are denied.

30. It is further ordered, That the petition for suspension and investigation of the tariff revisions of the Western Union Telegraph Company, filed by RCA Global Communications, Inc., is denied insofar as suspension is concerned and is otherwise dismissed as moot.

31. It is further ordered, That this order is effective upon adoption.

32. It is futher ordered, That pursuant to Section 309(e) of the Communications Act, 47 U.S.C. 309(e), and Section 1.223 of the Commission's Rules, 47 CFR 1.223, a copy of this order shall be published in the **Federal Register.**

Federal Communications Commission.

Joseph A. Marino,

Acting Chief, Common Carrier Bureau.

[FR Doc. 81-14142 Filed 5-8-81; 8:45 am]

BILLING CODE 6712-01-M

Sub-Delegation of Authority to the International Facilities Authorization and Licensing, Domestic Facilities, and Mobile Services Divisions

AGENCY: Federal Communications Commission.

ACTION: Notice of Sub-Delegation of Authority to Division Chiefs.

SUMMARY: This document subdelegates to certain Division Chiefs the authority to act on applications which were previously handled at the Bureau level. This action is taken to reduce the amount of time taken to process applications which do not raise novel questions. The document also clarifies the existing delegated authority currently possessed by the Division Chiefs. Intended effect of this action is to increase productivity in application processing.

DATE: Effective April 21, 1981.

FOR FURTHER INFORMATION CONTACT: Abraham Leib, Common Carrier Bureau, (202) 632–6363.

In the matter of sub-delegation of authority to the International Facilities Authorization and Licensing, Domestic

Facilities, and Mobile Services Divisions.

Order

Adopted: April 21, 1981.

Released: April 28, 1981.

1. The following procedures relating to sub-delegation of authority to act on applications for authority under Title II and under Title III of the Communications Act of 1934 are adopted pursuant to delegated authority, 47 CFR 0.91; 0.204; and 0.291. These procedures are intended to facilitate the orderly and expeditious processing of applications and related matters by the three Common Carrier Divisions responsible for the licensing and authorization functions. The three divisions are International Facilities Authorization and Licensing; Domestic Facilities; and Mobile Services. The functions of these Divisions are described in the FCC Organizational Manual, at pages 16–11 to 16–12, 16–15 to 16–18 and 16–20 to 16–21 (Oct. 10, 1979).

2. The Commission rules require that formal or informal radio applications or Section 214 applications which are in hearing status or involve annual construction costs in excess of $10 million or rental costs in excess of $2 million be acted upon at the Commission level. Similarly, applications which present novel questions of fact, law or policy which cannot be resolved under outstanding precedents and guidelines will continue to be handled at Commission level. 47 CFR 0.291.

3. All Congressional correspondence and Court actions regarding applications will receive the highest priority, will be reviewed at the Bureau level, and personally approved by the Acting Chief.

4. Contested applications, letters requesting additional information, temporary authority grants, rule waivers, extensions of time, and hearing designations, where clear precedents or guidelines are applicable, will be handled at the Division level.

5. Applications and related matters which require some interpretation of outstanding precedents and guidelines will be handled at the Division level, after two days of written notice to the Bureau level.

6. Uncontested applications where clear precedents and guidelines are applicable will be handled at the Branch level.

7. Petitions for reconsideration of actions taken at the Division or Branch level will be handled at the Bureau level consistent with 47 CFR 1.106(a).

8. This order, which is adopted pursuant to 47 CFR 0.91, 0.204 and 0.291, shall be published in the **Federal Register** and FCC Reports.

Joseph A. Marino,

Acting Chief, Common Carrier Bureau.

[FR Doc. 81-14185 Filed 5-8-81; 8:45 am]

BILLING CODE 6712-01-M

National Industry Advisory Committee; Domestic and International Common Carrier Communications Services Subcommittee; Meeting

Pursuant to the provisions of Public Law 92–463, announcement is made of a public meeting of the Domestic & International Common Carrier Communications Services Subcommittee of the National Industry Advisory Committee (NIAC) to be held Wednesday, May 27, 1981. The Subcommittee will meet at the Federal Communications Commission Annex Building, Room A–110, 1229—20th Street, N.W., Washington, D.C. at 10:00 A.M.

Purpose: To consider emergency communications matters.

Agenda: As follows:

Items: 1. Open meeting. Mr. Joseph J. Gancie, Chairman.

2. Review of Restoration Priority Rules.

3. Status report on FCC/NCS agreement.

4. Distribution of National level EBS programming by satellite, specialized, and other communications common carriers.

5. Review of current Presidential Directives affecting the communications common carriers.

6. New business.

7. Adjournment.

Any member of the general public may attend or file a written statement with the Committee either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the Committee prior to the meeting. Those desiring more specific information about the meeting may telephone the Emergency Communications Division, FCC, (202) 632–7232.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-14276 Filed 5-8-81; 10:49 am]

BILLING CODE 6712-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[Docket Nos. FEMA–REP–4–GA–1 and FEMA–REP–4–GA–2]

Georgia State Radiological Emergency Response Base Plan Including Annex A for the Edwin I. Hatch Nuclear Power Plant and Annex B for the J. M. Farley Nuclear Power Plant; Findings and Determination

ACTION: Certification of FEMA findings and determination.

In accordance with FEMA Rule 44 CFR 350 (proposed), on June 4, 1980, the State of Georgia submitted its plans relating to the Hatch and Farley nuclear power plants to the Regional Director who has forwarded his evaluations to the Acting Associate Director for Plans and Preparedness in accordance with paragraph 350.11 of the proposed Rule. Considered in his evaluations were the State Base Plan, associated local plans, contiguous State and local plans involved in the 10- and 50-mile emergency planning zones (EPZs) for the Hatch and Farley plants, a critique of the exercises conducted on October 8–9, 1980, and on November 19–20, 1980, in accordance with paragraph 350.9, and a report of the public meetings held on October 1, 1980, and on November 18, 1980, to discuss the site specific aspects of the State and local plans in accordance with paragraph 350.10 of the proposed Rule.

Based on a review of the Region's evaluations by FEMA Headquarters, the Acting Associate Director finds and determines that, subject to the condition stated below, State plans and preparedness including the local plans and preparedness for the Hatch and Farley plants are adequate to protect the health and safety of the public living in the vicinity of each plant. There is reasonable assurance that appropriate protective measures can and will be taken off-site in the event of a radiological emergency and are capable of being implemented. The condition for the above approval is that by July 1, 1981, the public alerting and notification systems must meet FEMA/Nuclear Regulatory Commission (NRC) joint criteria as stated in NUREG–0654/FEMA–REP–1, Rev. 1. These findings and determination have been communicated to the NRC and to the Governors of Georgia and Alabama.

FEMA will continue to revise the status of preparedness of the States and local jurisdictions associated with the Hatch and Farley plants in accordance

with paragraph 350.13 of the proposed Rule.

For further details with respect to the action, refer to Docket File FEMA-REP-4-GA-1 for Hatch and FEMA-REP-4-GA-2 for Farley maintained by the FEMA Regional Director at 1375 Peachtree Street, N.E., Atlanta, Georgia 30309.

Dated: May 5, 1981.

Robert E. Young,

Acting Associate Director for Plans and Preparedness.

[FR Doc. 81-14025 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-01-M

[Docket: FEMA-REP-5-WI-1; FEMA-REP-5-WI-2; FEMA-REP-5-WI-3; FEMA-REP-5-WI-4]

Wisconsin Peacetime Radiological Emergency Response Plan

AGENCY: Federal Emergency Management Agency.

ACTION: Notice of Receipt of Plan.

SUMMARY: For continued operation of nuclear power plants, the Nuclear Regulatory Commission requires approved licensee and State and local governments' radiological emergency response plans. Since FEMA has a responsibility for reviewing the State and local government off-site plans, the State of Wisconsin has submitted its radiological emergency plans to FEMA Region V Office. These plans support nuclear power plants which impact on Wisconsin, and include those of local governments near the Dairyland Power Cooperative's Genoa Nuclear Generating Station located in Vernon County; the Wisconsin Public Service Corporation's Kewaunee Nuclear Power Plant in Kewaunee County; the Wisconsin Electric Power Company's Point Beach Nuclear Plant in Manitowoc County; and the Northern States Power Company's Prairie Island Nuclear Generating Plant located in Goodhue County, Minnesota.

DATE PLANS RECEIVED: April 6, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Robert E. Connor, Acting Regional Director, FEMA Region V, One North Dearborn Street, Chicago, Illinois 60602, (312) 353-1500.

NOTICE: In support of the Federal requirement for off-site emergency response plans, FEMA has proposed a Rule describing its procedures for review and approval of State and local governments' radiological emergency response plans. Pursuant to this proposed FEMA Rule (44 CFR Part 350.8), "Review and Approval of State Radiological Emergency Plans and Preparedness," 45 FR 42341, the State Peacetime Radiological Emergency Response Plan for the State of Wisconsin was received by the Federal Emergency Management Agency Region V Office.

Included are plans for local governments in Wisconsin which are wholly or partially within the plume exposure pathway emergency planning zones of the nuclear plants. For the Genoa plant, plans are included for Vernon County; for the Kewaunee and Point Beach plants, plans are included for Kewaunee and Manitowoc Counties; and for the Prairie Island plant, plans are included for Pierce and Dunn Counties.

Copies of the Plan are available for review at the FEMA Region V Plans and Preparedness Division, Population Protection Section, Federal Center, Battle Creek, Michigan 49016. Copies will be made available upon request in accordance with the fee schedule for FEMA Freedom of Information Act requests, as set out in subpart C of 44 CFR Part 5. There are 526 pages in the document; reproduction fees are $.10 a page payable with the request for copy.

Comments on the Plan may be submitted in writing to Mr. Robert E. Connor, Acting Regional Director, at the above address within thirty days of this **Federal Register** notice.

FEMA proposed Rule 44 CFR 350.10 also calls for a public meeting prior to approval of the plans. Public meetings were held on the State and local jurisdiction plans for the Prairie Island Nuclear Generating Plant on October 16, 1980, 8:00 p.m., Ellsworth Jr. High School, Ellsworth, Wisconsin; and for the Kewaunee and Point Beach Nuclear Power Plants on January 22, 1981, 7:30 p.m., Fox Hills Convention Center, Mischicot, Wisconsin. An exercise and public meeting for the Genoa Nuclear Generating Station is scheduled for October 1981.

Dated: May 5, 1981.

Robert E. Connor,

Acting Regional Director, FEMA Region V.

[FR Doc. 81-14026 Filed 5-8-81; 8:45 am]

BILLING CODE 6718-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed De Novo Nonbank Activities; Barclays, Bank Ltd., et al.

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, except as noted, received by the appropriate Federal Reserve Bank not later than May 31, 1981.

A. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

BARCLAYS BANK LIMITED, London, England (investment advisory activities, United States): To enage through its subsidiary, Barclays Investment Management Limited, in providing investment and financial advisory services concerning foreign securities to institutional investors, primarily pension funds, throughout the United States. This activity would be conducted through offices in London, England, serving the United States.

B. *Federal Reserve Bank of Philadelphia* (Thomas K. Desch, Vice President), 100 North 6th Street, Philadelphia, Pennsylvania 19105:

UNIVEST CORPORATION OF PENNSYLVANIA, Souderton, Pennsylvania (investment advisory activities; Florida, Georgia, Alabama, South Carolina, and North Carolina): To engage, through its subsidiary, Union Investment Planning Company, Inc. d.b.a. Union Financial Advisory Company, in activities that may be carried on by an investment adviser,

including offering portfolio investment advice to individuals, corporations, governmental entities, pension and profit sharing plans, private foundations and endowments and other institutions. These activities would be conducted from an office in Boca Raton, Florida, serving the States of Florida, Georgia, Alabama, South Carolina, and North Carolina.

C. *Federal Reserve Bank of Richmond* (Lloyd W. Bostian, Jr., Vice President), 701 East Byrd Street, Richmond, Virgina 23261:

DOMINION BANKSHARES CORPORATION, Roanoke, Virginia (financing activities; Virginia): To engage through its subsidiary, Dominion Leasing Corporation, in making loans and other extensions of credit for its own account and for the account of others, and servicing such loans and other extensions of credit for others. These activities would be conducted from an office in Roanoke, Virginia, serving the State of Virginia.

D. *Federal Reserve Bank of Atlanta* (Robert E. Heck, Vice President), 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. BARNETT BANKS OF FLORIDA, INC., Jacksonville, Florida (trust company activities; Florida): To engage, through its subsidiary, Barnett Banks Trust Company, Inc., N.A., Jacksonville, Florida, in certain activities that may be performed by a trust company, including activities of a fiduciary, agency, or custodial nature in the manner authorized by federal and state law: *Provided, however,* That loans and investments will be made and deposits accepted only in conformity with regulations of the Board of Governors of the Federal Reserve System. These activities would be conducted from an office located in Eustis, Florida, serving primarily Lake County where the office is located and contiguous counties, all in Florida.

2. PLANTERS BANCSHARES, INC., Opelousas, Louisiana (equipment leasing; Louisiana): To engage, through its subsidiary, Planters Bancshares Leasing, Inc., in the leasing of heavy equipment, primarily for oil field use. Such activities would be performed from an additional office of the subsidiary located in Lafayette, Louisiana, serving southern Louisiana, principally in and around Lafayette Parish.

E. *Federal Reserve Bank of San Francisco* (Harry W. Green, Vice President), 400 Sansome Street, San Francisco, California 94120:

1. SECURITY PACIFIC CORPORATION, Los Angeles, California (financing and credit-related life, accident and health insurance activities; Washington): To engage through its subsidiary, Security Pacific Finance Corp., in making or acquiring for its own account or for the account of others, loans and extensions of credit, including making consumer installment personal loans, purchasing consumer installment sales finance contracts, making loans to small businesses and other extensions of credit such as would be made by a factoring company or a consumer finance company; and acting as broker or agent for the sale of credit-related life, accident and helath insurance. These activities would be conducted from offices of Security Pacific Finance Corp. located in Bellevue and Tuckwila, Washington, serving the State of Washington. Comments on this application must be received not later than May 24, 1981.

2. SECURITY PACIFIC CORPORATION, Los Angeles, California (finance activities; California): To engage through its subsidiary, Security Pacific Finance Business Center, Inc., in making or acquiring for its own account or the account of others, loans and other extensions of credit such as would be made by a factoring or consumer finance company. These activities would be conducted from an office in Pasadena, California, serving the State of California.

F. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, May 1, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14154 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Company; Proposed De Novo Nonbank Activities; Industrial National Corp.

The bank holding company listed in this notice has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(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 the 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 the 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.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for the 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 May 4, 1981.

A. *Federal Reserve Bank of Boston* (Richard E. Randall, Vice President), 600 Atlanta Avenue, Boston, Massachusetts 02106:

INDUSTRIAL NATIONAL CORPORATION, Providence, Rhode Island (consumer finance and insurance activities; Illinois, Iowa): To continue to engage through its indirect subsidiary, Mortgage Associates, Inc., in consumer finance and insurance agency activities for the sale of credit life and credit accident and health insurance directly related to an extension of credit. These activities would be relocated from an office in Moline, Illinois to an existing office in Davenport, Iowa, serving Carroll, Henry, Knox, Mercer, Rock Island, Stark, Warren and Whiteside Counties in Illinois and Cedar, Clinton, Louisa, Muscatine and Scott Counties in Iowa.

B. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, May 4, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14133 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

CB Bancshares, Inc.; Formation of Bank Holding Company

CB Bancshares, Inc., Jeffersonville, Indiana, 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 100 per cent of the voting shares of Citizens Bank & Trust Co., Jeffersonville, Indiana. 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 St. Louis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 4, 1981. 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, May 4, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14139 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

Consolidated Bancshares, Inc.; Formation of Bank Holding Company

Consolidated Bancshares, Inc., Abilene, Texas, has applied for the Board's approval under 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of the successor by merger to Abilene National Bank, Abilene, Texas. The factors that are considered in acting on the application are set forth in 3(c) of the Act (12 U.S.C. 1842(c)).

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 June 4, 1981. 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, May 4, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14144 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

Fidelity Bankshares of Colorado, Inc.; Formation of Bank Holding Company

Fidelity Bankshares of Colorado, Inc., Denver, Colorado, has applied for the Board's approval under 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of Fidelity Bank of Denver, Denver, Colorado. 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 Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than June 4, 1981. 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, May 4, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14151 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

First Maryland Bancorp; Proposed Acquisition of First Maryland Cheque Corporation

First Maryland Bancorp, Baltimore, Maryland, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire voting shares of First Maryland Cheque Corporation, Baltimore, Maryland.

Applicant states that the proposed subsidiary would engage in the issuance and sale of travelers checks. These activities would be performed from offices of Applicant's subsidiary in Baltimore, Maryland, and from offices of financial and non-financial selling agents, and the geographic area to be served is nationwide. 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 outweight possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Richmond.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 31, 1981.

Board of Governors of the Federal Reserve System, May 1, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14152 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

First National Pennsylvania Corp.; Formation of Bank Holding Company

The First National Pennsylvania Corporation, Meadville, Pennsylvania, 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 100 percent of the voting shares of The First National Bank of Pennsylvania, Meadville, Pennsylvania. 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 Cleveland. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 5, 1981. 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, May 5, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14131 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

First State Bancshares, Inc.; Formation of Bank Holding Company

First State Bancshares, Inc., Port Orchard, Washington, 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 per cent or more of the voting shares of First State Bank, Port Orchard, Washington. 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 San Francisco. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 4, 1981. 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, May 4, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14140 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

G.W. Bancorp, Inc.; Formation of Bank Holding Company

G.W. Bancorp., Inc., Greenleaf, Wisconsin, 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 86.7 percent or more of the voting shares of Greenleaf Wayside Bank, Greenleaf, Wisconsin. 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 Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 4, 1981. 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, May 4, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14141 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

North Texas Bancshares, Inc.; Formation of Bank Holding Company

North Texas Bancshares, Inc., North Richland Hills, Texas, 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 100 percent of the voting shares, less directors' qualifying shares, of two Texas banks, Bank of North Texas, North Richland Hills, Texas, and Meadowbrook National Bank, Fort Worth, 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 June 5, 1981. 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, May 5, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14132 Filed 5-8-81; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

Automated Data and Telecommunication Service

Freedom of Information Act (FOIA); Information Available to the Public

Public Law 89-306, The Brooks Act, requires the General Services Administration (GSA) to provide, directly or by delegation, for the economic and efficient acquisition of automatic data processing (ADP) resources. GSA is also responsible for promoting free and open competition by ensuring a ready exchange of information while still protecting information critical to the Federal procurement process.

To enhance the exchange of information, GSA established a pilot program, announced in the **Federal Register** on April 9, 1980, to provide ADP procurement information promptly and routinely to the public.

The pilot test was successful and cost effective, thus the procedure will be continued.

Information that will be available includes:

1. Weekly listings of Agency Procurement Request for ADP equipment, commercially available software, maintenance and other ADP services, and related supplies. These listings will include the requesting agency, agency point of contact, GSA control number, and a brief description of the planned acquisition.

2. Copies of the Delegation of Procurement Authority.

Portions of the documents that contain information which would normally be withheld under FOIA procedures will also be withheld under these procedures.

The information will be available in GSA Central Office, Room G-35(C), 18th and F Streets NW., Washington, DC 20405 effective May 6, 1981.

Dated: April 27, 1981.

Frank J. Carr,

Commissioner.

[FR Doc. 81-14040 Filed 5-8-81; 8:45 am]

BILLING CODE 6820-25-M

Federal Property Resources Service

[Wildlife Order 142]

Portion, Hamilton Air Force Base Marin County, California (9-D-CA-1046-B,C); Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By transfer letter from the General Services Administration dated August 2, 1980, the property comprising parcels No. 8, 15, 16, and the southerly portion of parcel 14, including 3,000 feet of runway and miscellaneous improvements, identified as Portion, Hamilton Air Force Base, Marin County, California (9-D-CA-1046-B,C), has been transferred to the U.S. Department of the Interior, Fish and Wildlife Service.

2. The above described property was conveyed for the purpose of carrying out the national migratory bird management program in accordance with the provision of section 1 of said Public Law 80-537 (16 U.S.C. 667b), as amended by Public Law 92-432.

Dated: December 31, 1980.

William R. Campbell, Jr.,

Acting Commissioner, Federal Property Resources Services.

[FR Doc. 81-14039 Filed 5-8-81; 8:45 am]

BILLING CODE 6820-96-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 29601]

Indiana Hi-Rail Corp.; Purchase; Consolidated Rail Corp. Between Beesons and Connersville, IN

AGENCY: Interstate Commerce Commission.

ACTION: Notice of intent to purchase.

SUMMARY: Indiana Hi-Rail Corporation (HIR) hereby gives notice of its intent to purchase certain trackage of the Consolidated Rail Corporation (Conrail). The purpose of the proposed acquisition is to acquire certain rail trackage prior to its abandonment or further deterioration, and to preserve it as a regional "feeder" line for the benefit of local shippers and communities.

DATES: IHR's application may be filed no earlier than June 9, 1981, and comments and competing applications are due no later than 30 days after the application is filed. All statements and applications should refer to Finance Docket No. 29601.

ADDRESS: An original and 10 copies of all statements should be sent to: Section of Finance, Room 5417, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Ernest B. Abbott, (202) 275-3002 or Ellen D. Hanson, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Indiana Hi-Rail Corporation (IHR) has notified the Commission of its intent to apply to purchase certain trackage of the Consolidated Rail Corporation (Conrail) under the feeder line acquisition provisions of 49 U.S.C. 10910 and the interim rules of the Commission in Ex Parte No. 395, served October 24, 1980, and published in the **Federal Register** November 4, 1980, 45 FR 73106.

In its prospective application IHR will seek to purchase the Conrail line segment extending between milepost 74.1 near Beesons and milepost 68.0 near Connersville, a distance of 6.1 miles in Fayette and Wayne Counties, IN. This line segment is referred to as the Beesons/Connersville line, and is also known as Conrail's Whitewater or Connersville Running Track. It is currrently listed in Category 2 of Conrail's system diagram map as under study for future abandonment pursuant to 49 CFR 1121.20(b)(2) and is thus eligible for acquisition as a feeder line.

IHR seeks to acquire this segment for essentially two reasons. First, IHR claims the shippers along this line are threatened by the imminent abandonment of operations over the line, since Conrail has listed this line in Category 2 and since Conrail's parent organization, the United States Railway Association, has recently designated this line segment as appropriate for transfer from Conrail to a suitable shortline railroad. In addition, IHR claims that acquisition of the segment will mesh well with its planned subsequent acquisition of additional trackage from the Norfolk & Western Railway Company (N&W) between Rushville and Connersville via New Castle, IN.

Upon acquisition of the line, IHR will provide regular 6-day per week service to shippers along the line, with interchange capabilities with N&W at Beesons and later with the Chessie System and Conrail.

IHR is presently considering imposition of the following preconditions on service: (a) a shipper subsidy in the nature of a user-fee of approximately $10 per car; and (b) the right to decline the shipment of extremely hazardous materials, to avoid excessive insurance premiums.

IHR presently intends to elect a full exemption from the provisions of the Interstate Commerce Act (except its joint-rates provisions).

IHR will afford existing Conrail employees the right of first refusal in performing the functions associated with the operation of the line, subject to such employees' willingness to accept IHR's wage and work rules.

Any interested party may submit comments or recommendations to the Commission with respect to the Notice and application, and any interested and financially responsible persons may also propose to acquire the property through a competing application.

Persons wishing to contact IHR regarding this matter should do so at either of the following addresses: R. Powell Felix, President, Indiana Hi-Rail Corporation, 504 West Main Street, Lebanon, IN 46052, (317) 482-6604, or Jacob P. Billing, Esquire, 2033 "K" Street, N.W., Washington, DC 20006, (202) 223-8270.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14019 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings:

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY–2–062

Decided: April 28, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor (Taylor not participating).

MC 61282 (Sub-3), filed April 1, 1981, published in the **Federal Register** issue of April 16, 1981, and republished, as corrected, this issue. Applicant: ASPEN TRANSPORTATION SERVICE, INC., 435 Main St., Gardner, MA 01440. Representative: James F. Martin, Jr., 8 W. Morse Rd., Bellingham, MA 02019, 617–966–2093. Transporting *general commodities* (except classes A and B explosives), between points in MA, RI, and CT, and points in Cheshire County, NH. The purpose of this republication is to correct the territorial description.

MC 115093 (Sub-27), filed April 20, 1981. Applicant: MERCURY MOTOR EXPRESS, INC., P.O. Box 23406, 33623, 2511 N. Grady Ave., Tampa, GFL 33607. Representative: Joseph W. Watson (same address as applicant), 813–879–7781. Transporting *general commodities* (except classes A and B explosives), between St. Louis, MO, and points in AL, AR, CT, DE, FL, GA, IL, IN, KY, LA, MA, MD, MI, MS, NC, NJ, NY, OH, OK, PA, RI, SC, TN, TX, VA, WV, and DC.

MC 145113 (Sub-2), filed April 20, 1981. Applicant: PLANTATION FOODS, INC., P.O. Box 889, Waco, TX 76703. Representative: Nelson M. "Mike" Davidson, Jr., P.O. Box 1148, Austin, TX 78767, 512–472–8442. Transporting *such commodities* as are dealt in or used by manufacturers, producers, and distributors of aluminum and aluminum products, paper and paper products, foil-lined sheets, bags, metal products, floor coverings, and iron oxide, between points in the U.S., under continuing contract(s) with (a) National Steel Corporation, of Pittsburgh, PA, (b) American Biltrite, Inc., of Cambridge, MA, (c) Accurate Envelope, of New York, NY, and (d) Reichard Coulston, Inc., of New York, Inc.

MC 145833 (Sub-1), filed April 22, 1981. Applicant: SURF COAST TOURS, INC., 835 Ballough Road, Daytona Beach, FL 32014. Representative: William D. Brejcha, Sullivan & Associates, Ltd., 10 S. LaSalle Street, Suite 1600, Chicago, IL 60603. Transporting passengers and their baggage, in the same vehicle with passengers, in round-trip, special, and charter operations, between points in FL, on the one hand, and, on the other, points in the U.S.

MC 147712 (Sub-14), filed March 23, 1981. Applicant: MID–WESTERN TRANSPORT, INC., 14625 Carmenita Road, Norwalk, CA 90650. Representative: Joseph Fazio (same address as applicant), (213) 921–7474. Transporting *metal products*, between points in the U.S.

MC 151303 (Sub-3), filed April 22, 1981. Applicant: GEORGE W. SMYTH, JR. CO., 1101 Ritchie Rd., Capitol Heights, MD 20027. Representative: George W. Smyth, Jr. (same address as applicant) 301–350–5734. Transporting (1) *pulp, paper and related products, and rubber and plastic products,* between points in AL, AR, CT, DE, FL, GA, IL, IN, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, OH, PA, RI, SC, TN, VT, VA, WV, WI, and DC, (2) *such commodities* as are dealt in or used by manufacturers and distributors of malt beverages and alcholic beverages, between Fulton, NY, on the one hand, and, on the other, points in MD, VA, and DC, and (3) *such commodities* as are dealt in or used by manufacturers, distributors, and installators of insulation, between Lorton, VA, on the one hand, and, on the other, points in VA, NC, NY, DE, NJ, PA, WV, TN, KY, and DC.

MC 151653 (sub-7), filed April 20, 1981. Applicant: GLOSSON ENTERPRISES, INC., Route 15, Box (Old 29 South), Lexington, NC 27292. Representative: J. C. Glosson (same address as applicant), 704–956–1121. Transporting *general commodities* (except classes A and B explosives), between the facilities used by CO–AM Transport Services, Inc. and their customers and receivers, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 153913 (Sub-2), filed April 20, 1981. Applicant: MISSOURI ALCOHOL FUEL, INC., 408 Thompson Building, Tulsa, OK 74103. Representative: Robert J. Wiruth, 408 Thompson Building, Tulsa, OK 74103, 314–636–8135. Transporting *liquid fertilizer solutions* between points in MO and KS.

MC 155383, filed April 17, 1981. Applicant: ROBERT S. BRISCOE, d.b.a. BRISCOES TRUCKING, Box 178, Gladstone, IL 61437. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701, 217–554–5468. Transporting: *such commodities* as are dealt in and used by manufacturers and distributors of fertilizers, between points in IL, IA, and MO.

Volume No. OPY–2–063

Decided: April 30, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 10913 (Sub-11), filed April 20, 1981. Applicant: GEORGE HILLMAN TRUCKING CO., INC., 285 Highland Cross, Rutherford, NJ 07070. Representative: George Haidinger (same address as applicant), (201) 438–3838. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with the Okonite Company, of Ramsey, NJ. Condition: Upon a grant of this permit, carrier shall request, in writing, prior to coincidental cancellation of its outstanding permits which are duplicative of the authority herein, with dates of issue.

MC 144743 (Sub-3), filed April 22, 1981. Applicant: CHARLES M. SWINFORD, d.b.a. SWINFORD TRUCKING, 108½ South Main, P.O. Box 85, Cynthiana, KY 41031. Representative: Robert H. Kinker, 314 West Main Street, P.O. Box 464, Frankfort, KY 40602, 502–223–8244. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Cincinnati, OH and Louisville, KY, over Interstate Hwy. 71, (2) between Lexington, KY and Louisville, KY, (a) over Interstate Hwy 64, and (b) over U.S. Hwy 60, and (3) between Lexington and Berea, KY, over U.S. Hwy 25, serving all intermediate points in (1), (2) (a) and (b), and (3) above.

MC 151482 (Sub-1), filed April 24, 1981. Applicant: ROCK VALLEY CONTRACT CARRIERS, INC., 3571 Merchandise Dr., Rockford, IL 61109. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA 15219 (412) 471–1800. Transporting (1) *metal products,* under continuing contract(s) with (a) J. D. Mott Co, and (b) National Lock Hardware Division of Keystone Industries, Inc., both of Rockford, IL, and (2) *clay, concrete, glass and stone products,* under continuing contract(s) with M.C. Chemical Co., of Rockford, IL, between points in the U.S.

MC 153783, filed April 24, 1981. Applicant: GARY NIPPERT TRUCKING, INC., 114 Duffer, Mangum, OK 73554. Representative: James W. Hightower, First Continental Bank Bldg., No. 301, 5801 Marvin D. Love Freeway, Dallas,

TX 75237 (214) 339–4108. Transporting *metal products and asphalt*, between points in Greer County, OK, on the one hand, and, on the other, points in TX, OK, and KS.

MC 155492, filed April 24, 1981. Applicant: L. DEAN WILSON, DELMER WILSON, BRENT WILSON AND BARRY WILSON, d.b.a. D.B.D. TRUCKING, 10 West Sandy Lane, Salina, UT 84654. Representative: Irene Warr, Ste. 280, Western Home Bank Bldg., 311 S. State Street, Salt Lake City, UT 84111 (801) 531–1306. Transporting *clay, concrete, glass or stone products*, between points in the U.S., under continuing contract(s) with Ostler's Rocky Mountain Refractories, of Salt Lake City, UT.

Volume No. OPY–2–065

Decided: May 5, 1981.

By The Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Parker not Participating.)

MC 22182 (Sub-41), filed April 27, 1981. Applicant: NU-CAR CARRIERS, INC., P.O. Box 172, Bryn Mawr, PA 19010. Representative: Gerald K. Gimmel, Suite 145, 4 Profesional Dr., Gaithersburg, MD 20760 (301) 840–8565. Transporting *transportation equipment*, between points in the U.S. Condition: Issuance of this certificate is conditioned upon prior or coincidental cancellation, upon carrier's written request, of all its existing certificates with dates of issue, and concurrent dismissal of all other pending authorities which duplicates the authority involved herein.

MC 59412 (Sub-3), filed April 27, 1981. Applicant: JACK L. MASSENDER, d.b.a. ZILLAH HAULING SERVICE, 6502 N. Pittsburg Street, Spokane, WA 99207. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055, (206) 228–3807. Transporting (1) *building materials*, (2) *metal products*, and (3) *lumber and wood products*, between points in WA, OR, ID, MT, AZ, NV, CA, NM, UT, CO, and WY.

MC 77972 (Sub-47), filed April 28, 1981. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, MS 38652. Representative: James R. Holt, P.O. Box 523, Collierville, TN 38017, 901–853–7208. Transporting *machinery*, between points in Union County, MS, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the authority sought with its existing regular route authority in Docket No. MC–77972 and subs thereunder.

MC 80653 (Sub-32), filed April 27, 1981. Applicant: DAVID GRAHAM CO., P.O. Box 254, Levittown, PA 19059. Representative: Paul F. Sullivan, 711 Washington Building, Washington, DC 20005 (202) 347–3987. Transporting (a) *machinery, building materials, metal products, clay, concrete, glass or stone products*, and *such commodities* the transportation of which because of size or weight requires the use of special equipment, between points in CT, DE, MA, RI, NY, NJ, PA, MD, OH, KY, NC, MI, IL, IN, VA, WV, and DC, on the one hand, and, on the other, those points in the U.S., in and west of MT, WY, CO and NM, including AK, and (b) *lumber and wood products* between points in CA, CO, ID, WA, OR, UT, and MT, on the one hand, and, on the other, points in the U.S., in and east of WI, IA, MO, OK, and TX.

MC 107012 (Sub-704), filed April 28, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant), 219–429–2110. Transporting *such commodities* as are dealt in or used by distributors of tools, between points in Los Angeles County, CA, on the one hand, and, on the other, points in Cook County, IL.

MC 116132 (Sub-10), filed April 28, 1981. Applicant: NATIONAL TANK TRUCK DELIVERY, INC., 85 East Gay St., Columbus, OH 43215. Representative: Earl N. Merwin (same address as applicant) (614) 224–3161. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with St. Regis Paper Company, of New York, NY.

MC 126313 (Sub-10), filed April 28, 1981. Applicant: CHO-BO, INC., P.O. Box 38, Route Kennedy, St. Georges (Beauce County), Quebec, Canada G5Y 5CO. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108, 617–742–3530. Transporting *general commodities* (except classes A and B explosives), between ports of entry on the international boundary line between the United States and Canada, at points in ME, on the one hand, and, on the other, points in ME, NH, VT, MA, RI, CT, NY, NJ, and PA.

MC 147173 (Sub-3), filed 24, 1981. Applicant: C & T TRUCKING, INC., 1050 Brookside Drive, Richmond, CA 94806. Representative: Brian S. Stern, North Springfield Professional Centre II, 5411–D Backlick Road, Springfield, VA 22151, 703–941–8200. Transporting *such commodities* as are dealt in or used by manufacturers, sellers, and distributors of aluminum and aluminum products, and refractories and refractory products, between those points in the U.S. in and west of WI, IL, MO, AR, and LA.

MC 154163, filed April 27, 1981. Applicant: ROARING RUN TRUCKING CO., INC., R.D., Bigler, PA 16825. Representative: Dwight L. Koerber, Jr., 110 N. 2nd St., P.O. Box 1320, Clearfield, PA 16830, (814) 765–9611. Transporting *commodities in bulk*, between points in Clearfield and Centre Counties, PA, on the one hand, and, on the other, points in OH, NY, VT, NH, ME, MA, CT, RI, NJ, DE, MD, VA, and WV.

Volume No OPY–2–066

Decided: April 30, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Taylor. (Taylor not participating.)

MC 52832 (Sub-4), filed April 21, 1981. Applicant: SHORTY'S EXPRESS, INC., 132 Seeley Ave., Syracuse, NY 13205. Representative: Murray J. S. Kirshtein, 118 Bleecker St., Utica, NY 13501 (315) 797–1970. Transporting *food and related products*, between points in Onondaga County, NY, on the one hand, and, on the other, points in NY.

MC 99622 (Sub-2), filed April 24, 1981. Applicant: AJAX TRANS CO., INC., 485 Harrison Avenue, Boston, MA 02118. Representative: Salvatore D. Petringa (same as applicant) (617) 423–6237–8. Transporting *general commodities* between points in ME, CA, CT, NH, RI, VT, NY, NJ and PA. Condition: To the extent any certificate issued in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited to a period expiring 5 years from its date of issue.

MC 107012 (Sub-703), filed April 24, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 4001 U.S. Hwy 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant) (219) 429–2110. Transporting *furniture and fixtures*, between points in Canyon County, ID and Clark County, WA, on the one hand, and, on the other, points in AZ, CA, CO, ID, MT, NM, NV, UT, WA and WY.

MC 116132 (Sub-9), filed April 28, 1981. Applicant: NATIONAL TANK TRUCK DELIVERY, INC., 85 East Gay St., Columbus, OH 43215. Representative: Earl N. Merwin, 85 East Gay Street, Columbus, OH 43215. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under a continuing contract(s) with Ford Motor Company, of Dearborn, MI.

MC 135152 (Sub-50), filed April 21, 1981. Applicant: CASKET DISTRIBUTORS, INC., Rural Route No. 2, P.O. Box 327, West Harrison, IN 45030. Representative: Jack B. Josselson, 700 Atlas Bank Bldg., 524 Walnut St.,

Cincinnati, OH 45202 (513) 241–4037. Transporting *machinery*, between the facilities used by the Houseware and Audio Divisions of General Electric Company, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 144122 (Sub-82), filed April 22, 1981. Applicant: CARRETTA TRUCKING, INC., South 160, Route 17 North Paramus, NJ 07652. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076 (201) 322–5030. Transporting *general commodities* (except classes A and B explosives), between the facilities used by E. I. Du Pont de Nemours & Co., Inc., at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 146343 (Sub-12), filed April 24, 1981. Applicant: SOUTHERN EXPRESS CORPORATION, 505 South Ocean Boulevard Pompano Beach, FL 33062. Representative: S. Christopher Stowe, Jr., Esquire, 2028 Warwick Avenue, Warwick, RI 02889 (401) 738–4500. Transporting *general commodities* between points in the United States, under a continuing contract(s) with (a) Colfax, Inc., of Pawtucket, RI; (b) Original Bradford Soap Works, Inc., of West Warwick, RI; (c) Foye & Sons, Inc., of Westbrook, ME; (d) Superior Cable Corporation, of Hickory, NC; (e) Joseph Silverman and Company, Inc., of Boston, MA; (f) Interroyal Corporation, of Plainfield, CT; (g) Coastal Plastics, Inc., of Hope Valley, RI; and (h) Control Plastics Corporation, of Mundelein, IL. Condition: to the extent this authority authorizes transportation of classes A and B explosives, it shall be limited in term expiring 5 years from its date of issuance.

MC 148643 (Sub-1), filed April 20, 1981. Applicant: MONTY R. COBLE, d.b.a. ARK CITY WAREHOUSE CO., 1201 South First St., Arkansas City, KS 67005. Representative: Monty R. Coble (same as applicant) (316) 442–3020. Transporting *malt beverages* between St. Louis, MO, on the one hand, and, on the other, Arkansas City, KS, under continuing contract(s) with Ark Valley Distributing, Inc., of Arkansas City, KS.

MC 150163 (Sub-6), filed April 24, 1981. Applicant: HORWITH TRUCKS, INC., R.D. No. 1, Coplay, PA 18037. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966, (215) 357–7220. Transporting (1) *metal products* and (2) *machinery*, between points in Hartford County, CT, and Lehigh and Northampton Counties, PA, on the one hand, and, on the other, points in the U.S.

MC 150873 (Sub-1), filed April 23, 1981. Applicant: WATSON MOBILE HOMES, INC., P.O. Box 6446, Dothan, AL 36302. Representative: Terry P. Wilson, 428 South Lawrence St., Montgomery, AL 36104, (205) 262–2756. Transporting (1) *mobile homes*, and (2) *buildings in sections*, between points in AL, FL, GA, MS, and TN.

MC 155393, filed April 8, 1981. Applicant: HENRY YESKA & SON, INC., R.D. No. 1, Box 174, Georgetown Rd., Nazareth, PA 18064. Representative: Lydia Siegfried (same address as applicant). Transporting *waste or scrap materials not identified by Industry producing*, between points in Northampton, Lehigh, Monroe, Montgomery, Schuylkill and Berks Counties, PA, and Warren County, NJ to points in Susquehanna and Delaware Counties, PA, and Union and Camden Counties, NJ.

MC 155493, filed April 24, 1981. Applicant: ACADIANA LIMOUSINE SERVICE, INC., P.O. Box 2143, Lafayette, LA 70502. Representative: James O. Feigler (same as applicant), (318) 235–4159. Transporting *passengers and their baggage and tools, in special operations*, between points in LA, on the one hand, and, on the other, points in TX and MS, restricted to the transportation of passengers travelling to or from off shore drilling rigs.

Volume No. OPY–4–117

Decided: May 4, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fortier and Williams.

MC 153546 (Sub-4), filed April 24, 1981. Applicant: M & C TRANSPORT, INC., 1708 E. Manhattan Blvd., Toledo, OH 43608. Representative: Charles K. Boxell, First Federal Plaza, 711 Adams St., Toledo, OH 43624, (419) 243–6281. Transporting *pulp, paper and related products*, between the facilities of Packaging Corporation of America, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 153606 (Sub-1), filed April 24, 1981. Applicant: PARK PLACE EQUIPMENT SERVICES, INC., P.O. Box 2820, Greenville, SC 29602. Representative: Sharon O. Delaney (same address as applicant), (803) 235–3036. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Distribution Services of America, Inc., of Boston, MA.

MC 155436, filed April 20, 1981. Applicant: PETERSON INDUSTRIES, INC., P.O. Box 248, Decatur, AR 72722. Representative: Michael H. Mashburn, 111 Holcomb, P.O. Box 869, Springdale, AR 72764, (501) 751–5222. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Wal-Mart Stores, Inc., of Bentonville, AR.

Volume No. OPY–4–118

Decided May 4, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fortier and Williams.

MC 129086 (Sub-37), filed April 27, 1981. Applicant: SPENCER TRUCKING CORPORATION, Rt. 2, Box 254A, Keyser, WV 26726. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740 (301) 797–6060. Transporting *silica sand and silica flour*, between points in the U.S. in and east of MN, IA, MO, AR and LA.

MC 147636 (Sub-21), filed April 24, 1981. Applicant: LARRY E. HICKOX d.b.a. LARRY E. HICKOX TRUCKING, Box 95, Casey, IL 62420. Representative: Michael W. O'Hara, 300 Reisch Bldg., Springfield, IL 62701, (217) 544–5468. Transporting (1) *automotive parts* and (2) *rubber hosing*, between points in the U.S., under continuing contract(s) with H. K. Porter Company of Bellefontaine, OH.

MC 147676 (Sub-6), filed April 24, 1981. Applicant: KEATON TRUCK LINES, INC., 1000 So. Lelia St., P.O. Box 1187, Texarkana, TX 75504. Representative: Patsy R. Washington (same address as applicant) (214) 793–3991. Transporting *petroleum and petroleum products*, between points in the U.S., under continuing contract(s) with ARCO Petroleum Products Company of Los Angeles, CA.

MC 152146 (Sub-2), filed April 27, 1981. Applicant: FAR WEST TRANSPORTERS, INC., 14901 Chandler Rd., Omaha, NE 68138. Representative: Arlyn L. Westergren, Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114 (402) 397–7033. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of mobile homes, between points in Schley, Thomas and Sumter Counties, GA, York and Polk Counties, NE, Sarasota and Union Counties, FL, Blair County, PA, Tulare County, CA, Lamar, Hunt, Leon and Van Zandt Counties, TX, Henry County, TN, ONeida County, NY, Payette and Washington Counties, ID, Larimer County, CO, Harnett County, NC, Cache County, UT, and Randolph County, IN.

on the one hand, and, on the other, points in the U.S.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-14018 Filed 5-8-81; 8:45 am]
BILLING CODE 7035-01-M

[Finance Docket No. 29624]

Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company—Exemption—Trustee's Certificates

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts the Trustee of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) from the provisions of 49 U.S.C. 11301 (b) and (d) requiring Commission approval of the issuance of certain Trustee's Certificates.

DATES: This exemption is effective immediately. Petitions for reconsideration of this decision must be filed within 20 days from this publication.

ADDRESSES: Send petitions for reconsideration to:
(1) Section of Finance, Room 5414, Interstate Commerce Commission, Washington, D.C. 20423;
and (2) Petitioner's Representative: Michael D. Sullivan, 516 West Jackson Boulevard, Suite 888—Union Station, Chicago, IL 60606.

FOR FURTHER INFORMATION CONTACT: Ellen Hanson (202) 275-7425.

SUPPLEMENTAL INFORMATION: The MILW has been in reorganiztion since December 19, 1977 under the jurisdiction of the United States District Court for the Northern District of Illinois, Eastern Division. On occasion, it has issued Trustee's Certificates to evidence borrowings from the Milwaukee Land Company, from property sales escrow accounts and from Federal Agencies. The proceeds from borrowings have been used by the MILW for working funds to pay operating expenses, employee protection benefits, track rehabilitation, car repair and capital improvements. MILW also proposes to finance its proposed tender offer using Trustee's Certificates.[1]

On each occasion, the MILW first obtained approval from its Reorganization Court to issue a Trustee Certificate before applying for Commission authorization. The Trustee here petitions for an exemption from 49 U.S.C. 11301(b) and (d) so it need not obtain Commission authorization for Trustee's Certificates MILW would issue in the future. We will grant the exemption.

The exemption is sought for Trustee's Certificates issued only to the following entities:

1. Milwaukee Land Company, a wholly owned subsidiary of MILW;
2. MILW property sales escrow accounts at the Continental Illinois National Bank and Trust Company of Chicago, IL, established by orders of the Reorganization Court;
3. U.S. Department of Transportation, Federal Railroad Administration under section 505 of the Railroad Revitaliazation and Regulatory Reform Act of 1976, 45 U.S.C. 825; and
4. Federal Financing Bank, pursuant to the Emergency Rail Services Act of 1970, 45 U.S.C. 661 and Section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976, 45 U.S.C. 831.

The exemption is sought for a limited duration, to be effective only until either (1) a plan of reorganization is confirmed by the Commission and the Reorganization Court under 11 U.S.C. 205(d); or (2) the MILW is ordered liquidated by the Reorganization Court.

Under 49 U.S.C. 10505, as amended by Section 213 of the Staggers Rail Act of 1980, we are authorized to exempt a transaction from regulation when we find that (1) regulation is not necessary to carry out the Rail Transportation Policy in 49 U.S.C. 10101a; and (2) either the transaction is of limited scope, or regulation is not necessary to protect shippers from an abuse of market power. We believe that the exemption sought by MILW satisfies these criteria.

Before it can issue a Trustee's Certificate, MILW must obtain approval from its Reorganization Court under section 77(c)(3) of the Bankruptcy Act, 11 U.S.C. 205(c)(3). MILW notifies all parties of record in the Reorganization proceeding whenever it applies for Reorganization Court approval. Any protest to a Trustee's Certificate would be considered at a hearing before the Reorganization Court.

At present, MILW first obtains approval of the Reorganization Court before applying to the Commisssion for authority under 49 U.S.C. 11301 to issue a Trustee's Certificate. Our regulatory oversight essentially duplicates the Reorganization Court's functions. MILW also believes present procedure impedes it from obtaining funds expeditiously.

When approving a Trustee's Certificate the Court uses a "good cause" standard under the criteria in section 77(c)(3) of the Bankruptcy Act. This standard is comparable to our criteria in 49 U.S.C. 11301 that requires us to find an issuance (a) is for a lawful object within the MILW's corporate purpose, (b) is compatible with the public interest, (c) is appropriate for and consistent with MILW's proper performance of service to the public as a common carrier, and (d) will not impair its financial ability.

One aim of the Rail Transportation Policy is to minimize Federal regulatory control over railroads. Since the MILW Reorganization Court already closely supervises the issuance of Trustee's Certificates, continuing to require MILW to obtain our approval also under 49 U.S.C. 11301 is not warranted.

We also agree with MILW that the transaction is of limited scope. The Trustee's Certificates to be exempted involve only issuances to Federal agencies or to entities that are already controlled by the Trustee under supervision of the Reorganization Court. The exemption is of limited duration and would not interfere with our responsibilities in approving a plan of reorganization.

Exempting our approval of Trustee's Certificate would have no adverse competitive effects. Some funds obtained through Trustee's Certificates are used for operating capital, enabling MILW to continue service to the public. Other funds enable MILW to strengthen its financial status or rehabilitate trackage and thus have an indirect public benefit.

Section 10505(d) allows us to revoke this exemption should circumstances require us to exercise our jurisdiction over certificates to carry out the rail transportation policy in section 10101a. A change in the financial status of the MILW causing it to be unable to provide service to the public is one circumstance that may warrant revoking the exemption.

The Commission has a continuing responsibility to monitor the MILW's financial status. Thus, it is essential that we be kept advised whenever the MILW issues Trustee's Certificates. To accomplish this, we will require the MILW's Trustee to file with us three copies of applications submitted to its Reorganization Court for authorization to issue a Trustee's Certificate.[2] The filings should refer to Finance Docket No. 29624. We will also require MILW to file a report as required by 49 CFR

[1] See Finance Docket No. 28640 (Sub-6), *Chicago, Milwaukee, St. Paul and Pacific Railroad Company—Reorganization (Tender Offers)* (not printed), decided April 28, 1981.

[2] As the MILW points out, the Commission is already served with a copy of all filings in the Reorganization Court. However, this copy is retained by our General Counsel's office for its litigation file.

1115.6 after it issues a Trustee's Certificate.

The MILW is also willing to serve a copy of its application to the Court on officials of States in which it operates. We agree that this will satisfy the service requirements of 49 U.S.C. 11301(d)(2).

We find:

1. The application of requirements in 49 U.S.C. 11301 (d) and (b) to Trustee's Certificates to be issued by MILW under the terms described above is not necessary to carry out the Rail Transportation Policy of 49 U.S.C. 10101a.

2. The transaction is of limited scope.

3. This action will not significantly affect the energy consumption or the quality of the human environment.

It is ordered:

1. Pursuant to 49 U.S.C. 10505, we exempt MILW from the requirements of 49 U.S.C. 11301 (b) and (d) as applied to the issuance of Trustee's Certificates to Milwaukee Land Company, MILW's property sales escrow accounts at the Continental Illinois National Bank and Trust Company of Chicago, IL, U.S. Department of Transportation, Federal Railroad Administration and the Federal Financing Bank.

2. The exemption shall continue in effect until a plan of reorganization is confirmed by the Commission and the Reorganization Court under 11 U.S.C. 205(d), or the MILW is ordered liquidated by the Reorganization Court.

3. MILW shall file three copies of each application submitted to the Reorganization Court for authorization to issue Trustee's Certificates covered by this exemption. The MILW shall serve one copy of each application of the chief executive officer of each State in which it operates.

4. MILW shall file a report as prescribed in 49 CFR 1115.6 after it issues Trustee's Certificates covered by this exemption.

5. This decision is effective immediately.

6. Petitions to reopen this proceeding for reconsideration must be filed within 20 days after publication in the **Federal Register.**

Dated: May 4, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14020 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP3-227]

Motor Carrier Permanent Authority Decisions; Decision-Notice

Decided: April 15, 1981.

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed) appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board Number 2, Members Carleton, Fisher and Williams.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 138144 (Sub-59), filed October 10, 1980, previously published in the **Federal Register** issue of November 4, 1980. Applicant: FRED OLSON CO., INC., 6022 West State St., Milwaukee, WI 53213. Representative: William D. Brejcha, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603 (312) 263-1600. Transporting (1) *such commodities* as are manufactured or distributed by manufacturers of buildings, building sections and panels, and (2) *equipment, materials and supplies* used in the manufacture, distribution, and installation of the commodities in (1) above, between points in WI, on the one hand, and, on the other, points in the U.S. Condition: Issuance of a certificate is subject to prior or coincidental cancellation of Certificate No. MC 138144 Sub 7 at applicant's written request.

Note.—Applicant now holds authority substantially as set forth above, except that part (2) contains a restriction against the transportation of commodities in bulk. The purpose of this republication is to remove the restriction in part (2). Issuance of an amended certificate is conditioned upon a receipt, in writing, by applicant for coincidental cancellation of the certificate issued March 9, 1981.

[FR Doc. 81-14148 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP2-061]

Motor Carrier Permanent Authority Decisions; Decision-Notice

Decided: April 30, 1981.

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special Rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applicants may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient interest in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 144682 (Sub-52), filed January 19, 1981. Applicant: R. R. STANLEY, 1738 Empire Central, Dallas, TX 75235. Representative: Edwin M. Snyder, P.O. Box 45538, Dallas, TX 75245, 214–358–3341. Transporting *transportation equipment*, between points in Tarrant County, TX on the one hand and on the other points in the U.S. Hearing Site: Dallas, TX.

[FR Doc. 81-14147 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP4-2-064]

Motor Carriers Permanent Authority Decisions; Decision-Notice

Decided: May 5, 1981.

The following applications, filed on or after February 9, 1981, are governed by Special Rule 251 of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon receipt and payment to applicants representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier, member Parker not participating.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 141252 (Sub-14), filed April 22, 1981. Applicant: PAN WESTERN CORPORATION, 4105 Las Lomas, Las Vegas, NV 89102. Representative: Robert G. Harrison, 4299 James Drive, Carson City, NV 89701 (702) 882–5649. For or on behalf of the United States Government, Transporting, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 155163, filed April 6, 1981. Applicant: R. C. BROSSEAU, 21509 Honeysuckle Drive, Elkhorn, NE 68022. Representative: Richard C. Brosseau (same address as applicant), 402–289–4024. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor

vehicle in such vehicle, between points in the U.S.

[FR Doc. 81-14145 Filed 5-8-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP1-137]

Motor Carrier Permanent Authority Decisions; Decision-Notice

Decided: April 30, 1981

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor, (Taylor not participating).

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

FF-341 (Sub-9), filed April 16, 1981. Applicant: RYDER FORWARDING, INC., 2050 Kings Rd., Jacksonville, FL 32209. Representative: S. E. Somers, Jr. (same address as applicant) (904) 353-3111. As a *freight forwarder* in connection with the transportation of *general commodities* (except classes A & B explosives and household goods as defined by the Commission) between those points in the U.S. in and west of MN, WI, IL, MO, TN, and MS (including AK and HI).

MC 38320 (Sub-27), filed April 20 1981. Applicant: CENTRAL MOTOR EXPRESS, INC., P.O. DRAWER C, Campbellsville, KY 42718. Representative: Louis J. Amato, P.O. Box E, Bowling Green, KY 42101 (502) 781-4446. Over regular routes, transporting *general commodities* (except classes A and B explosives) (1) between Campbellsville, KY, and Dayton, OH, from Campbellsville over KY Hwy 55 to Springfield, then over U.S. Hwy 150 to Bardstown, then over KY Hwy 245 to its junction with Interstate Hwy 65, then over Interstate Hwy 65 to its junction with Interstate Hwy 71, then over Interstate Hwy 71 to Cincinnati, OH, then over Interstate 75 to Dayton, and return over the same route, (2) between junction Interstate Hwy 65 and KY Hwy 245 at or near Bardstown Junction, KY, and Ft. Wayne, IN, from junction Interstate Hwy 65 and KY Hwy 245 over Interstate Hwy 65 to junction with Interstate Hwy 69, then over Interstate Hwy 69 to Ft. Wayne, and return over the same route, and (3) between Campbellsville, KY, and Cincinnati, OH, from Campbellsville over U.S. Hwy 68 to Lexington, then over Interstate Hwy 75 to Cincinnati, OH, and return over the same route, serving all intermediate points in (1)-(3) above, and points in IN, KY, and OH, as off-route points in connection with carriers otherwise authorized regular-route operations.

MC 106961 (Sub-7), filed April 23, 1981. Applicant: SPEAR TRUCKING CORP., 3 Brick Kiln Rd., N. Billerica, MA 01862. Representative: Irving Klein, 371 Seventh Ave., New York, NY 10001 (212) 279-3050. Transporting *general commodities* (except classes A and B explosives) between points in ME, NH, MA, VT, RI, CT, NY, NJ, PA, DE, MD, and DC.

MC 120770 (Sub-5), filed April 17, 1981. Applicant: KANSAS CARTAGE CO., a corporation, 712 Sunshine Rd., P.O. Box 15277, Kansas City, KS 66115. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110-L, Topeka, KS 66612 (913) 233-9629. Transporting (1) *clay, concrete, glass or stone products*, (a) between Kansas City, MO, on the one hand, and, on the other, points in MO, IA, NE, AR, and OK, and (b) between Kansas City and Independence, MO, on the one hand, and, on the other, points in KS, IA, NE, AR, and OK, (2) *contractors' machinery and equipment*, between Kansas City, MO, on the one hand, and, on the other, points in MO, IA, NE, AR, and OK, and (3) *metal products, lumber and wood products, and clay, concrete, glass or stone products*, between Kansas City, KS, on the one hand, and, on the other, points in MO.

MC 121821 (Sub-19), filed April 24, 1981. Applicant: TENNESSEE MOTOR LINES, INC., P.O. Box 100363, Nashville, TN 37210. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301 (404) 522-2322. Transporting *general commodities* (except classes A and B explosives), between points in Benton County, TN, on the one hand, and, on the other, points in Carroll, Houston, Montgomery, Henry, Weakley, Henderson, Chester, Decatur, Perry, and Hickman Counties, TN.

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 126881 (Sub-18), filed April 23, 1981. Applicant: RICHARD B. RUDY, INC., 2036 Linden Ave., Frederick, MD 21701. Representative: H. Neil Garson, 3251 Old Lee Hwy, Suite 400, Fairfax, VA 22030 (703) 691-0900. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with J. A. Wilson, d.b.a. Potomac Foods, of Alexandria, VA.

MC 135691 (Sub-63), filed April 24, 1981. Applicant: DALLAS CARRIERS CORP., 12661 Perimeter Drive, Dallas, TX 75228. Representative: J. Max Harding, P.O. Box 6645, Lincoln, NE 68506 (402) 489–3585. Transporting *general commodities* (except classes A and B explosives), between facilities used by Airwick Industries, Inc., in the U.S., on the one hand, and, on the other, points in the U.S.

MC 138000 (Sub-88), filed April 24, 1981. Applicant: ARTHUR H. FULTON, INC., P.O. Box 99, Stephens City, VA 22655. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, (301) 797–6060. Transporting *such commodities* as are dealt in by retail chain department stores, between those points in the U.S. in and east of MN, IA, KS, OK, and TX.

MC 140460 (Sub-14), filed April 24, 1981. Applicant: COAST REFRIGERATED TRUCKING CO., INC., P.O. Box 188, Holly Ridge, NC 28445. Representative: Herber Alan Dublin, 818 Connecticut Avenue, NW., Washington, DC 20006, (202) 331–1174. Transporting *Food and related products*, between points in the U.S. Condition: Issuance of a certificate in this proceeding is conditioned upon coincidental cancellation, at applicant's written request, of any authority which duplicates the authority granted herein.

MC 143331 (Sub-19), filed April 20, 1981. Applicant: FREIGHT TRAIN TRUCKING, INC., P.O. Box 817, Paramount, CA 90723. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609, (213) 945–2745. Transporting (1) *chemicals and related products* and (2) *metal products*, between points in Los Angeles County, CA, on the one hand, and, on the other, points in AR, KS, OK, and TX.

MC 143351 (Sub-6), filed April 23, 1981. Applicant: DANTRAC, INC., 602 Airport Rd., Greenville, SC 29606. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328, (404) 256–4320. Transporting *such commodities* as are dealt in by distributors of alchoholic beverages, liquor, and wine, between points in CA, on the one hand, and, on the other, points in SC.

MC 146320 (Sub-5), filed April 24, 1981. Applicant: CHARLES A. STOECKLER, INC., 3 Spring St., Wilkes Barre, PA 18702. Representative: Joseph A. Keating, Jr., 121 S. Main St., Taylor, PA 18517, (717) 344–8030. Transporting *such commodities* as are dealt in by retail department stores between points in Luzerne County, PA, on the one hand, and, on the other, points in the U.S.

MC 148560 (Sub-3), filed April 24, 1981. Applicant: GOLD STAR, INC., 130 Davidson Ave., Somerset, NJ 08873. Representative: Norman Weiss, P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006, (201) 575–7700. Transporting *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with Garden State Paper Company, Inc., of Saddle Brook, NJ.

MC 153510, filed April 23, 1981. Applicant: FRY TRUCKING CO., INC., R.R. #2, Granby, MO 64844. Representative: Frank W. Taylor, Jr., 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105, (816) 221–1464. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Jack Folen Beef Co., Inc., of Kansas City, KS and Polen & Maughmer, Inc., of Joplin, MO.

MC 154121 (Sub-4), filed April 27, 1981. Applicant: TRAILINER CORP., P.O. Box 357, Old Chester Rd., Gladstone, NJ 07934. Representative: George A. Olsen (same address as applicant), (201) 435–7140. Transporting *general commodities* (except classes A and B explosives) between the facilities used by Johnson & Johnson, Inc., its subsidiaries, divisions, or vendors, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 155480, filed April 23, 1981. Applicant: JOE B. FAISON, d.b.a. A & J ENTERPRISES, 4001 Marsh Creek Rd., Raleigh, NC 27604. Representative: Joe B. Faison (same address as applicant), (919) 872–1838. Transporting *recyclable aluminum* between points in the U.S., under continuing contract(s) with Reynolds Aluminum Recycling Co., of Richmond, VA.

MC 155510, filed April 24, 1981. Applicant: ORANGE DISTRIBUTION, INC., P.O. Box 486, Orange, VA 22960. Representative: David L. Bolyard, 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210, (703) 525–4050. Transporting *general commodities* (except classes A and B explosives) between points in Orange, Louisa and Culpepper Counties, VA, on the one hand, and, on the other, points in the U.S.

[FR Doc. 81-14143 Filed 5-8-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP2-062]

Motor Carrier Permanent Authority Decisions; Decision—Notice

Decided: April 30, 1981.

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special Rule 247 was published in the **Federal Register** on July 3, 1980, at 45 FR 45539, for compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service and to comply with the appropriate statutes and Commission regulations. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient interest in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice seeting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement

in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 154422, filed February 20, 1981. Applicant: DAYMON ASSOCIATES, INC., 500 Fifth Ave., 47th Fl, New York, NY 10110. Representative: Stephen Schaeffer, 1608 Crown Point Lane, Cherry Hill, NJ 08003. As a broker of *general commodities* (except household goods), between points in the U.S.

[FR Doc. 81-14153 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP2-60]

Motor Carrier Permanent Authority; Republications of Grants of Operating Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously notice in the **Federal Register.**

An original and one copy of opposing verified statements must be filed with the Commission within 45 days after the date of this **Federal Register** notice. Applicant may file a verified statement in rebuttal within 60 days of publication. Such pleadings shall comply with 49 CFR 1100.247 addressing specifically the issues(s) indicated as the purpose for republication. Special Rule 247 was published in the Federal Register of July 3, 1980, at 45 FR 45539.

By the Commission.

Agatha L Mergenovich,

Secretary.

MC 147152 (Sub-11) (republication), filed September 29, 1980, published in the **Federal Register** issue of October 20, 1980, and republished this issue. Applicant: GENERAL CARRIERS CORPORATION, 9838 Alburtis, Santa Fe Springs, CA 90670. Representative: Miles L Kavaller, 315 South Beverly Dr., Suite 315, Beverly Hills, CA 90212. A Decision of the Commission, *Review Board 1,* decided February 11, 1981, and served February 24, 1981, finds that the present and future public convenience and necessity required operations by applicant in interstate or foreign commerce, over irregular routes, as a *common carrier,* by motor vehicle, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) between points in the United States; that applicant is fit, willing, and able properly to perform the service and to conform to the requirements of Title 49 Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to remove the restriction from the authority granted.

[FR Doc. 81-14140 Filed 5-8-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register.** One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional 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. F-118

The following applications were filed in region I.

Send protests to: Interstate Commerce Commission, Regional Authority Center, 150 Causeway Street, Room 501, Boston, MA 02114.

MC 148951 (Sub-1-2TA), filed April 28, 1981. Applicant: YANKEE TRANSPORT, INC., RFD No. 2, New Road, Goffstown, NH 03045. Representative: Elliott Bunce, Suite 1301, 1600 Wilson Boulevard, Arlington, VA 22209. *Contract carrier:* irregular routes: *Commercial, institutional, office and store fixtures, including office and store equipment, and material, equipment and supplies used in the conduct of such business* between Manchester, NH, and Pittsburgh, PA, Alexandria, VA, Huntington, PA, Mt. Kisco, NY, Bergenfield, NJ, Laurel, MD, Bloomingdale, IL, Indianapolis, IN, and Fredericksburg, PA, under continuing contract(s) with Hermsdorf Fixture Mfg. Co., 108 Franklin Street, Manchester, NH 03101. Supporting shipper: Hermsdorf Fixture Mfg. Co., 108 Franklin Street, Manchester, NH 03101.

MC 150509 (Sub-1-1TA), filed April 23, 1981. Applicant: BULLET EXPRESS, INC., 5600 First Avenue, Brooklyn, NY 11220. Representative: Terrence D. Jones, 2033 K Street, N.W., Washington, D.C. 20006. *Contract carrier:* irregular routes: *Cosmetics and toilet preparations, and materials, equipment and supplies used in the manufacture and distribution of such commodities,* between points in the U.S., under continuing contract(s) with Max Factor & Co. of Hollywood, CA. Supporting shipper: Max Factor & Co., 1655 N. McCadden, Hollywood, CA 90028.

MC 144122 (Sub-1-6TA), filed April 23, 1981. Applicant: CARRETTA TRUCKING, INC., South 160, Route 17 North, Paramus, NJ 07652. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076. *General commodities (except classes A and B explosives, and household goods as defined by the Commission)* between the facilities used by E. I. DuPont de Nemours & Co., Inc. at points in the U.S. Supporting shipper(s): E. I. DuPont de Nemours & Co., Inc., 10007 Market St., Wilmington, DE. 19898.

MC 145695 (Sub-1-3TA), filed April 23, 1981. Applicant: MAZCO SYSTEMS, INC., 140 Grand St., Carlstadt, NY 07072. Representative: Roy A. Jacobs, Esq., 550 Mamaroneck Ave., Harrison, NY 10528. *Contract carrier:* irregular routes: *Printed matter* between Poughkeepsie,

NY on the one hand, and, on the other, points in the commercial zones of Atlanta, GA and Chicago, IL, and points in Mecklenburg County, NC and Smith County, TX, under continuing contract(s) with Great Eastern Color Lithographic Corp. of New York, NY. Supporting shipper(s): Great Eastern Color Lithographic Corp., 114 East 32nd Street, New York, NY 10007.

MC 148893 (Sub-1–6TA), filed April 23, 1981. Applicant: WREN TRUCKING, INC., 1989 Harlem Road, Buffalo, NY 14212. Representative: James E. Brown, 36 Brunswick Road, Depew, NY 14043. *General commodities (except classes A & B explosives)* between points in AR, CT, DE, DC, IL, IN, IA, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NJ, NJ, NC, NY, OH, PA, RI, SC, TN, TX, VT, VA, WV and WI (restricted to traffic originating at or destined to the facilities of Morgan Chemicals, Inc.). Supporting shipper: Morgan Chemical, Inc., 5500 Main St., Williamsville, NY 14221.

MC 123922 (Sub-1–2TA), filed April 28, 1981. Applicant: AMTRUK TRANSPORT, INC., P.O. Box 4327, Bergen Station, Jersey City, NJ 07304. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Avenue, NW., Washington, DC 20005. *Contract:* irregular: *general commodities (except classes A & B explosives),* between points in the US, under continuing contract(s) with BASF Wyandotte Corporation. Supporting shipper(s): BASF Wyandotte Corporation, 100 Cherry Hill Road, Parsippany, NJ 07054.

MC 73616 (Sub-1–1TA), filed April 27, 1981. Applicant: BILKAYS EXPRESS CO., 830 Old Corlies Avenue, Neptune, NJ 07753. Representative: John L. Alfano, Esq., Alfano & Alfano, P.C., 550 Mamaroneck Avenue, Harrison, NY 10528. *General commodities, except classes A and B explosives,* between points in CT, MA, and RI. Applicant seeks to combine this authority with its present authority and also interline shipments with other carriers to provide service between CT, MA, and RI, on the one hand, and, on the other, DE, NJ, NY, and PA. Supporting shipper(s): Wallace Ennace, 50 Newton Road, Plainview, LI, NY 11803; Reynolds Fasteners, 300 Forest Drive, E. Hills, VT 11548; David Allison Co., 220 Crossways Park, West Roxbury, NY 11797; John Hassal, Inc., Cantiague Rock Road, Westbury, LI, NY 11756; Distribution Warehouse & Service Corp., 400 South Second Street, Elizabeth, NJ 07206.

MC 45721 (Sub-1–2TA), filed April 28, 1981. Applicant: WHITE BUS COMPANY, INC., 907 South Orange Avenue, East Orange, NJ 07018. Representative: Larsh B. Mewhinney, Esq., Moore, Berson, Lifflander & Mewhinney, 555 Madison Avenue, New York, NY 10022. *Common carrier:* irregular routes: *Passengers and their baggage,* between points in New York, NY, Nassau and Suffolk Counties, NY, and Bergen and Somerset Counties, NJ, on the one hand, and, on the other, Atlantic City, NJ. Supporting shipper: Alexander's Travel Service, 31 W. 34th Street, New York, NY 10001.

MC 119443 (Sub-1–4TA), filed April 28, 1981. Applicant: P. E. KRAMME, INC., Main Street, Monroeville, NJ 08343. Representative: Gerald A. Kramme (Same as applicant). *Corn syrup and sweeteners in bulk, in tank vehicles* from IA, IL, IN, and OH to Reading, PA. Supporting shipper: Ludens, Inc., 200 N. 8th Street, Reading, PA 19603.

MC 59570 (Sub-1–7TA), filed April 24, 1981. Applicant: HECHT BROTHERS, INC., 2075 Lakewood Road, Toms River, NJ 08753. Representative: James B. Callanan, 2075 Lakewood Road, Toms River, NJ 08753. *Building and construction materials and related products, and materials, equipment and supplies used in the manufacture and distribution of building and construction materials and related products,* between points in NJ, NY, DE, MD, VA, PA, CT, MA, and DC. Supporting shipper: Formigli Corporation, Box F, New Freedom Rd., Berlin, NJ, 08009.

MC 30508 (Sub-1–4TA), filed April 24, 1981. Applicant: DEARBORN'S MOTOR EXPRESS, INC., 140 Epping Road, Exeter, NH 03833. Representative: Robert L. Cope, Suite 501, 1730 M Street, NW., Washington, DC 20036. *Contract carrier:* irregular routes: *General commodities (except Classes A and B explosives and hazardous wastes)* between Exeter, NH, on the one hand, and, on the other, all points in and east of the Mississippi River except ME, NH, and MA under continuing contract(s) with Tri-State Shippers Association of Exeter, NH. Supporting shipper: Tri-State Shippers Association, Inc., Exeter, NH 03833.

MC 108194 (Sub-1–1TA), filed April 24, 1981. Applicant: WILLIAM B. MEYER INCORPORATED, P.O. Box 4206, Bridgeport, CT 06607. Representative: Michael A. Wargula, Esq., 2550 Main Place Tower, Buffalo, NY 14202. *Contract Carrier:* irregular routes: *Printed matter, commercial papers and documents, written instruments, business forms and records, materials and supplies, as used in the operation and administration of an insurance business,* between points in NY, NJ, and CT, under a continuing contract(s) with The Equitable Life Assurance Society of the United States, Milford, CT. Supporting shipper: The Equitable Life Assurance Society of the United States, Wheelers Farm Road, Milford, CT 06460.

MC 149216 (Sub-1–1TA), filed April 27, 1981. Applicant: WELLINGTON TRANSPORTATION, INC., 67 Andrew Street, Newton Highlands, MA 02161. Representative: James E. Mahoney, 148 State Street, Boston, MA 02109. *Contract carrier:* irregular routes: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766* between points in MA and IL on the one hand, and on the other, points in and east of MN, IA, MO, AR and TX under continuing contract(s) with Colonial Provisions Co., Inc., Boston, MA, Agar Supply Co. Inc., Boston, MA, Parklane Foods, Inc., Mt. Prospect, IL, HRM Provisions, Inc., Deerfield, IL. Supporting shipper(s): Colonial Provision Co., Inc., 1100 Massachusetts Ave., Boston, MA 02119, Parklane Foods, Inc., 800 E. Northwest Highway, Mt. Prospect, IL 60056; HRM Provision, Inc., 400 Country Line Road, Deerfield, IL 60015.

MC 155525 (Sub-1–1TA), filed April 27, 1981. Applicant: AJL TRANSPORTATION SERVICES LTD., 831 Decarie Blvd, Suite 301, St. Laurent, Quebec, CD H4L 3L8. Representative: H. Neil Garson, 3251 Old Lee Highway, Suite 400, Fairfax, VA 22030. *Contract carrier:* irregular routes: *Furniture, furniture parts and supplies,* from the facilities of Singer Furniture Division in Roanoke, VA, Chocowinity, Lenoir, Sanford, NC, in foreign commerce only to points on the US/CD International Boundary in the states of MI, NY, VT and ME under continuing contract(s) with Singer Furniture of Roanoke, VA. Supporting shipper: Singer Furniture, P.O. Box 5337, Roanoke, VA 24012.

MC 44538 (Sub-1–2TA), filed April 27, 1981. Applicant: NEW BREED MOVING CORP., 24 Lucon Drive, Deer Park, NY 11729. Representative: Pike & Piken, P.C., Queens Office Tower, 95–25 Queens Blvd., Rego Park, NY 11374. *Contract carrier:* irregular routes: *Aircraft fuselages,* between Little Rock, AR and Calverton, NY under continuing contract(s) with Grumman Aerospace Corporation of Bethpage, NY. Supporting shipper: Grumman Aerospace Corporation, Bethpage, NY 11714.

MC 87451 (Sub-1–23TA), filed April 27, 1981. Applicant: CARGO TRANSPORT, INC., 91 Mountain Road, Burlington, MA 01803. Representative: Samuel A. Bithoney, Jr. (same as applicant).

Contract carrier: irregular routes: *Prefabricated buildings, wooden, complete, knocked down, in sections and when transported in connection with such buildings, component parts thereof and equipment and materials incidental to the erection and completion of such buildings, prefabricated structural beams, arches and trusses, buildings, (cabins), prefabricated, wooden, knocked down, component parts thereof and equipment and materials incidental to the erection and completion of such buildings, with the usual exceptions* between points and places in ME on the one hand, and, on the other, points and places in the states of CT, DC, DE, MA, MD, ME, NC, NH, NJ, NY, PA, RI, VA, VT and WV under continuing contract(s) with Creative Cabins of Westbrook, ME. Supporting shipper: Creative Cabins, 332 River Street, Westbrook, ME 04092.

MC 138861 (Sub-1–20TA), filed April 27, 1981. Applicant: C–LINE, INC., 303 Jefferson Blvd., Warwick, RI 02888. Representative: Ronald N. Cobert, 1730 M Street, N.W., Suite 501, Washington, DC 20036. *Contract carrier:* irregular routes: *Shortening,* from Bradley, IL, to points in CT, DE, MD, MA, ME, NH, NJ, NY, PA, RI, VT, VA and DC, under continuing contract(s) with Bunge Edible Oil Corporation, Kankakee, IL 60901. Supporting Shipper: Bunge Edible Oil Corporation, P.O. Box 192, Kankakee, IL 60901.

The following applications were filed in Region 2. Send protests to: ICC, Fed. Res. Bank Bldg., 101 North 7th St., Rm. 620, Philadelphia, PA 19106.

MC 154713 (Sub-II–7TA), filed April 24, 1981. Applicant: DUMONT TRUCKING, INC., 620 E. Broad St., Columbus, OH 43215. Representative: James M. Burtch, Baker & Hostetler, 100 E. Broad St., Columbus, OH 43215. *Refractories and refractory materials,* between points in Jackson County, OH, on the one hand, and, on the other, points in and east of ND, SD, NE, CO, OK and TX for 270 days. Supporting shipper: Nock & Son Co., 27320 W. Oviatt, Bay Village, OH.

MC 87103 (Sub-II–3TA), filed April 24, 1981. Applicant: MILLER TRANSFER AND RIGGING CO., P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Walter Keal, 3917 State Route 183, Edinburg, OH 44272. *Structural steel,* between Long Valley, NJ and Oxford, NC for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Frazier Industrial Company, Long Valley, NJ 07853.

MC 153287 (Sub-II–3TA), filed April 24, 1981. Applicant: DRESSER TRANSPORTATION SERVICES, INC., 400 W. Wilson Bridge Road, Worthington, OH 43085. Representative: George C. Sanders, 4445 Weaver Court N., Hilliard, OH 43026. Contract; Irregular: Clay, No. 1 crushed, ground, or pulverized; truckload in packages or in bulk; Sand, No. 1 crushed, ground, or pulverized; truckload in packaged or in bulk. From Kosse, TX; Waco, TX; Ft. Worth, TX; Houston, TX, to Cleveland, OH, and its commercial zone for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: Texas Industrial Minerals Company, a subsidiary of Ottawa Silica Company, Route 7, Post Office Box 98, Kosse, TX 76653.

MC 107012 (Sub-II–158TA), filed April 24, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Bruce W. Boyarko (same as applicant). *Contract; irregular: General commodities (except classes A and B explosives and household goods as defined by the Commission)* between points in the U.S. under continuing contracts with Apple Computer, Inc., Cupertino, CA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Apple Computer, 10260 Bandley Drive, Cupertino, CA 95014.

Note.—Common control may be involved.

MC 125023 (Sub-II–6TA), filed April 23, 1981. Applicant: SIGMA–4 EXPRESS, INC., 3825 Beech Ave., Erie, PA 16508. Representative: Richard G. McCurdy (same as applicant). *Glass Containers,* between Hamilton County, TN; Mineral County, WV; and Knox County, OH, on the one hand, and, on the other, points in the U.S. and east of MN, IA, MO, AR, and LA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Chattanooga Glass Co., P.O. Box 7037, Chattanooga, TN 37410.

MC 79687 (Sub-II–6TA), filed April 24, 1981. Applicant: WARREN C. SAUERS CO., INC., 200 Rochester Rd., Zelienople, PA 16063. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA 15219. *Windows, doors, related hardware and accessories, and equipment, materials and supplies,* between the facilities of Malta Manufacturing Co., Division of Philips Industries, Inc. at or near Malta, OH, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, KS, AR and LA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Malta Manufacturing Co., Division of Philips Industries, Inc., P.O. Box 397, Malta, OH 43757.

MC 107012 (Sub-II–160TA), filed April 24, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant). *Plastic articles* from the facilities of Amoco Foam Products at Wilmington, DE; Augusta, GA; Beach Island, SC; Winchester, VA; and Chippewa Falls, WI to points in the U.S. in and east of ND, SD, NE, KS, OK, and TX for 270 days. Supporting shipper: Amoco Foam Products, 2100 Powers Ferry Rd., Atlanta, GA 30099.

Note.—Common control may be involved.

MC 152640 (Sub-II–3TA), filed April 24, 1981. Applicant: RAPID DISTRIBUTION SERVICE, INC., 2392 N. Dupont Highway, Dover, DE 19901. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 15th St., NW., Washington, DC 20005. *Contract, irregular: such merchandise as is dealt in and distributed by variety and retail department stores,* between points in the United States (except AK and HI), under a continuing contract(s) with McCrory Stores, a Division of McCrory Corporation, and Otasco, Inc., a subsidiary of McCrory Corporation, for 270 days. Supporting shippers: McCrory Stores, Division of McCrory Corp., York, PA 17402, Otasco, Inc., Tulsa, OK 74102.

MC 138438 (Sub-II–27TA), filed April 24, 1981. Applicant: D. M. BOWMAN, INC., Rt. 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. *Plastic and plastic products, and materials, equipment and supplies* used in the manufacture and distribution thereof, between Augusta, GA, Beach, Island and Spartansburg, SC, Chippewa Falls and Eau Claire, WI, Dallas, TX, Fresno and La Mirada, CA, Greensboro, NC, Kansas City, KS, Oelwein, IA, Melvern, AZ, Portland, OR, Winchester, VA and Yakima, WA, and their respective commercial zones, on the one hand, and, on the other, points in the U.S., for 270 days. Supporting shipper: Amoco Foam Products Division, Suite 200, 2111 Powers Ferry Rd., NW., Atlanta, GA 30339.

MC 138000 (Sub-II–34TA), filed April 24, 1981. Applicant: ARTHUR H. FULTON, INC., P.O. Box 99, Stephens City, VA 22655. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. *General commodities* (except Classes A and B explosives), between Norfolk, VA, including its commercial zone, on the one hand, and, on the other, points in the United States in and east of MN, IA, KS, OK and TX, for 270 days. Supporting

shipper(s): Service Marketing, No. 40 Rader Street, Norfolk, VA 23501.

MC 153051 (Sub-II–5TA), filed April 27, 1981. Applicant: ATS TRANSPORT, INC., 34439 Mills Road, North Ridgeville, OH 44039. Representative: James F. Crosby & Associates, 7363 Pacific Street, Suite 210B, Omaha, NE 68114. *Cleaning compounds and concrete curing compounds*, between the facilities of the Murphy-Phoenix Company, Cleveland and Madison OH (and points in their respective commerical zones), on the one hand, and, on the other, points in the United States in and east of ND, SD, NE, KS, OK, and TX for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: The Murphy-Phoenix Company, P.O. Box 22930, Cleveland, OH 44122.

MC 138297 (Sub-II–1TA), filed April 24, 1981. Applicant: CENTRAL FLORIDA COACH LINES, INC., P.O. Box 127, Mountaintop, PA 18707 Representative: Joseph A. Keating, Jr., 121 S. Main St., Taylor, PA 18517. *Passengers and their baggage in the same vehicle with passengers in charter operations* beginning and ending at points in Lackawanna & Luzerne Counties, PA and extending to points in NY, NJ, MA, CT, RI, MD, TN, VA, FL, VT, ME, NH, & DC for 180 days. Supporting shipper(s): Jewelcor, Inc., Gateway Shopping Ctr., Edwardsville, PA 18704.

MC 155471 (Sub-II–1TA), filed April 23, 1981. Applicant: L & B TRUCKING, INC., 950 Washington Avenue, Croyden, PA 19020. Representative: Brian S. Stern, North Springfield Professional Centre II, 5411–D Backlick Road, Springfield, VA 22151. Contract: Irregular: *(1) scaffolding, shoring, and trusses, knocked down, and (2) materials, equipment, and supplies used in the manufacture, distribution, and installation of scaffolding, shoring and trusses*, between Los Angeles, Redwood City, and Sacramento, CA; Orlando and Miami, FL; Atlanta, GA; Chicago, IL; Baltimore, MD; Duluth, MN; Toledo and Cleveland, OH; Oklahoma City, OK; Philadelphia, PA; Rapid City, SD; Austin, Dallas, and Houston, TX; Nashville, TN; Seattle, WA, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) with Anthes Incorporated. Supporting shipper: Anthes Incorporated, 1620 Woodhaven Drive, Bensalem, PA 19020.

MC 2232 (Sub-II–3TA), filed April 24, 1981. Applicant: CREGER FREIGHT LINES, INC., Old Tyburn Rd. and Corbin Lane, Morrisville, PA 19067. Representative: Bernard J. Kompare, Sullivan & Associates, Ltd., Suite 1600, 10 S. LaSalle St., Chicago, IL 60603. *Such commodities as are dealt in or used by manufacturers of cleaning, polishing and washing products (except in bulk)*, between Bristol, PA, on the one hand, and, on the other, points in DE, MD and NY. An underlying ETA seeks 120 days' authority. Supporting shipper: Purex Corporation, 1414 North Radcliffe Street, Bristol, PA 19007.

MC 143730 (Sub-II–3TA), filed April 22, 1981. Applicant: PENINSULA TRUCKING CO., INC., 705 Morehouse Dr., New Castle, DE 19270. Representative: Richard M. Ochroch, 316 South 16th St., Philadelphia, PA 19102. *Contract; irregular: Such merchandise as is dealt in by wholesale, retail and chain industrial maintenance supply houses, and, in connection therewith, equipment, materials, and supplies used in the manufacture and distribution of the above commodities* between points in the United States, for 270 days, under a continuing contract with Cello Corporation, Havre de Grace, MD. Restricted to the facilities of Cello Corporation, Havre de Grace, MD. An underlying ETA seeks 120 days authority. Supporting shipper: Cello Corporation, Executive Plaza #1, Suite 305, Hunt Valley, MD.

MC 144359 (Sub-II–2TA), filed April 27, 1981. Applicant: DUNIGAN TRUCKING CO., 1875 Bunty Station Rd., Delaware, OH 43015. Representative: Anthony M. Heald, 125 North Sandusky Street, Delaware, OH 43015. Contract, irregular; *General Food Commodities*, from the facilities of Ralston Purina, at or near Lancaster, Ohio, to pts. in GA, FL, OK, CO, and TX for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Ralston Purina, Checkerboard Square, St. Louis, MO 63188.

MC 150954 (Sub-II–28TA), filed April 17, 1981. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003. Representative: William E. Collier, 8918 Tesoro Drive, Suite 215, San Antonio, TX 78217. Contract, Irregular: *(1) Plastic materials group: pellets, granuals, beads and (2) oil in drums*, between Orange and Santa Anna, CA; Calumet City and Chicago, IL; Hammond, IN; Lawrenceville, Trenton and Windsor, NJ and Big Spring, TX on the one hand, and on the other, points in AZ, AR, CA, FL, GA, IN, KS, KY, MI, MS, MO, NJ, NY, NC, OH, PA, SC, TN and TX, under continuous contract with Cosden Oil & Chemical Company, Dallas, TX, for 270 days. Underlying ETA seeks 120 days operating authority. Supporting shipper: Cosden Oil & Chemical Company, 8350 N. Central Expressway, Dallas, TX 75221.

MC 150954 (Sub-II–29TA), filed April 20, 1981. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003. Representative: William E. Collier, 8918 Tesoro Drive, Suite 515, San Antonio, TX 78217. Contract, Irregular; *Primary Metal Products (STCC 33)*, between Granite City, IL and points in IN, IA, LA, OH, OK and TX, under continuous contract with Taracorp Industries, for 270 days. Underlying ETA seeks 120 days operating authority. Supporting shipper: Taracorp Industries, 16th & Cleveland Blvd., Granite City, IL 62040.

MC 144359 (Sub-II–30TA), filed April 20, 1981. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003. Representative: William E. Collier, 8918 Tesoro Drive, Suite 515, San Antonio, TX 78217. *Fiberglass reinforcements (rovings, chopped strands, woven rovings and mat), and equipment, materials and supplies used in the manufacture thereof*, between the facilities of Certainteed located at Wichita Falls, TX, on the one hand, and, on the other, points in CA, GA, IA, IL, NY, OH, OR, PA, TN, VT and WA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Certainteed Corp.—FRD, 4515 Allendale Rd., Wichita Falls, TX 76310.

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 133221 (Sub-3–9TA), filed April 28, 1981. Applicant: OVERLAND CO., INC., 1991 Buford Highway, Lawrenceville, GA 30245. Representative: W. D. Beaver (same as applicant). *Plastic articles, materials, equipment and supplies used in the manufacture and distribution of plastic articles* from Mobil Chemical facilities, and facilities used by Mobil Chemical Company to points in the U.S. (except AK and HI). Supporting shipper: Mobil Chemical Company, Macedon, NY 14502.

MC 144776 (Sub-3–2TA), filed April 28, 1981. Applicant: APACHE TRANSPORT, INC., 833 Warner Street, SW, Atlanta, GA 30310. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Boulevard, Atlanta, GA 30349. *Plastic articles and material, equipment and supplies used in the manufacture and distribution and sale thereof (except commodities in bulk)*, between points in the United States. Restricted to traffic originating at or destined to the facilities utilized by Amoco Foam Products Company. Supporting shipper: Amoco Foam

Products Company, 2100 Powers Ferry Road, Suite 200, Atlanta, GA 30099.

MC 143351 (Sub-3–2TA), filed April 27, 1981. Applicant: DANTRAC, INC., 602 Airport Rd., Greenville, SC 29606. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Such commodities as are dealt in by distributors of alcoholic beverages, liquor and wine,* from pts. in CA to pts. in SC. Supporting shipper: Columbia Distributing Corporation, 1009 Airport Blvd., Columbia, SC 29205.

MC 145875 (Sub-3–2TA), filed April 28, 1981. Applicant: SWAIN & SONS TRANSPORTS, INC., 208 Poplar Ave., Memphis, TN 38103. Representative: William R. Swain, Jr., Attorney (same as above.). *General Commodities (except those of unusual value, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment)* between points in Shelby County, TN and Helena, AR, on the one hand, and, on the other, points in AL, AR, KS, KY, LA, MO, MS, NE, OH, OK, and TX. Supporting shippers: United Warehouse and Terminal Corporation, 137 W. Illinois Street, Memphis, TN 38103, and Rasco, Inc., P.O. Box 193, Lakeville, CT 06039.

MC 151260 (Sub-3–2TA), filed April 27, 1981. Applicant: B & P TRUCK LINES, INC., 103 S. Wingate Lane, Chattanooga, TN 37403. Representative: Daniel O. Hands, Suite 200–A, 205 W. Touhy Ave., Park Ridge, IL 60068. (1) *Wire shipping racks* from the facilities of Tubular Products Co., at or near Birmingham, AL to Chicago and Peoria, JL, Cleveland, OH and Johnstown, PA and (2) *such commodities as are dealt in or used by discount department stores* from points in the United States in and east of ND, SD, NE, KS, OK and TX to the facilities of Bargain Town, USA, Inc. at Birmingham, AL. Supporting shippers: Bargain Town, USA, Inc. 140 W. Oxmoor Road, Birmingham, AL 35209. Tubular Products Co., P.O. Box 31232, Birmingham, AL 35222.

MC 147565 (Sub-3–1TA), filed April 28, 1981. Applicant: PALMETTO TRANSPORTATION SERVICES, INC., P.O. Box 4932, Ranier Ginn Bldg., No. 6 Graves Rd., Hilton Head Island, SC 29928. Representative: Thomas L. Durston (same as above). *Passengers and baggage in charter and special service,* between Hilton Head Island, SC and Chatham County, Savannah, GA. Supporting shipper: Historic Savannah Foundation, Inc., P.O. Box 1733, Savannah, GA 31402.

MC 149563 (Sub-3–13TA), filed April 28, 1981. Applicant: SUPER TRUCKERS, INC., 3900 Commerce Ave., Fairfield, AL 35064. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. *Precast concrete stone and materials, equipment and accessories used in the manufacture, installation or sale thereof* between the facilities of Coronado Stone Company at or near Garland, TX, on the one hand, and, on the other, points in the states of NM, OK, AR and LA. Supporting shipper: Precasr Manufactured Products d/b/a/ Coronado Stone Co., 2321 Forest Lane, Garland, TX 75042.

MC 143061 (Sub-3–5TA), filed April 28, 1981. Applicant: ELECTRIC TRANSPORT, INC., P. O. Box 528, Eden, NC 27288. Representative: Archie W. Andrews (same as applicant). *Contract;* irregular: *Such commodities as are dealt in or used by a manufacturer of electrical and automotive products, except commodities in bulk,* between points in MS on the one hand, and, on the other, points in AL, AR, LA, TX, GA, OK, TN, SC, NC, VA, KY, OH, IN, IL, MO, PA, MD, NJ, NY, CT, MA, MI, WI, MN, IA, KS. Supporting shipper: Arvin Industries, Inc., 1531 13th Street, Columbus, IN 47201.

MC 155580 (Sub-3–1TA), filed April 29, 1981. Applicant: MEBANE TRUCKING COMPANY, P.O. Box 408, Mebane, NC 27302. Representative: Terrell C. Clark, P.O. Box 25, Stanleytown, VA 24168. *Contract:* irregular: *Paper or fibreboard boxes, plastic boxes, and plastic bags, and materials, equipment and supplies used in the manufacture, sale and distribution of paper or fibreboard boxes plastic boxes, and plastic bags,* between points in Alamance and Orange Counties, NC and Greenville, MS, on the one hand, and, on the other, points in the United States, except AK and HI, under continuing contract with Mebane Packaging Corporation. Supporting shipper: Mebane Packaging Corporation, P.O. Box 408, Mebane, NC 27302.

MC 155577 (Sub-3–1TA), filed April 28, 1981. Applicant: CAMELOT DISTRIBUTING COMPANY, 400 Fisk Drive, SW., Atlanta, GA 30336. Representative: Clifford G. McGehee III (same address as applicant). *Contract carrier:* irregular: *waste paper, paper and paper products; supplies and materials used in manufacture and distribution thereof,* between points in states of AL, FL, GA, TN, NC, SC, and VA. Supporting shipper: Sonoco Products Co., North Second St., Hartsville, SC 29550.

MC 155232 (Sub-3–1TA), filed April 28, 1981. Applicant: INTERNATIONAL TRUCKING & RIGGING COMPANY, INC., 5950 N.W. 77th Court, Miami, Florida 33166. Representative: Richard B. Austin, 320 Rochester Building, 8390 N.W. 53rd Street, Miami, Florida 33166. *Contract* irregular: *Telephone equipment, materials and supplies used in the construction and maintenance of telephone systems* between points in Broward, Dade and Monroe Counties, FL on traffic having an immediately prior or subsequent movement in interstate or foreign commerce under continuing contract(s) with Western Electric Company, Inc., Atlanta, GA. Supporting shipper: Western Electric Co., Inc., 6701 Rosewell Road, N.E., Atlanta, GA 30328.

MC 155491 (Sub-3–1TA), filed April 28, 1981. Applicant: VERA C. BREWER d.b.a. AGRICULTURAL TRANSPORT, Route 1, Box 74–B, Ellerslie, GA 31807. Representative: F. Lee Champion, III, P.O. Box 2525, Columbus, Georgia 31902. *(1) Agricultural lime, lime materials, lime granulars, limestone, dolomite limestone, fertilizer, fertilizer materials and landplaster,* in dump vehicles, from Escambia, Levy, Taylor, Hamilton, Jackson, Marion and Hillsborough County, FL to points in GA and AL; and *(2) slag* from Jefferson County, AL., *and agricultural lime, lime materials and lime granulars,* from Lee County, AL to points in GA. Supporting shippers: Florida Lime & Dolomite Company, Inc., P.O. Box 2100, Ocala, FL 32670; Slade Farms, Route 1, Vienna, GA 31092; Webster Farmers, Inc., P.O. Box 73, Weston, GA 31832.

MC 146869 (Sub-3–4TA), filed April 24, 1981. Applicant: CARRIER FREIGHT LINES, INC., Post Office Box 813, Hickory, NC 28601. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. *Beer and malt beverages,* from Evansville, IN to Mecklenburg County, NC. Supporting shipper: Cunningham Wholesale Company, Inc., 901 Berryhill Road, Post Office Box 32651, Charlotte, NC 28232.

MC 146782 (Sub-3–15TA), filed April 24, 1981. Applicant: ROBERTS CARRIER CORPORATION, 300 First Avenue South, Nashville, Tenn 37201. Representative: James Rex Raines, 300 First Avenue, South, Nashville, Tenn 37201. (1) *Knocked down steel storage racks and stainless steel Nuclear storage racks and (2) material equipment and supplies used in manufacture of (1) above (expect commodities in bulk)* between Greenville County, SC on the one hand, and, on the other, points in IL. Supporting shipper: Engineered Products (Division of Gower Corp.) P.O. Box 6767, Greenville, SC 29606.

MC 140460 (Sub-3-9TA), filed April 24, 1981. Applicant: COAST REFRIGERATED TRUCKING Co., Inc., P.O. Box 188, Holly Ridge, NC 28445. Representative: Herbert Alan Dubin, Baskin, and Sears, 818 Connecticut Ave., NW, Washington, D.C. 20006. *Meat and meat products* between the facilities by L.B. Darling Company located at or near Southboro and Worcester, MA on the one hand, and, on the other, points in and east of MN, IA, MO, AR and LA. Supporting shipper: L. B. Darling Company, 28 Newton Street, Southboro, MA 01772.

MC 150302 (Sub-3-1TA), filed April 24, 1981. Applicant: UNITED MERCHANTS TRUCKING, INC., Route 7, Box 8-C, Statesville, NC 28677. Representative: Don Del Vitto (same address as applicant). *Contract carrier, irregular routes, general commodities (except classes A & B explosives),* between the facilities of the Charlotte Freight Association, Inc. and its members located in Los Angeles, CA, Miami, FL, Atlanta, GA, Chicago, IL, Boston, MA, Charlotte, NC, New York, NY, Newark, NJ, Philadelphia, PA and Dallas, TX under continuing contract with Charlotte Freight Association, 2508 Starita Road, Charlotte, NC.

MC 115840 (Sub-3-13TA), filed April 24, 1981. Applicant: COLONIAL FAST FREIGHT LINES, INC., McBride Lane, P.O. Box 22168, Knoxville, TN 37922. Representative: Michelene Good (same as above). *Metal roofing and siding and fabricated metal products, and materials, equipment and supplies used in the manufacture, distribution or sale of the above commodities,* between Gridley, IL on the one and, and, on the other, points in MI, OH, IN, KY, TN, MO, IA, NE, ND, SD, MN, and WI. Restricted to traffic originating at or destined to the facilities utilized by FABRAL, Inc., Division of Alcan Building Products. Supporting shipper: FABRAL, Division of Alcan Building Products, 3449 Hempland Road, Lancaster, PA 17601.

MC 52704 (Sub-3-16TA), filed April 24, 1981. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., P.O. Drawer, "H", LaFayette, AL 36862. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. (1) *Pulp, paper and related articles,* and (2) *materials, equipment, machinery and supplies* used in the manufacture or distribution of commodities in (1) above, between points in the U.S. in and east of MN, IA, OK and TX. Supporting shipper: Allied Paper Company, a subsidiary of SCM Corporation, 307 West Industrial Road, Jackson, AL 36545.

MC 142835 (Sub-3-11TA), filed April 24, 1981. Applicant: CARSON MOTOR LINES, INC., P.O. Box 337, Auburndale, FL 33823. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. *Food and related products,* (1) between points in FL on the one and, and, on the other, points in AL, AR, GA, IA, KS, KY, LA, MS, MO, NE, NC, OK, SC, TN and TX, and (2) between points in OH on the one and, and, on the other, points in CT, DE, DC, IA, KS, KY, ME, MD, MA, MI, NE, NH, NJ, NY, PA, RI, TN, VT, VA, WV and WI, for 270 days. Supporting shipper: Doric Foods Corporation, Robie Ave., P.O. Box 986, Mt. Dora, FL 32757.

MC 114334 (Sub-3-23TA), filed April 24, 1981. Applicant: BUILDERS TRANSPORTATION COMPANY, 3710 Tulane Road, Memphis, TN 38116. Representative: Dale Woodall, 900 Memphis Bank Building, Memphis, TN 38103. *Metal and Metal Articles* from Sterling, IL to points in Shelby County, TN. Supporting shipper: Southern Steel Supply Co., Inc., 475 N. Dunlap, Memphis, TN.

MC 106074 (Sub-3-25 TA), filed April 24, 1981. Applicant: B AND P MOTOR LINES, INC., Shiloh Rd. and U.S. Hwy. 221 S, Forest City, NC 28043. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. (1) *Cleaning, scouring or washing compounds, soap, soap powder, textile softeners, liquid bleach, ammonia, fabric softeners, pot scourers, and steel wool* and (2) *materials, equipment, and supplies used in the manufacture of the above named commodities* (1) from Auburndale, FL to points in AL, GA, LA, MS, NC, SC, and TX and (2) on return. Supporting shipper: Purex Corp., 1414 N. Radcliffe St., Bristol, PA 19007.

MC 155079 (Sub-3-1 TA), filed April 24, 1981. Applicant: CURTIS L. DODGINS, INC., Route 1, Box 393, Franklin, NC 28734.Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. *Contract* carrier: irregular: *general commodities,* between points in Wake County, NC, on the one hand, and, on the other, all points in the United States, under continuing contract with Quline Corporation. Supporting shipper: Quline Corporation, Post Office Box 58427, 5605 Spring Court, Raleigh, NC 27658.

MC 2934 (Sub-3-36 TA), filed April 24, 1981. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: W. G. Lowry (same as above). *Furniture and fixtures,* from Jasper, IN; Borden, IN; and Fordsville, KY; to points and places in the states of AZ, CA, CO, IA, MT, NV, NM, OR, UT, WA and WY. Supporting shipper: Kimball International, Inc., 1549 Royal Street, P.O. Box 460, Jasper, IN 47546.

MC 110012 (Sub-3-5 TA), filed April 23, 1981. Applicant: ROY WIDENER MOTOR LINES, INC., 707 North Liberty Hill Road, Morristown, TN 37814. Representative: Robert B. Walker, 915 Pennsylvania Bldg., 425 13th Street, NW., Washington, DC 20004. *General commodities (except those of unusual value, classes A & B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring use of special equipment)* between points in Dallas County, TX on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper(s): Casual Craft, Div. of Trans International Crop., 2421 West Commerce, Dallas, TX 75212.

MC 144688 (Sub-3-14), filed April 22, 1981. Applicant: READY TRUCKING, INC., 2717 Campbell Boulevard, Ellenwood, GA 30049. Representative: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68501. (1) *Such commodities as are dealt in and are distributed by grocery, hardware, and drug stores;* (2) *cleaning and building maintenance materials and supplies;* (3) *swimming pool, spa, and hot tub products;* (4) *chemicals;* (5) *materials, equipment and supplies used in the manufacture, sale and distribution of commodities in parts (1) through (4),* between points in and west of MT, WY, CO & NM, on the one hand, and, on the other, points in the U.S. Restricted: To traffic originating at or destined to the facilities of the Purex corporation, its divisions and subsidiaries, and further restricted against the transportation of commodities in bulk. Supporting shipper: The Purex Corporation, 24600 South Main Street, Carson, CA 90749.

MC 154969 (Sub-3-2TA), filed April 24, 1981. Applicant: WILLIAM S. LEE, d.b.a. WILLIAM S. LEE TRUCKING, Route 10, Box 249, McMinnville, TN 37110. Representative: Robert L. Baker, Sixth Floor, United American Bank, Nashville, TN 37219. *Such commodities as are dealt in by grocery stores* between points in TN on the one hand, and, on the other, points in the U.S. in and east of KS, NE, ND, OK, SD, and TX. Restricted to shipments originating at or destined to facilities utilized by Malone & Hyde, Inc., and Arrow Industries, Inc. Supporting shippers: Malone & Hyde, Inc., P.O. Box 520427, Miami, FL 33152 and Arrow Industries, Inc., 1740 International Blvd., LaVergne, TN 37086.

MC 154509 (Sub-3-2TA), filed April 24, 1981. Applicant: MEMPHIS COURIER DELIVERY, 3638 Old Getwell Road,

Memphis, TN 38118. Representative: Ralph D. Golden, Suite 2348, 100 North Main Building, Memphis, TN 38103. *Goods, materials, merchandise, supplies, toiletries, cosmetics, and other products dealt in by home products distributors manufactured, distributed and sold by Amway Corporation* from Memphis, TN, on one hand to all points in TN, AR, and MS; from Tupelo, MS, on one hand to all points in TN, MS, and AL. Supporting shipper: Amway Corporation, 6450 Jimmy Carter Blvd., Norcross, GA 30071.

MC 121306 (Sub-3–2TA), filed March 20, 1981. Republication—originally published in **Federal Register** of April 6, 1981, page 20638, volume 46 No. 65. Applicant: SUPERIOR MOTOR EXPRESS, INC., P.O. Box 98, Gold Hill, NC 28071. Representative: Claude O. Earnhardt (same address as above). *Lumber and wood products,* between AL, AR, DE, FL, GA, IN, KY, LA, MD, MI, MO, MS, NC, NJ, NY, OH, PA, SC, TN, VA, WV. Applicant intends to tack with existing authority in MC 121306. Supporting shippers: Empire Wholesale Lumber Co., P.O. Box 249, Akron, OH 44309 and Woodkraft-Div. of GA Kraft, P.O. Box 2489, Peachtree City, GA 30269.

MC 126899 (Sub-3–4TA), filed April 24, 1981. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, Paducah, KY 42001. Representative: George M. Catlett, 708 McClure Building, Frankfort, KY 40601. *Crude oil in bulk,* from points in Allen, Barren, Casey, Clinton, Cumberland, McCreary, Metcalfe, Monroe, Simpson, Warren, and Wayne Counties, KY, to points in Jackson County, TN. Supporting shipper: Delta Refining Co., P.O. Box 35, Burkesville, KY 42717.

MC 59150 (Sub-3–17TA), filed April 27, 1981. Applicant: PLOOF TRUCK LINES, INC., 1414 Lindrose Street, Jacksonville, FL 32206. Representative: Martin Sacks, Jr., 203 Marine National Bank Bldg., 311 W. Duval Street, Jacksonville, FL 32202. *Contract,* irregular, *General Commodities (except Classes A & B explosives),* between points in the United States under continuing contract(s) with Lowe's Companies, Inc. Supporting shipper: Lowe's Companies, Inc., P.O. Box 1111, Hwy. 268 East, North Wilkesboro, NC 28656.

MC 140484 (Sub-3–22TA), filed April 24, 1981. Applicant: LESTER COGGINS TRUCKING, INC., P.O. Box 69, Fort Myers, FL 33902. Representative: Frank T. Day (same address as applicant). *Contract carrier;* irregular routes; *Such commodities as are dealt in or used by wholesale and retail grocery stores and food business houses* between points in the US, except AK and HI, on the one hand, and on the other, points in Allegheny and Butler Counties, PA under continuing contract with Giant Eagle Markets. Supporting shipper: Giant Eagle Markets, Inc., 101 Kappa Drive, RIDC Park, Pittsburgh, PA 15238.

MC 153380 (Sub-3–2TA), filed April 10, 1981. Applicant: ROWAN FREIGHT COMPANY, INC., P.O. Box 1571, Salisbury, NC 28144. Representative: Francis O. Clarkson, Jr., 3250 NCNB Plaza, Charlotte, NC 28280. *Contract carrier;* irregular routes: (1) *fire fighting equipment, including extinguishers and charges of compounds, carbon dioxide cylinders—non-flammable gas and storage tanks, pressurized liquid non-flammable gas, fire extinguisher cylinders of iron, steel or aluminum, sprinkler systems, including valves and trimmings of iron, steel or brass, wheeled and skidded fire fighting units, parts, attachments and accessories for fire fighting equipment, including parts and supplies for the above;* (2) *chemicals for manufacturing charges of compounds for fire fighting equipment, including Mono-Amonium, Di-Amonium, and Soda Bicarbonate; machine parts, or motors and thermostats for fire fighting equipment; and materials and supplies used in the manufacturing of fire fighting equipment;* (1) above from the facilities of the Chemetron Fire Systems Company at Granite Quary, NC, to points in Chamblee, GA; Houston, TX; Anaheim, CA; Tigard, OR; Bensenville, IL; Monee, IL; and Cornwell Heights, PA; (2) above from points in Erie, PA; Syracuse, NY; Lancaster, PA; Wyandotte, MI; Plymouth, MI; Maumee, OH; Hastings, MI; South Elgin, IL; Monee, IL; Walberton, IN; and Bolling Green, OH, to the facilities of Chemetron Fire Systems Company at Granite Quary, NC, and from points in Philadelphia, PA; Allentown, PA; Easton, PA; Whitehall, PA; and Williamstown, NJ, to the facilities of the Chemetron Fire Systems Company in Monee, IL. Supporting shipper: Chemetron Fire Systems, Division of Chemetron Corporation, P.O. Box 429, Granite Quary, NC 28072.

The following applications were filed in Region 4. Send protests to: Interstate Commerce Commission, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 29555 (Sub-4–5), filed April 24, 1981. Applicant: BRIGGS TRANSPORTATION CO., N–400, Griggs-Midway Building, St. Paul, MN 55104. Representative: Winston W. Hurd (same address as applicant). *General commodities (except Classes A and B explosives and household goods as defined by the Commission)* serving points in the following counties in the State of WI as off-route points in connection with applicant's presently authorized regular route operations: Waupaca, Outagamie, Brown, Kewaunee, Waushara, Winnebago, Calumet, Manitowoc, Marquette, Green Lake, Fond du Lac, Sheboygan, Washington, Ozaukee, and Portage. Applicant intends to interline. Applicant intends to tack to its existing authority and any authority it may acquire in the future. Supporting shipper: There are 268 supporting shippers.

MC 32122 (Sub-4–2TA), filed April 23, 1981. Applicant: PAZEN TRANSFER LINES, INC., P.O. Box 243, Waukau, WI 54980. Representative: Edward J. Gerrity, P.O. Box 914, Appleton, WI 54912. *Paper and Paper Products, and the return of Materials, Equipment and Supplies used in the manufacture or distribution of Paper and Paper Products,* between Downingtown, PA on the one hand, and on the other, points in IL, IN, IA, Lower Peninsula of MI, MN, OH, and WI. Supporting shipper: Dopaco, Inc., P.O. Box 270, Downingtown, PA 19335.

MC 107295 (Sub-4–37TA), filed April 23, 1981. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, IL 61842. Representative: Duane Zehr (same address as applicant). *Lumber or wood products* between Beltrami County, MN on the one hand, and points in the U.S. on the other. Supporting shipper: The Mead Corporation, Courthouse Plaza, NE, Dayton, OH 45463.

MC 111496 (Sub-4–5TA), filed April 23, 1981. Applicant: TWIN CITY FREIGHT, INC., 2550 Long Lake Road, Roseville, MN 55113. Representative: Alan Foss, 502 First National Bank Bldg., Fargo, ND 58126. Common, regular: *General commodities, except Classes A and B explosives,* serving Sidney, MT as an intermediate point in connection with applicant's regular route service in MC–111496 (Sub No. 37), between Williston, ND and Billings, MT. An underlying ETA seeks 120 days authority. Supporting shipper: There are 21 supporting shippers.

Note.—Applicant proposes to tack the authority sought with its authority in MC–111496 and subs thereto, and proposes to interline with other carriers.

MC 125551 (Sub-4–4TA), filed April 23, 1981. Applicant: K & W TRUCKING CO., INC., 101 Cooper Avenue North, St. Cloud, MN 56301. Representative: William L. Libby, 5200 Willson Road, Suite 307, Minneapolis, MN 55424. *Lumber* from Ports of Entry on the International Boundary Line between the U.S. and CD in WA, ID, MT, and ND,

to points in WA, OR, ID, MT, MN, ND, SD, IA, KS, NE, WI, and IL. Supporting shipper: Chandler Corporation, P.O. Box 2840, Boise, ID 83701.

MC 140553 (Sub-4–5TA), filed April 23, 1981. Applicant: ROGERS TRUCK LINE, INC., Box 317, Logansport, IN 46947. Representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, IA 50309. *Contract,* irregular: *Malt beverages* between points in the U.S. under contract with Pabst Brewing Company. Supporting shipper: Pabst Brewing Company, Box 766, Milwaukee, WI 53201.

MC 143636 (Sub-4–5TA), filed April 20, 1981. Applicant: RON SMITH TRUCKING, INC., R.R. #1, Box 59, Arcola, IL 61910. Representative: Douglas G. Brown, 913 South Sixth Street, Springfield, IL 62703. *Coal* from Bicknell, IN to Springfield, IL 62703. Supporting shipper: City of Springfield, 3100 Stevenson Drive, Springfield, IL 62715.

MC 151801 (Sub-4–3TA), filed April 23, 1981. Applicant: VEEN CARTAGE, INC., 9146 S. Kolmar Ave., Oak Lawn, IL 60453. Representative: Stephen H. Loeb, Suite 2027, 33 North LaSalle St., Chicago, IL 60602. *Pet foods, and material, equipment, and supplies used in the manufacture and distribution of pet foods,* between the facilities of Swift & Co., at Momence, IL, on the one hand, and, on the other, points in IN, MI, NY, OH, PA, and WV. Supporting shipper: Swift & Company, 115 W. Jackson Blvd., Chicago, IL 60604.

MC 155429 (Sub-4–1TA), filed April 23, 1981. Applicant: BRUCE E. LAMBERT and ALAN J. MACKEY, d.b.a. LAMBERT-MACKEY TRUCKING, 1225 South Galena, Dixon, IL 61021. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. (1) *Concrete products,* from Woosung and River Grove, IL, to points in IN, IA and WI, and (2) *fertilizer,* between points in IL, IN, IA and WI. Supporting shippers: Keber Fertilizer, 1207 Chicago Street, Mendota, IL 61342; Ag Pro, Inc., P.O. Box 127, Woosung, IL 61091; and Midwest Concrete Products Company, Box 112, River Grove, IL 60171.

MC 155448 (Sub-4–1TA), filed April 20, 1981. Applicant: R. M. TRANSPORT, INC., 619 East Sumner Street, Hartford, WI 53021. Representative: William P. Dineen, 710 North Plankinton Avenue, Milwaukee, WI 53203. *Contract;* irregular; *liquid asphalt, in bulk,* from Dubuque, IA, and Whiting, IN, to Rochester, WI, under a continuing contract with Lang Engineering Co. of Rochester, WI. An underlying ETA seeks 120 days authority. Supporting shipper: Lang Engineering Co., P.O. Box 96, Rochester, WI 53167.

MC 155472 (Sub-4–1TA), filed April 23, 1981. Applicant: TAYLOR TRUCKING COMPANY, 1112 Suffolk Street, Southgate, MI 48195. Representative: John C. Scherbarth, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. *General commodities* between points in the U.S. under a continuing contract with Hickman, Williams & Company. Supporting shipper: Hickman, Williams & Company, 40 Port Avenue, Monroe, MI 48161.

MC 155473 (Sub-4–1TA), filed April 23, 1981. Applicant: JAMES K. KIRKER and ROBERT A. JENSEN, d.b.a. K & J TRANSPORT, 112 W. Ludington Avenue, Ludington, MI 49431. Representative: James Robert Evans, 145 W. Wisconsin Avenue, Neenah, WI 54956. *Contract;* irregular: *(1) rubber and plastic products and (2) such commodities as are dealt in or used by hardware stores* between Ludington, MI and Chicago, IL and its Commercial Zone under continuing contract(s) with Ludington Plastics, Inc. and Kirkers Hardware. An underlying ETA seeks 120 days authority. Supporting shippers: Ludington Plastics, Inc., South Jebavy Drive, Ludington, MI 49431 and Kirkers Hardware, 112 W. Ludington Avenue, Ludington, MI 49431.

MC 19945 (Sub-4–5TA), filed April 30, 1981. Applicant: BEHNKEN TRUCK SERVICE, INC., Route 13, New Athens, IL 62264. Representative: Joseph R. Behnken (same as applicant). *Coal,* from Marion, IL to Davenport, IA, an underlying ETA seeks 120 days authority. Supporting shipper: US. Energy, Inc., 502 S. Court St., P.O. Box 247, Marion, IL 62959.

MC 29555 (Sub-4–6TA), filed May 1, 1981. Applicant: BRIGGS TRANSPORTATION CO., N–400, Griggs-Midway Building, St. Paul, MN 55104. Representative: Winston W. Hurd (same address as applicant). *General commodities (except household goods as defined by the Commission and Classes A & B explosives),* serving points in the following counties in the States of KY and TN as off-route points in connection with carrier's otherwise authorized regular route service: *Kentucky:* Simpson, Logan, Christian, Barren, Allen, Scott, Bourbon, Clark, Madison, Mercer, Boyle. *Tennessee:* Davidson, Montgomery, Cheatam, Sumner, Rutherford, Wilson, Putnam, Robertson, Williamson. Applicant intends to interline. Applicant intends to tack to its existing authority and any authority it may acquire in the future. Supporting Shipper(s): There are 104 statements of support attached.

MC 44770 (Sub4–3TA), filed April 30, 1981. Applicant: MIDLAND LINES, INC., 1206 Currie Avenue, Minneapolis, MN 55403. Representative: Richard L. Gill, 1805 American National Bank Building, St. Paul, MN 55101. *Common* regular *passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers,* between Marshall, MN and Brookings, SD, serving all intermediate points: From Marshall over MN Highway 19 to SD border, thence over SD Highway 30 to junction Interstate Highway 29, thence over Interstate Highway 29 to Brookings, SD and return over same route. Supporting shippers: Marshall Northwest Pipe Fittings, Highway 59 North, Marshall, MN 56258; Divine Providence Hospital, 312 East George, Ivanhoe, MN 56142; Nielsen's Flowers, 1321 6th Street, Brookings, SD 57006.

MC 113434 (Sub-4–8TA), filed April 29, 1981. Applicant: GRA-BELL TRUCK LINE, INC., P.O. Box 1001, A5253, 144th Ave., Holland, MI 49423. Representative: Roger Van Wyk (same as applicant). *Foodstuffs and materials, equipment and supplies used in the manufacture and distribution of foodstuffs,* between Paw Paw, MI and various points in NY, PA, WV, KY, WI, IA, MO & TN. An underlying ETA seeks 120 days authority. Supporting shipper: The Coca-Cola Co., Foods Division, P.O. Box 229, Red Arrow Hwy. West, Paw Paw, MI 49079.

MC 117165 (Sub-4–6TA), filed April 30, 1981. Applicant: ST. LOUIS FREIGHT LINES, INC., 1111 U.S. Highway 20 West, Michigan City, IN 46360. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. *Refractories products, building board, wallboard, and materials and supplies used in the manufacture and installation thereof,* between points in IA, IL, IN, KY, MI, MN, MO, OH, PA, and WI, restricted to traffic originating at or destined to the facilities of General Refractories Company. Supporting shipper(s): General Refractories Company, 50 Monument Rd., Bala Cynwyd, PA 19004.

MC 117820 (Sub-4–1TA), filed April 30, 1981. Applicant: W. H. FROH, INC., 57760 Main Blvd., New Haven, MI 48048. Representative: Robert D. Schuler, 100 West Long Lake Rd., Ste. 102, Bloomfield Hills, MI 48013. *Commodities dealt in by food business houses, metal products, machinery, printed matter, pulp, paper and related products, lumber and wood products, building materials, materials, supplies and equipment used in the manufacture or distribution of the above-named items,* betwen points in MN, WI, IL, IA, IN, MI, OH, PA and NY,

on the one hand, and, on the other, points in the U.S. An underlying ETA seeks 120 days authority. Supporting shippers: There are 11 statements of support.

MC 119619 (Sub-4–10TA), filed April 29, 1981. Applicant: DISTRIBUTORS SERVICE CO., 2000 W. 43rd Street, Chicago, Illinois 60609. Representative: Arthur J. Piken, 95–25 Queens Blvd., Rego Park, NY 11374. *Food and related products and materials, supplies and equipment used in the manufacture and distribution of Food,* Between points in Sussex County, VA on the one hand, and, on the other, points in the U.S. An underlying ETA seeks 120 days authority. Supporting shipper: Old Dominion Packing Co., 2963 Bernice Road, Lansing, IL 60438.

MC 119641 (Sub-4–6TA), filed April 28, 1981. Applicant: RINGLE EXPRESS, INC., 450 East Ninth Street, Fowler, IN 47944. Representative: Michael D. McCormick, 1301 Merchants Plaza, Indianapolis, IN 46204. (a) *Iron and steel articles, and (b) Materials, equipment and supplies used in the manufacture and distribution thereof,* Between Middlesex County, NJ, on the one hand, and, on the other, points in and east of IA, MN, NE, KS, OK and TX. Supporting shipper: Raritan River Steel Company, P.O. Box 309, Perth Amboy, NJ 08862.

MC 127187 (Sub-4–6TA), filed April 29, 1981. Applicant: FLOYD DUENOW, INC., P.O. Box 86, Savage, MN 55378. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Ten South Fifth Street, Minneapolis, MN 55402. *Contract* irregular: *Machiner,* between points in the U.S. under continuing contracts with V & V Sales, Inc., Grand Forks, ND. Supporting shipper: V & V Sales, Inc., Box 457, Hwy 81 North, Grand Forks, ND 58201.

MC 127435 (Sub-4–1TA), filed April 30, 1981. Applicant: DAVID R. BUMGARDNER d.b.a. BURGARDNER DELIVER SERVICE, Rural Route No. 1, Dawson, IL 62520. Representative: Edward D. McNamara, Jr., Leslieann G. Maxey, 907 South Fourth St., Springfield, IL 62703. *Contract* irregular: *commodities as are regularly dealt in by retail drug stores,* from St. Louis, MO commercial zone to points in the IL counties of Macoupin, Cass, Menard, Coles, Moultrie, Effingham, Shelby, Douglas, Macon, Christian, Fayette, Morgan, Sangamon and Cumberland. Supporting shipper: Meyer Brothers Drug Company and/or Fox-Meyer Drug Company, 5430 Wise Avenue, St. Louis, MO 63110.

MC 129645 (Sub-4–6TA), filed April 29, 1981. Applicant: SMEESTER BROS., INC., 1330 S Jackson St., Iron Mountain, MI 49801. Representative: H. G. Denny (same address as applicant). *Lumber and wood products,* from the international boundary line between U.S. and CD at Detroit, MI to points in IA, IL, IN, KY, MI, MO, NY, OH, PA, and WV. An underlying ETA seeks 120 days authority. Supporting shipper: Weyerhaeuser Company, 100 S. Wacker Dr., Chicago, IL 60606.

MC 133689 (Sub-4–80TA), filed April 29, 1981. Applicant: OVERLAND EXPRESS, INC., 8651 Naple Street NE, Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Such merchandise as is dealt in by retail stores,* Between the facilities of World Wide, Inc. and Fairway Foods, Inc., at Minneapolis-St. Paul, MN and points in the Commercial Zone as defined by the Commission and Northfield, MN, on the one hand, and, on the other hand, points in the U.S. Supporting shippers: Fairway Foods, Inc., Northfield, MN; and World Wide, Inc., 5601 W. Old Shakopee Road, Bloomington, MN.

MC 139066 (Sub-4–2TA), filed April 29, 1981. Applicant: VAN BUS DELIVERY COMPANY d.b.a. UNITED VAN BUS DELIVERY,, 2601–32nd Ave., South, Minneapolis, MN 55405. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *Electrical goods,* between Minneapolis, MN on the one hand, and, on the other, points in MN, under continuing contract(s) with Panasonic Co. Supporting shipper: Panasonic Co., 1 Panasonic Way, Secaucus, NJ 07094.

MC 139482 (Sub-4–34TA), filed April 28, 1981. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 877, New Ulm, MN 56073. Representative: Barry M. Bloedel, P.O. Box 877, New Ulm, MN 56073. *Beverages,* from points in the states of CT, IN, KY, MD, MI, NJ and NY to the facilities of Federated Distributors and its subsidiaries located in Chicago, Rockford and Waukegan, IL and Milwaukee, WI. Underlying ETA application seeks 120 days authority. Supporting shipper: Federated Distributors, 4130 S. Morgan, Chicago, IL 60609.

MC 140549 (Sub-4–4), filed April 30, 1981. Applicant: FRITZ TRUCKING, INC., East Highway 7, Clara City, MN 56222. Representative: Samuel Rubenstein, Post Office Box 5, Minneapolis, MN 55440. *Canned fruits and vegetables* from Salem, OR; Vancouver and Yakima, WA; San Jose, Sacramento, Woodland, Yuba City, Atwater, Lodi, Modesto, Oakland and Riverbank, CA; to points in IA, IL, IN, MI, MN, MO, ND, OH, PA, SD and WI. Supporting shipper: Cal Growers Corp., Stockton, CA.

MC 142268 (Sub-4–5TA), filed April 29, 1981. Applicant: GORSKI BULK TRANSPORT, INC., R.R No. 4, Harrow, Ontario, CD NOR 1GO. Representative: Thaddeus A. Gorski, R.R. No. 4, Harrow, Ontario, CD NOR 1GO. *Alcohol, alcoholic liquors, wines, cordials, and materials, ingredients, and supplies used in the manufacture or distribution of those commodities in bulk and other than bulk,* between: (1) the facilities of Heublein, Inc., located at or near Allen Park, MI, Hartford, CT, Menlo Park, Ca and Paducah, KY; and (2) between those points named in Part (1) above, on the one hand, and, on the other, points in the U.S. Supporting shipper: Heublein, Inc., 330 New Park Ave., Hartford, CT 06101.

MC 143280 (Sub-4–24TA), filed May 1, 1981. Applicant: SAFE TRANSPORTATION COMPANY, 6834 Washington Avenue South, Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Common; irregular: *Containers and foodstuffs,* betwen the facilities of Coca Cola Bottling Midwest, Inc. at Minneapolis-St. Paul, MN and points in their commercial zones, on the one hand, and, on the other, points in MT, ND, IL, SD, IA, WI and Upper MI. An underlying ETA seeks 120 days. Supporting shipper: Coca Cola Bottling Midwest, Inc., 2750 Eagandale Blvd., Eagan, MN 55121.

MC 145664 (Sub-4–21TA), filed April 29, 1981. Applicant: STALBERGER, INC., 223 S. 50th Ave., W., Duluth, MN 55807. Representative: Joyce L. Donaldson, P.O. Box 6749, Duluth, MN 55807. *All shapes and sizes of steel products, such as bars, bar shapes, sheets, plates, tubing and structural equipment used in the manufacture, sale and distribution thereof,* between Chicago, IL and points in its commercial zone and Plymouth, MN and all points in the Minneapolis, MN commercial zone. Supporting shipper: Joseph T. Ryerson & Son, Inc., 2621 W. 15th Place, Chicago, IL 60608.

MC 145664 (Sub-4–22TA), filed April 30, 1981. Applicant: STALBERGER, INC., 223 S. 50th Ave. W., Duluth, MN 55807. Representative: Joyce L. Donaldson, P.O. Box 6749, Duluth, MN 55807. *Piping and miscellaneous pipe accessories, to include all plastic materials* between all points in the U.S. Supporting shipper: Water Products Company, 15801 W. 78th St., Eden Prairie, MN.

MC 150746 (Sub-4–8TA), filed April 28, 1981. Applicant: DFC TRANSPORTATION COMPANY, 12007 Smith Drive, Huntley, IL 60142.

Representative: Joel H. Steiner, 39 S. LaSalle, Suite 600, Chicago, IL 60603. *General commodities (except classes A & B Explosives),* from Sparks, NV to points in the U.S. in and west of MN, IA, MO, AR and LA (except AK and HI). Supporting shipper: Sierra Warehousing & Service, Inc., 525 Coney Island Drive, Sparks, NV 89431.

MC 152246 (Sub-4–3TA), filed April 30, 1981. Applicant: SCHULD TRANS., INC., 774 Flanner Rd., Box 57, Mosinee, WI 54455. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956. *Primary and fabricated metal products* between Birmingham, AL; Galesburg, IL, Grandview, MO; Laurinburg, NC and Norfolk, NE and points in WI. Supporting shipper: Urban Steel Buildings, Inc., P.O. Box 926, Wausau, WI 54401.

MC 155537 (Sub-4–1TA), filed April 24, 1981. Applicant: MORAVY TRUCKING COMPANY, 1934 Commercial Drive, Mt. Pleasant, MI 48858. Representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933. *Contract;* irregular; *Sodium hydrosulfide,* from points in Lapeer County, MI to various points in OH, NY, VA, MD, KY, IN, IL, WI, MN, PA, WV, and MA under continuing contract or contracts with T & T Chemical Incorporated of MI. An underlying ETA seeks 120-day authority. Supporting shipper: T & T Chemical Incorporated of MI.

MC 155599 (Sub-4–1TA), filed April 29, 1981. Applicant: ROBERT STOCK, d.b.a. STOCK TRANSPORT, Route #2, Box 39, Lebanon, IL 62254. Representative: Edward D. McNamara, Jr., 907 S. Fourth St., Springfield, IL 62703. *Contract* irregular: *vented gas space heaters, wood heaters, outdoor gas-fired grills and materials, equipment and supplies used in the manufacture and distribution thereof,* between East St. Louis and Mt. Vernon, IL and Lyons, KA, on the one hand, and points in the States of AL, AR, GA, IL, IA, KA, KY, MI, MN, MS, MO, NE, NJ, NC, OH, PA, SC, TN, VA, and WI, on the other hand. Supporting shipper: Locke Stove Co., 4200 St. Clair Ave., East St. Louis, IL 62202.

MC 155672 (Sub-4–1TA), filed May 1, 1981. Applicant: WISCONSIN AND SOUTHERN RAILROAD COMPANY, 501 East Lake Street, Horicon, WI 53032. Representative: John P. Fonte, 1333 New Hampshire Ave., N.W., Suite 400, Washington, DC 20036. *General commodities (except Classes A and B explosives), in containers or trailers having a prior or subsequent movement on rail flatcars,* between points in Dodge, Fond du Lac, Green Lake, Columbia, Milwaukee, Washington, Waukesha, and Winnebago counties, WI, restricted to service which is auxiliary to, or supplemental of, rail service provided by the WI and Southern Railroad Company. Supporting shippers: Naas Foods of Wisconsin, P.O. Box 1029, W. 7th St., Portland, IN 47371; Precision Metalsmith, 1149 N. Margaret St., Markesan, WI, 53946; Speedqueen Co., Shepard St., Ripon, WI 54971; Chamco., Inc., P.O. Box 280, Oshkosh, WI 54902.

MC 720 (Sub-4–6TA), filed April 24, 1981. Applicant: BIRD TRUCKING COMPANY, INC., P.O. Box 227, Waupun, WI 53963. Representative: Tom Westerman (same address as applicant). *Steel Coil Wire and Wire Carriers* between Points in OH and PA on the one hand, and, on the other, the Facilities of National Rivet and Manufacturing Company, at or near Waupun, WI. Supporting shipper: National Rivet and Manufacturing Company, 21 E. Jefferson St., Waupun, WI 53963.

MC 6992 (Sub-4–1TA), filed April 27, 1981. Applicant: AMERICAN RED BALL TRANSIT CO., INC., 1335 Sadlier Circle, East Drive, Indianapolis, IN 46239. Representative: John F. Spickelmier (same address as applicant). *Steel shelving, office furniture and grocery store fixtures* between points in Kalamazoo County, MI on the one hand, and on the other, points in the U.S. Supporting shipper: Lear Siegler, Inc./ Burroughs Division, 3002 N. Burdick Street, Kalamazoo MI 49007.

MC 15735 (Sub-4–1TA), filed April 24, 1981. Applicant: ALLIED VAN LINES, INC., P.O. Box 4403, Chicago, IL 60680. Representative: Richard V. Merrill (same as applicant). *Contract, Irregular: Such commodities as are used or dealt in by medical facilities or manufacturers of medical equipment* between Milwaukee and Waukesha Counties, WI;on the one hand, and, on the other, points and places in the U.S. under continuing contract(s) with the General Electric Company, Medical Systems Business Division of Milwaukee, WI. Supporting shipper: General Electric Company, Medical Systems Business Div., 16705 W. Lincoln, New Berlin, WI 53151.

MC 022147 (Sub-4–1TA), filed April 27, 1981. Applicant: OSBORN & SON TRUCKING CO., INC., 221 W Johnson St., Fond du Lac, WI 54935. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Rd., Madison, WI 53719. *Contract;* irregular; *metal castings, patterns, jigs and fixtures, and related items of rolled steel, steel rods, and bar stock used in the manufacture of patterns, jigs and fixtures, and uncrated machine parts,* between points in IL, IA, IN, MI, MN, OH and WI. Restriction: Restricted to transportation performed under a continuing contract(s) with Giddings and Lewis Machine Tool Company. An underlying ETA seeks 120 days authority. Supporting shipper: Giddings and Lewis Machine Tool Company, P.O. Box 590, 142 Doty St., Fond du Lac, WI 54935.

MC 40978 (Sub-4–14TA), filed April 27, 1981. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, 3321 South Business Drive, Sheboygan, WI 53081. Representative: Daniel R. Dineen, 710 North Plankinton Avenue, Milwaukee, WI 53203. *General commodities (except classes A and B explosives),* between the facilities of K. W. Muth Company, Inc., at Sheboygan, WI, on the one hand, and, on the other, points in and east of ND, SD, NE, KS, OK, and TX. Supporting shipper: K. W. Muth Company, Inc., P.O. Box 909, Sheboygan WI 53081.

MC 107295 (Sub-4–38TA), filed April 27, 1981. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, IL 61842. Representative: Duane Zehr (same address as applicant). *Metal products,* between Denver, IN, on the one hand, and, on the other, points in AL, AR, FL, GA, IL, KS, LA, MD, MI, MN, MS, MO, NM, NY, NC, OH, SC, TN, TX, VA, and WI. Supporting shipper: Delta Tube, Inc., P.O. Box 158, Denver, IN 46926.

MC 107295 (Sub-4–39TA), filed April 27, 1981. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, IL 61842. Representative: Duane Zehr (same address as applicant). *Paper and paper products and lumber and lumber products,* from points in FL and GA to points in and east of ND, SD, NE, KS, OK, and TX. Supporting shipper: Gilman Paper Co., P.O. Box 520, St. Marys, GA 31558.

MC 118612 (Sub-4–9TA), filed April 28, 1981. Applicant: COLUMBIA TRUCKING, INC., 700 131st Place, Hammond, IN 46320. Representative: Richard A. Kerwin, 180 North La Salle Street, Chicago, IL 60601. *Coal Tar Saturants:* From Terre Haute, IN to Chicago, IL. Supporting shipper: CELOTEX CORP., a Div. of Jim Walter Corp., 1500 North Dale Mabry, Tampa, FL 33607.

MC 118806 (Sub-4–5TA), filed April 24, 1981. Applicant: ARNOLD BROS. TRANSPORT, LTD., 851 Lagimodier Boulevard, Winnipeg, Manitoba R2J 3K4. Representative: Bernard J. Kompare, 10 S. LaSalle Street, Suite 1600, Chicago, IL 60603. *Contract,* irregular, *General*

commodities (except classes A & B explosives), between the ports of entry on the International Boundary Line between CD and the U.S., located in MN, ND, MT, ID, WA, on the one hand, and, on the other, points in the U.S., under contract(s) with Interamerican Transport Systems, Inc. Supporting shipper: Interamerican Transport Systems, Inc., 43 Markham Crescent, Sherwood Park, AB T8A 3T4.

MC 127505 (Sub-4–1TA), filed April 27, 1981. Applicant: RALPH H. BOELK d.b.a. R. H. BOELK TRUCK LINES, INC., R.R. 2, Mendota, IL 61342. Representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Popular Ave., Memphis, TN 38137. *Such commodities as are manufactured, processed, sold, used, distributed and dealt in by Fort Howard Paper Company,* between Green Bay, WI and Muskogee, OK on the one hand, and, on the other, points in AR, CO, IL, IN, KS, KY, LA, MS, NM, OK, TN, TX, and WI. Supporting shipper: Fort Howard Paper Company, 1919 South Broadway, Green Bay, WI 54305.

MC 136899 (Sub-4–13TA), filed April 27, 1981. Applicant: HIGGINS TRANSPORTATION LTD., P.O. Box 637, Richland Center, WI 53581. Representative: Foster L. Kent, P.O. Box 255, Council Bluffs, IA 51502. *New furniture and furniture parts,* from Menominee, MI, and Green Bay and Madison, WI, to points in IL, IN, IA, MI, MN, MO, OH, and WI. Supporting shippers: Anderson Manufacturing Company, Inc., 4718 10th St., Menominee, MI 49858; Custom Craft Industries, Inc., P.O. Box 4107, Green Bay, WI 54303; and, Rustic Manufacturing, P.O. Box 7395, Madison, WI 53707.

MC 138420 (Sub-4–5TA), filed April 27, 1981. Applicant: CHIZEK ELEVATOR & TRANSPORT, INC., Route 1, P.O. Box 147 Cleveland, WI 53063. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. *(1) Malt and carbonated beverages* from Omaha, NE and its commercial zone to points in WI and the Minneapolis-St. Paul commercial zone, *(2) malt beverages* from Fort Wayne, IN to St. Louis and Kansas City, MO, Menominee, MI and points in MN and IA, and *(3) corrugated cardboard* from Canton, OH to Rockford, IL. An underlying ETA seeks 120 days authority. Supporting shippers: P. L. Distributing Company, 1501 S. Main Street, Council Bluffs, IA 51501 and St. Louis Beer Sales, Inc., 6709 fort Industrial Lane, St. Louis, MO 63134.

MC 138420 (Sub-4–6TA), filed April 28, 1981. Applicant: CHIZEK ELEVATOR & TRANSPORT, INC., P.O. Box 147, Cleveland, WI 53015. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. *Charcoal and liquid smoke flavoring* (1) from Manitowoc, WI to points in KY, MI, MO, OH, PA and WV and (2) from Belle, MO to points in WI. Underlying ETA seeks 120 days authority. Supporting shippers: Red Arrow Products, Inc., P.O. Box 507, Manitowoc, WI 54220.

MC 139482 (Sub-4–32TA), filed April 27, 1981. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 877, New Ulm, MN 56073. Representative: Barry M. Bloedel, P.O. Box 877, New Ulm, MN 56073. *Food and related products,* between Madison, WI, on the one hand, and, on the other, Boston, MA, Chicago, IL, Cleveland, OH, Columbus, OH, Detroit, MI, New York, NY, Philadelphia, PA and Secaucus, NJ. Supporting shipper: Bagels Forever, Inc., 2947 University Avenue, P.O. box 5547, Madison, WI 53705.

MC 139482 (Sub-4–33TA), filed April 27, 1981. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 877, New Ulm, MN 56073. Representative: Barry M. Bloedel, P.O. Box 877, New Ulm, MN 56073. *Food and related products,* between Daviess and Henderson Counties, KY, or the one hand, and, on the other, points in CO. Supporting shipper: Ragu' Foods, Inc., 33 Benedict Place, Greenwich, CT 06830.

MC 143636 (Sub-4–6TA), filed April 27, 1981. Applicant: RON SMITH TRUCKING, INC., Rural Route No. 1, Box 59, Arcola, IL 61910. Representative: Douglas G. Brown, 913 South Sixth Street, Springfield, IL 62703. *Coal* from Terre Haute, IN, to Springfield, IL. Supporting shippers: Royal Fuel Company, 1211 West 22nd Street, Suite 417, Oakbrook IL 60521.

MC 143739 (Sub-4–4TA), filed April 27, 1981. Applicant: SHURSON TRUCKING CO., INC., P.O. Box 147, New Richland, MN 56072. Representative: Leonard K. Sackson (same address as applicant). *Food and Related Products:* From the plantsites of Joan of Arc Company at or near (1) Hoopeston and Princeville, IL, to points in AL, AR, IN, IA, KS, KY, LA, MN, MS, MO, ND, OK, SD, TN, TX and WI and from (2) Mayville, WI to points in AL, AR, IL, IN, IA, KS, KY, LA, MN, MS, MO, ND, OK, SD, TN, and TX. Supporting Shipper: Joan of Arc Co., 2231 W. Altorfer, Peoria, IL 61615.

MC 144261 (Sub-4–1TA), filed April 27, 1981. Applicant: JULIUS KOLESAR, INC., 1359 Milton St., P.O. Box 1086, Benton Harbor, MI 49022. Representative: J. Joseph Daly, 610 Ship St., P.O. Box 558, St. Joseph, MI 49085. *Contract* irregular: *Non-exempt food or kindred products* between points in the U.S. under continuing contract with Campbell Soup Company. An underlying ETA seeks 120 days authority. Supporting shipper: Campbell Soup Company, P.O. Box 117, Paris, TX 75460.

MC 144370 (Sub-4–3TA), filed April 28, 1981. Applicant: DON NASS TRUCKING, INC., 210 Front Street, Clinton, WI 53525. Representative: Richard A. Westley, Attorney, 4506 Regent Street, Suite 100, Madison, WI 53705. *Malt beverages* from the facilities of G. Heileman Brewing Co., located at or near La Crosse, WI to the facilities of Matthews Distributing Co., Inc., at or near Freeport, IL. An underlying ETA seeks 120 days authority. Supporting shipper, Matthews Distributing Co., Inc., 1750 S. Walnut Street, Freeport, IL 61032.

MC 145122 (Sub-4–2TA), filed April 28, 1981. Applicant: SKYLAND, INC., 256 Celia Street, S.W., Wyoming, MI 49508.Representative: William H. Towle, 180 North LaSalle Street, Chicago, IL 60601. *Contract* irregular *General Commodities (except classes A and B explosives)* between points in the U.S. under continuing contract with Leslie Metal Products Company. Supporting shipper: Leslie Metal Products Company, 3225 33rd Street S.W., Grand Rapids, MI 49508.

MC 145246 (Sub-4–4TA), filed April 27, 1981. Applicant: A. E. SCHULTZ CORPORATION, 901 Lyndale Avenue, Neenah, WI 54956. Representative: Frank M. Coyne, 25 West Main Street, Madison, WI 53703. *Salt,* from the plant site of Hardy Salt Company at Manistee, MI, to points in WI. Supporting shipper: Hardy Salt Company, 800 Vandeventer Avenue, St. Louis, MO 63166.

MC 145742 (Sub-4–4), filed April 27, 1981. Applicant: BOLES TRUCKING, INC., R. R. #1, Ina, IL 60690. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract* irregular: *Iron and pipe fittings, and oil field supplies,* from Martins Ferry, OH to points in LA, OK, and TX. Restricted to traffic moving under continuing contract with Picoma Industries, Inc. An underlying E/T/A seeks 120 days authority. Supporting shipper: Picoma Industries, Inc., P.O. Box 488, Martins Ferry, OH 43935

MC 145902 (Sub-4–1), filed April 24, 1981. Applicant: K.R.L. TRANSIT, INC., 225 Vincent Street, Springfield, IL 62707. Representative: Edward D. McNamara, Jr., 907 South Fourth St., Springfield, IL 62703. *Rough cut hardwood lumber* between Beardstown and Chandlerville, IL on the one hand, and Jasper and LaPorte, IN, on the other hand.

Supporting shipper: Rich Lumber Co., Inc., P.O. Box 31, Beardstown, IL 62618.

MC 146536 (Sub-4–1TA), filed April 27, 1981. Applicant: WALTER SHORT AGENCY, INC., 5000 Wyoming, Dearborn, MI 48120. Representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. *Wood based building products, including lumber, plywood, veneer, particleboard paneling* from points in TX to points in IN, MI and OH. Supporting shipper: Champion International Corporation, Knightsbridge Drive, Hamilton, OH 45020.

MC 146695 (Sub-4–1TA), filed April 24, 1981. Applicant: YANKEE S. & L., INC., d.b.a. YANKEE MOTOR FREIGHT, 1136 W 500 S, Marion, IN 46952. Representative: M. H. Haisley (same as applicant). *General Commodities* between points in the U.S. Restricted to traffic originating at or destined to Burger King Corporation. Supporting shipper: Burger King Corporation, 9200 S. Shadeland Blvd, Box 520843, Miami, FL 33152.

MC 146695 (Sub-4–2TA), filed April 24, 1981. Applicant: YANKEE S. & L. INC., d.b.a. YANKEE MOTOR FREIGHT, 1136 W 500 S, Marion, IN 46952. Representative: M. H. Haisley 1136 West 500 South, Marion, IN 46952. *General Commodities* between points in the U.S. Restricted to traffic originating at or destined to Texize, Division of Morton Norwich. Supporting shipper: Texize Div of Morton Norwich., P.O. Box 368, Greensville, SC 29602

MC 147499 (Sub-4–5TA), filed April 24, 1981. Applicant: D. H. TRANSFER INC., 671 M–73, Iron River, MI 49935. Representative: Donald Hooper, 671 M–73, Iron River, MI 49935. *(1) Hardwood systems, synthetic flooring systems, hardwood and synthetic flooring materials and supplies used in the installation of the commodities in (1) above and (3) lumber, wood products and millwork;* from the facilities of Robbins Inc. at or near Ishpeming, MI, and Robbins Inc. at or near White Lake, WI to all points in the U.S. with right of return of rejected or damaged merchandise. Supporting shipper: Robbins Inc., 3626 Roundbotton Road, Cincinnati, OH 45244.

MC 148380 (Sub-4–13TA), filed April 28, 1981. Applicant: CRESCO LINES, INC., 13900 South Keeler Ave., Crestwood, IL 60445. Representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603. *Electrical transformers, utility poles, tubing, pipe, machinery, wire, cable, turbines, rotors, pumps, mining equipment and supplies,* between points in Allegheny, Beaver, Greene and Washington Counties, PA, on the one hand, and, on the other, points in the U.S. under continuing contract with Duquesne Light Company. Supporting shipper: Duquesne Light Company, 435 Sixth Avenue, Pittsburgh, PA 15219.

MC 150596 (Sub-4–5TA), filed April 27, 1981. Applicant: ROBERT JAY SPENCER, d.b.a. SPENCER BROS. TRUCKING, 212 Lincoln Street, Lake Crystal, MN 56066. Representative: William L. Libby, 5200 Willson Road, Ste. 307, Edina, MN 55424. *Such commodities, as are dealt in or used by manufacturers and distributors of soaps, lotions, and cleansing agents,* between Lake Crystal, MN on the one hand, and, on the other, points in the U.S. Supporting shipper: Sween Corporation, P.O. Box 980, Highway 60 East, Lake Crystal, MN 56055.

MC 152256 (Sub-4–2TA), filed April 23, 1981. Applicant: GRAMMER INDUSTRIES, INC., Box 51, Grammer, IN 47236. Representative: Robert B. Hebert, 777 Chamber of Commerce Building, Indianapolis, IN 46204. *Chemicals and related products,* (1) between points in Floyd County, IN, on the one hand, and, on the other, points in Tipton, Carroll and Robertson Counties, TN. Supporting shipper: W. R. Grace & Company, 2818 Grantline Road, New Albany, IN 47150.

MC 152284 (Sub-4–3TA), filed April 28, 1981. Applicant: INDIANA HEAVY & SPECIALIZED CARRIER, INC., Route 1, Wilson Ave., Madison, IN 47250. Representative: Stephen M. Gentry, Attorney at Law, 1502 Main St., Speedway, IN 46224. *Contract,* irregular: *Primary metal products* between points in the U.S. (except AK and HI). Restricted to traffic moving under a continuing contract with Rotary Lift, a Division of Dover Corporation. An underlying ETA seeks 120 days authority. Supporting shipper: Tait Pipe Sales, 4000 Palos Verdes Dr. North #202, Palos Verdes, CA 90274.

MC 152284 (Sub-4–4TA), filed April 28, 1981. Applicant: INDIANA HEAVY & SPECIALIZED CARRIER, INC., Route 1 Wilson Ave., Madison, IN 47250. Representative: Stephen M. Gentry, Attorney at Law, 1502 Main St., Speedway, IN 46224. *Contract,* irregular: *Clay, concrete, glass or stone products* between points in the U.S. (except AK and HI). Restricted to traffic moving under a continuing contract with Trenwa Products, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Trenwa Products, Inc., 645 Highland Ave., Fort Thomas, KY 41075.

MC 152514 (Sub-4–3TA), filed April 24, 1981. Applicant: MOTOR ACTIVITIES, LTD., 850 Skokie Highway, Lake Bluff, IL 60044. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602. *General commodities (except hazard toxic waste and Classes A & B explosives)* between points in the U.S., under continuing contract(s) with Lomax Consolidators, Inc. Supporting shipper: Lomax Consolidators, Inc., 860 Skokie Highway, Lake Bluff, IL 60044.

MC 152849 (Sub-4–1TA), filed April 28, 1981. Applicant: S.T.S. TRANSPORT SERVICE, INC., 12400 South Keeler, Alsip, IL 60658. Representative: Patrick H. Smyth, 19 South LaSalle Street, Suite 401, Chicago, IL 60603. *Contract* irregular: *New furniture, furniture parts, and materials and supplies used in the manufacture and distribution thereof,* from the facilities of S. K. Products Corp., located at or near Atlanta, GA; Chicago, IL; Clifton, NJ; and Houston, TX, on the one hand, and, on the other, all points in the U.S. (except AK and HI), under a continuing contract(s) with S. K. Products Corp. Supporting shipper: S. K. Products, Corp., 5355 Bucknell Drive, SW., Atlanta, GA 30336.

MC 153829 (Sub-4–15TA), filed April 28, 1981. Applicant: UNITED SHIPPING COMPANY, 2104 Lower St. Dennis Road, St. Paul, MN 55116. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. *Sugar,* from the facilities of American Crystal Sugar Company at or near Drayton, ND, East Grand Forks, Crookston, Moorhead and Minneapolis-St. Paul, MN, to points in IA, NE, KS, MO, OK and TX. Supporting shipper: American Crystal Sugar Company, 101 North Third Street, Moorhead, MN 56560.

MC 153829 (Sub-4–16TA), filed April 28, 1981. Applicant: UNITED SHIPPING COMPANY, 2104 Lower St. Dennis Road, St. Paul, MN 55116. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. *Ventilation louvers and materials, equipment and supplies used in the manufacture, sale and distribution thereof,* between the facilities of Lomanco, Inc. located at or near Jacksonville, AR and Kingman, AZ, on the one hand, and, on the other, points in the U.S. Supporting shipper: Lomanco, Inc., 2101 West Main Street, Jacksonville, AR 71076.

MC 154460 (Sub-4–2TA), filed April 27, 1981. Applicant: Q CARRIERS, INC., 14086 Rutgers Street NE., Prior Lake, MN 55372. Representative: Randall D. Quiring, 14086 Rutgers Street NE., Prior Lake, MN 55372. *Contract* Irregular: *General Commodities (except those of unusual value, classes A and B*

explosives, commodities in bulk, and those requiring special equipment) between points in the U.S. under continuing contract(s) with R. C. Smith Co. of Bloomington, MN. Supporting shipper: R. C. Smith Co., 801 E. 79th St., Bloomington, MN 55420.

MC 154948 (Sub-4–2TA), filed April 23, 1981. Applicant: DON A. LARSON, d.b.a., LARSON SERVICE COMPANY, 1132 Chateaugay Avenue, Naperville, IL 60540. Representative: Donald S. Mullins, 1033 Graceland Avenue, Des Plaines, IL 60016. *Contract;* Irregular: *Fiberglass and Plastic Articles,* From Joliet, IL, to Memphis, TN; From Jackson, TN, to Joliet, IL; under continuing contract(s) with Kemlite Corporation of Joliet, IL. Supporting shipper: Kemlite Corporation, 101 N. Republic Avenue, Joliet, IL 60435.

MC 154959 (Sub-4–1TA), filed April 24, 1981. Applicant: ROCKY AND RENO TRUCKING, INC., R.R. 6, Box 314, Lot 34, Rapid City, SD 57701. Representative: Thomas J. Simmons, Box 480, Sioux Falls, SD 57101. *Beer, empty containers, and related advertising and promotional materials* between points in SD on the one hand, and, on the other, points in MN, MO, WI. Supporting shipper: Sweetwood Distributing Inc., 2026 Sioux Ave., Box 1859, Rapid City, SD 57701.

MC 155118 (Sub-4–1TA), filed April 24, 1981. Applicant: T.D.S. TRANSPORTATION, INC., 1700 South Wolf Road, Des Plaines, Il 60018. Representative: H. Barney Firestone, 10 South LaSalle Street, Suite 1600, Chicago, IL 60603. *Contract-irregular, General commodities (except Classes A & B explosives),* between points in MN, IA, MO, WI, IL and IN under continuing contracts with City Products Corporation and Ben Franklin Stores of Des Plaines, IL. Supporting shippers: (1) City Products Corporation, 1700 South Wolf Road, Des Plaines, IL 60018; (2) Ben Franklin Stores, 1700 South Wolf Road, Des Plaines, IL 60018.

MC 155535 (Sub-4–1), filed April 27, 1981. Applicant: EARL DUNCAN TRANSPORT, INC., Box 99, Route #3, Carthage, IL 62321. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract* irregular: *Lumber* from Keokuk, IA to Memphis, TN, Beardon, AR and Iron Mountain, MI. Restricted to traffic moving under continuing contract with Carlton Smith Industries, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Carlton Smith Industries, Inc., Route #2, Box 31, Keokuk, IA 52632.

MC 155539 (Sub-4–1TA), filed April 27, 1981. Applicant: JOHN W. FJOSEIDE, an individual, Route #1, P.O. Box 206A, Dawson, MN 56232. Representative: Robert S. Lee, 1600 TCF Tower, 121 So. 8th St., Minneapolis, MN 55402. *Food and related products* from MN and IL to the Los Angeles and San Francisco, CA, Salt Lake City, UT, Portland, OR and Seattle, WA Commercial Zone. Supporting shipper: Prepared Products Company, Inc., 6511 Telegraph Road, Los Angeles, CA 90040.

The following applications were filed in Region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 110567 (Sub-5–3TA), filed April 29, 1981. Applicant: SOONER TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. Contract, irregular, *commodities distributed by retail grocery stores* between pts in IA, on the one hand, and, on the other, pts in WI, IN, MI, OH and MS. Supporting shipper: Super Valu Stores, Inc., 3900 106th N.W., Des Moines, IA.

MC 118535 (Sub-5–5TA), filed April 29, 1981. Applicant: TIONA TRUCK LINE, INC., 102 West Ohio, Butler, MO 64730. Representative: Jim Tiona, Jr. (same as applicant). *Ground barite,* between Coffeyville, KS on the one hand, and on the other points in AR, AZ, CO, IA, IL, IN, KY, LA, MI, MN, MO, MS, MT, NE, ND, NM, OH, OK, SD, TN, TX, WI, WY. Supporting shipper: The Sherwin-Williams Co. Chemical Division P.O. Box 855, Coffeyville, KS 67337.

MC 124236 (Sub-5–19TA), filed April 28, 1981. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 4645 N. Central Expressway, Dallas, TX 75205. Representative: Lee Carpenter (same as applicant). *Petroleum, in bulk,* between Houston, TX and Loraine, OH. Supporting shipper: Gulf States Asphalt, P.O. Box 508, S. Houston, TX 77588.

MC 126822 (Sub-5–56TA), filed April 29, 1981. Applicant: WESTPORT TRUCKING COMPANY, 15580 South 169 Highway, Olathe, KS 66061. Representative: John T. Pruitt (same as applicant). *Malt beverages* between Fort Worth, TX, on the one hand, and points in KS, on the other. Supporting shipper: Midwest Distributing Company, 6501 Kansas Ave., Kansas City, KS 66111.

MC 126822 (Sub-5–57TA), filed April 29, 1981. Applicant: WESTPORT TRUCKING COMPANY, 15580 South 169 Highway, Olathe, KS 66061. Representative: John T. Pruitt (same as applicant). Contract Irregular; *such commodities as are dealt in by wholesale, retail and chain grocery and food business houses and material, equipment and supplies used or useful in the manufacture, sale and distribution of such commodities* between points in the U.S. (except AK and HI). Supporting shipper: General Foods Corporation, 250 North Street, White Plains, NY 10625.

MC 126822 (Sub-5–58TA), filed April 29, 1981. Applicant: WESTPORT TRUCKING COMPANY, 15580 S. 169 Highway, Olathe, KS 66061. Representative: John T. Pruitt (same as applicant). *Lumber or wood products* between points in the U.S., restricted to shipments for Delta Wood Products. Supporting shipper: Delta Wood Products, 1120 S. Texas St., Lewisville, TX 75067.

MC 135078 (Sub-5–13TA), filed April 28, 1981. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" Street, Omaha, NE 68127. Representative: Arthur J. Cerra, P.O. Box 19251, Kansas City, MO 64141. *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* between points in the U.S. Supporting shipper: Prairie Creek Commodities Corp., P.O. Box 143, Allen, TX 75002.

MC 135078 (Sub-5–14TA), filed April 29, 1981. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" Street, Omaha, NE 68127. Representative: Arthur J. Cerra, P.O. Box 19251, Kansas City, MO 64141. *Foodstuffs, canned and/or frozen,* from the commercial zone of Kansas City, MO, to points in GA, NC and SC. Supporting shipper: Commercial Distribution Center, 16500 East Truman Road, Independence, MO 64051.

MC 138627 (Sub-5–14TA), filed April 29, 1981. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Fort Dodge, IA 50501. Representative: Arlyn L. Westergren, Westergren & Hauptman, P.C., Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114. *Building materials,* From KS, OK and NM to points in the U.S. Supporting shipper: Tokan Company, Inc., Rt. 1, Springfield, MO 65803.

MC 142672 (Sub-5–24TA), filed April 29, 1981. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, Esq., P.O. Box 1065, Fayetteville, AR 72701. *Gas and Electrical Appliances and Parts, Materials, Supplies and Equipment used in the manufacture, distribution and repair of appliances* between Ft. Smith, AR, on the one hand, and points in IA, IL, IN, KS, KY, MI, MO, OH and TN. Supporting shipper: Whirlpool Corporation, 2000 U.S. 33 North, Benton Harbor, MI 49022.

MC 146091 (Sub-5–1TA), filed April 29, 1981. Applicant: JOHN E. HOTH and BOBBIE J. HOTH, d.b.a. W. I. EXPRESS, Box 17, Colesburg, IA 52035. Representative: Carl E. Munson, P.O. Box 796, Dubuque, IA 52001. *Meat and meat products, meat by-products, and related products distributed by meat packinghouses,* from the facilities of Wilson Foods Corporation, located at Albert Lea, MN, Cedar Rapids and Des Moines, IA, and Omaha, NE, to points in LA and MS. Supporting shipper: Wilson Foods Corporation, 4545 Lincoln Blvd., Oklahoma City, OK 73105.

MC 149244 (Sub-5–4TA), filed April 29, 1981. Applicant: PEAKE, INC., Midtown Business Center, 2022 Avenue "A", Kearney, NE 68847. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. *Petroleum, petroleum products and alcohol* between pts in IA, KS and NE. Supporting shippers: Dawson Oil & Transport Co., Hwy 73–75, P.O. Box 724, S. Nebraska City, NE 68410; Conway Oil Company of Omaha, Rte 23, Box 141, Omaha, NE 68123; Kehlbeck Oil Co., 395 5th St., Syracuse, NE; Keckler Oil Co., Weeping Water, NE; and Holt Gas Co., Sidney, IA 51652.

MC 151534 (Sub-5–6TA), filed April 29, 1981. Applicant: R&D TRANSPORTATION CORPORATION, P.O. Box 1908, Des Moines, IA. Representative: Craig D. Vermie, 1350 Financial Center, Des Moines, IA. Contract, irregular; *Lumber or Wood Products* between pts in the U.S. Supporting Shipper: Ar WOOD Ltd., P.O. Box 55, Des Moines, IA.

MC 151819 (Sub-5–7TA), filed April 29, 1981. Applicant: CARGO MASTER, INC., 917 S. Harwood, Dallas, TX 75235.Representative: Jackson Salasky, P.O. Box 45538, Dallas, TX 75245. *Ferrous and non-ferrous scarp, battery scraps and ferrous and non-ferrous metals,* between points in Sequin, Dallas, Clute, Corpus Christi, Eagle Pass, Ft. Worth, Austin, Beaumont, and Houston, TX, on the one hand, and on the other, points in the U.S. Restricted to traffic of Commercial Metals Company. Supporting shipper(s): Commercial Metals Company, P.O. Box 1046, Dallas, TX 75221.

MC 155125 (Sub-5–1TA), filed April 29, 1981. Applicant: BILL COX TRUCKING CO., #3 Clemens Mobile Est., Box 968, Scottsbluff, NE 69361. Representative: Bill Cox (same as above). *Drilling Gell (Benonite) Chemicals and oil field supplies* between the states of WY and SD and OK. Supporting shipper: Service Mud Co., Box 449, Holdenville, OK 74848.

MC 155569 (Sub-5–1TA), filed April 29, 1981. Applicant: KENNETH HUBKA, d.b.a. HUBKA TRUCKING, R.R. #2, Cresco, IA 52136. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309. *Fertilizers,* from Winona, MN; Whitewater, WI, and East Dubuque, IL, to Howard County, IA. Supporting shipper: Kaiser Ag, Box 423, Cresco, IA 52136.

MC 155594 (Sub-5–1TA), filed April 29, 1981. Applicant: SATAN TRUCKING, INC., Route 2, Box 119, Stonewall, OK 74871. Representative: G. Timothy Armstrong, P.O. Box 1124, El Reno, OK 73036. *Malt beverages, empty used beverage containers, related materials and supplies as are dealt with and used in the sale of malt beverages,* between St. Louis, MO, on the one hand, and, on the other, Stonewall (Union Valley), OK. Supporting shipper: Ed F. Davis, Inc., P.O. Box 539, Durant, OK 74701.

MC 155595 (Sub-1TA), filed April 29, 1981. Applicant: WTR TRANSPORTATION, INC., 3023 Herbert Street, Dallas, TX 75212. Representative: Daniel C. Sullivan, 10 S. LaSalle Street, Suite 1600, Chicago, IL 60603. *Metal products,* between Cheatum County, TN, on the one hand, and, on the other, points in AL, AR, CT, DE, DC, 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, and WI. Supporting shipper: State Industries, Inc., Ashland, TN 37015.

MC 61231 (Sub-5–8TA), filed May 1, 1981. Applicant: EASTER ENTERPRISES, INC., d.b.a. ACE LINES, INC., P.O. Box 1351, Des Moines, IA 50305. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. *General commodities except Classes A and B explosives and hazardous waste materials,* between the facilities of Centennial Warehousing Corp., at Des Moines, IA, on the one hand, and, on the other, pts. in AR, CO, IL, IN, KS, MI, MN, MO, NE, ND, OH, OK, SD, TX, WI, and WY. Supporting shipper: Centennial Warehousing Corp., 10400 Hickman Road, Des Moines, IA 50322.

MC 95084 (Sub-5–10TA), filed May 1, 1981. Applicant: HOVE TRUCK LINE, Stanhope, IA 50246. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA 52501. *General Commodities, except class A & B explosives,* between the facilities of CertainTeed Corporation, in the U.S., on the one hand, and, on the other, pts. in the U.S. Supporting shipper: CertainTeed Corporation, P.O. Box 1100, Blue Bell, PA 19422.

MC 95084 (Sub-5–11TA), filed May 1, 1981. Applicant: HOVE TRUCK LINE, Stanhope, IA 50246. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA 52501. *Pipe Fittings, Valves, Hydrants, Brick and Sewerage Treatment Systems,* Between Pell City, AL; Corona, CA; Bensenville, Carol Stream and Westmont, IL; Oskaloosa, IA; Richwood, KY; Coshocton and Parral, OH; and Buckhannon, WV and points in the U.S. Supporting shipper: Clow Corporation, 1211 W. 22nd St., Oakbrook, IL 60521.

MC 114274 (Sub-5–10TA), filed April 30, 1981. Applicant: VITALIS TRUCK LINES, INC., P.O. Box 1703, Des Moines, IA 50306. Representative: William H. Towle, 180 North La Salle St., Suite 3520, Chicago, IL 60601. *Fresh meat and packing house products and articles distributed by meat packing houses.* (1) From the facilities used by Swift Independent Packing Co. at Des Moines & Ames, IA to points in AZ, AR, CA, CO, ID, IL, IN, KS, LA, MI, MN, MS, MO, MT, NE, NV, NM, ND, OH, OK, OR, SD, TX, UT, WA, WI, WY. (2) From the facilities used by Swift Independent Packing Company at or near Bloomington, IL., Detroit, MI., and Washington Court House, OH to points in AL, AR, CT, DE, DC, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, & WI. Supporting shipper: Swift Independent Packing Co., 115 West Jackson Boulevard, Chicago, Il 60604.

MC 114274 (Sub-5–11TA), filed April 30, 1981. Applicant: VITALIS TRUCK LINES, INC., P.O. Box 1703, Des Moines, IA 50306. Representative: William Towle, 180 No. LaSalle St., Suite 3520, Chicago, IL 60601. *Paper & Paper Products & Materials, Equipment & Supplies used in the manufacturing & distribution of Paper & Paper Products.* From Appleton, Brokaw, Kimberly, Neenah, Rhinelander & Wisconsin Rapids, WI to points in IA. Supporting shipper: Valley Papers Inc., 801 S. 19th St., West Des Moines, IA 50265.

MC 117119 (Sub-5–56TA), filed May 1, 1981. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. BOX 188, Elm Springs, AR 72728. Representative: L. M. McLean (same address as applicant). *Wall coverings and materials, equipment, and supplies* used in the manufacture and application of wall coverings from points in NJ, NY, and PA to Dayton, OH. Supporting shipper(s): Wallpapers To Go, P.O. Box 14300, Northridge Branch, Dayton, OH 45414.

MC 117792 (Sub-5–1TA), filed May 1, 1981. Applicant: J. C. JACKSON, JR., d.b.a. FARM PRODUCTS CO., P.O. Box 189, East Prarie, MO 68345.

Representative: A. J. Swanson, P.O. Box 1103, Sioux Falls, SD 57101. *Meats and packinghouse products* from IA to points in MS, LA, AR, TN and AL. Supporting shippers: The Rath Packing Company, P.O. Box 330, Waterloo, IA 50704. Wilson Foods Corporation, 4545 Lincoln Blvd., Oklahoma City, OK 73105.

MC 119345 (Sub-5–3TA), filed May 1, 1981. Applicant: CARY TRUCKING, INC., Box 265, Downs, KS 67437. Representative: Richard E. Dietz, 118 West Main, Osborne, KS 67473. *Canned goods and tomato paste;* from points and places in CA and UT to IA, CO, NE, IL, MO, KS, TX, NM, AR, MN, and WI. Supporting shippers: Boogaarts, 124 East Fifth, P.O. Box 569, Concordia, KS 66901.

MC 124411 (Sub-5–2TA), filed April 30, 1981. Applicant: SULLY TRANSPORT, INC., P.O. Box 185, Sully, IA 50251. Representative: Arland Vander Leest, 601 8th St., Sully, IA 50251. *Liquid Fertilizer, Liquid Fertilizer Material* and *Anhydrous Ammonia in bulk, in tank vehicles,* from points in NE to points in IA. Supporting shipper: Land O'Lakes Inc. Ft Dodge, IA 50501.

MC 124711 (Sub-5–7TA), filed May 1, 1981. Applicant: BECKER CORPORATION, P.O. Box 1050, El Dorado, KS 67042. Representative: T. M. Brown, P.O. Box 1540, Edmond, OK 73034. *Quickline, in bulk,* from Sequoyah County, OK to points in Barton, Ellis, Montgomery, McPherson, Lyon, Sedgwick, and Sumner Counties, KS. Supporting shipper: St. Clair Lime Company, P.O. Box 894, Oklahoma City, OK 73101.

MC 135078 (Sub-5–15TA), filed May 1, 1981. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" Street, Omaha, NE 68127. Representative: Arthur J. Cerra, P.O. Box 19251, Kansas City, MO 64141. Contract; irregular; *Furniture or fixtures,* between pts in the U.S., under continuing contract(s) with Jordan Manufacturing Company, 1625 Altofer Lane, Peoria, IL 61615.

MC 136212 (Sub-TA), filed April 30, 1981. Applicant: JENSEN TRUCKING COMPANY, INC., P.O. Box 349, Gothenburg, NE 69138. Representative: Scott T. Robertson, P.O. Box 94748, Lincoln, NE 68509. *Food and related products, meats, meat products, meat by-products and articles distributed by meat packinghouses* between pts in NE, IA, IL, MO, KS, TX, CO, MI, OK, MN, WI, OH, IN, NV, AZ, and CA restricted to traffic moving from or to the facilities at MBPXL, Missouri Valley Foods, Inc., Spencer Division, Land O'Lakes, Osten Meat Company, Inc. Supporting shippers: Osten Meat Company, Inc., 3340 Trumbull, Detroit, MI 46208; MBPXL, P.O. Box 2519, Wichita, KS 67201; Spencer Beef Division, Land O'Lakes, P.O Box 544, Schuyler, NE 68611; Missouri Valley Foods, Inc., 1141 Center Rd., Omaha, NE 68144.

MC 144982 (Sub-5–10TA), filed May 1, 1981. Applicant: OHIO PACIFIC EXPRESS, INC., P.O. Box 277, Benton, MO 63736. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Rd., Fort Worth, TX 76112. *Food and kindred products,* from the plantsites of the Joan of Arc Co. at or near Hoopeston Princeville, IL to points in AZ, CA, OR and WA. Supporting shipper: Joan of Arc Co., 2231 Altorfer, Peroria, IL 61615.

MC 146553 (Sub-5–12TA), filed May 1, 1981. Applicant: ADRIAN CARRIERS, INC., 1826 Rockingham Road, Davenport, IA 52808. Representative: James M. Hodge, 1000 United Central Bank Bldg., Des Moines, IA 50309. *Building materials and metal products,* from the facilities of Frantz Manufacturing Company at or near Sterling, IL to points in the U.S. Supporting shipper(s): Frantz Manufacturing Company, 301 West 3rd Street, Sterling, IL 61081.

MC 147196 (Sub-5–22TA), filed April 30, 1981. Applicant: ECONOMY TRANSPORT, INC., P.O. Box 50262, New Orleans, LA 70150. Representative: Donald A. Larousse (same as applicant). Contract; Irregular; *Iron and Steel Nuts, Bolts, and related Parts* between Orleans Parish, LA and Harrison County, TX, on the one hand, and, on the other, all points in the 48 States under a continuing contract(s) with Atco Fasteners, Inc., Oceanside, New York 11572.. Supporting shipper: Atco Fasteners, Inc., 3505 S. Hampton Road, Oceanside, New York.

MC 147388 (Sub-5–13TA), filed April 30, 1981. Applicant: EARLY BIRD FREIGHT LINES, INC., Route 1, Box 49, St. Libory, NE 68872. Representative: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68501. *Steel pipe,* between Deshler, Kimball and McCook, NE, on the one hand, and, on the other, points in IA, WY, OK, TX, CO, and KS. Supporting shipper: Pipe & Steel Sales, Ltd., 925 American National Bank Building, Denver, CO 80202.

MC 147676 (Sub-5–6TA), filed May 1, 1981. Applicant: KEATON TRUCK LINES, INC., P.O. Box 1187, Texarkana, TX 75504. Representative: Patsy R. Washington, CPA, P.O. Box 1187, Texarkana, TX 75504. Contract; irregular: *Meat and Meat Products, in carcass or containers and packages, in straight or mixed shipments,* between TX and points in CA, GA, IL, NY, OH, OK, and PA. Supporting shippers: Braunfels Meats, Inc., Hwy 36 N, P.O. Box 307, Sealy, TX 77474 and Western Packing Co., 230 Thunderbird-Suite K, El Paso, TX 79912.

MC 151158 (Sub-5–7TA), filed April 30, 1981. Applicant: BROWN TRANSIT, INC., 325 Ingram, Conway, AR 72032. Representative: D. R. BEELER, P.O. Box 482, Franklin, TN 37064. *Paper and paper products* between the facilities of Champion International Corp. at Little Rock, Ar on the one hand and Collierville, TN on the other. Supporting shipper: Champion International Corp., P.O. Box 430, Collierville, TN 38017.

MC 152650 (Sub-5–4TA), filed May 1, 1981. Applicant: SHAVER TRUCKING, INC., P.O. Box 104 Springdale, AR 72764. Representative: John C. Everett, P.O. Box A, Priairie Grove, Ar 72753. *Articles dealt in or used by discount stores or grocery stores* from all points and places in the U.S. to all points and places in AR, AL, KS, MO, OK, TX, LA, MS, KY, TN, and IL, restricted to traffic originating at or destined to the facilities of Wal-Mart, Inc. Supporting shipper: Wal-Mart, Inc., P.O. Box 116, Bentonville, AR 72712.

MC 153392 (Sub-5–4TA), filed May 30, 1981. Applicant: CENTRAL TRACTOR FARM & FAMILY CENTER, INC., 1515 East Euclid, Des Moines, IA 50316. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. Contract; Irregular. *General commodities (except Classes A and B explosives, household goods and hazardous waste materials)* (1) between Des Moines, IA, on the one hand, and, on the other, points in the U.S. (except AK and HI) under contracts with Walsh equipment, Inc., Pomerantz Diversified Services, Inc. and Ardan, Inc., and (2) between Knoxville, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI), under contract with FI-Shock, Inc. Supporting shippers: Fi-Shock, Inc., P.O. Box 9188, Knoxville, TN 37920; Ardan, Inc., 2320 Euclid Avenue, Des Moines, IA 50310; Walsh Equipment, Inc., 614 Corning, Des Moines, IA 50313; and Pomerantz Diversified Services, Inc., 2308 Sunset Road, Box 1284, Des Moines, IA 50305.

MC 155595 (Sub-5–2TA), filed April 30, 1981. Applicant: WTR TRANSPORTATION, INC., 3023 Herbert Street, Dallas, TX 75212. Representative: Daniel C. Sullivan, 10 S. LaSalle Street, Suite 1600 Chicago, Il 60603. *Pulp, paper and related products; rubber and plastic products; and textile mill products,* between Davidson County, TN, on the one hand, and, on the other, points in AL, AR, CT, DE, DC, FL, GA, IL, IN, IA, KS, KY, KA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, ND, OH, OK,

PA, RI, SC, SD, TN, TX, VT, VA, WV and WI. Supporting shipper: Werthan Industries, Inc., 1400 8th Avenue N., Nashville, TN 37202.

MC 155595 (Sub-5–3TA), filed April 30, 1981. Applicant: WTR TRANSPORTATION, INC., 3023 Herbert Street, Dallas, TX 75212. Representative: Daniel C. Sullivan, 10 S. LaSalle Street, Suite 1600, Chicago, IL 60603. *Furniture and fixtures*, between Williamson and Davidson Counties, TN, and Dougherty County, GA, on the one hand, and, on the other, points in AL, AR, CT, DE, DC, 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, and WI. Supporting shipper: Jamison Bedding, Inc., U.S. 31 North, Franklin, TN.

MC 155647 (Sub-5–1TA), filed April 30, 1981. Applicant: TERRY L. BURDWELL, d.b.a. BURDWELL TRUCKING CO., Route 1, Box 206, Dumas, AR 71639. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909, Memphis, TN 38103. *Sawdust* from the facilities of Bassett Wood Products Co., Inc. at Dumas, AR, to West Monroe and Lillie, LA. Supporting shipper: Bassett Wood Products Co., Inc., South Main, Dumas, AR 76139.

MC 155648 (Sub-5–1TA), filed April 30, 1981. Applicant: RAY OILFIED THREADING & STORAGE, INC., Highway 271, South, Talco, TX 75487. Representative: Lawrence A. Winkle, P.O. Box 45538, Dallas, TX 75245. *Metal products* between Titus County, TX, on the one hand, and, on the other, points in the U.S. Supporting shipper(s): Ray Pipe and Supply, Inc., P.O. Box 28, Highway 271, South, Talco, TX 75487.

MC 155649 (Sub-5–1TA), filed April 30, 1981. Applicant: OKLAHOMA AND NEW ORLEANS FURNITURE MANUFACTURING COMPANY, d.b.a. OKLAHOMA AND NEW ORLEANS TRANSIT, 400 W. College Street, Guthrie, OK 73044. Representative: D. R. Beeler, P.O. Box 482, Franklin, TN 37064. Contract; irregular; *Furniture and fixtures* between Houston, TX and its commercial zone on the one hand and points in OK, LA, MS, and AR on the other. Under continuing contract(s) with Shelby Dinettes, Inc. Supporting shipper: Shelby Dinettes, Inc., 5602 Armour Dr., Houston, TX 77020.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81–14150 Filed 5–8–81; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 81–10790, appearing at page 21256, in the issue of Thursday, April 9, 1981, on page 21263, the third column, first paragraph, first line, "MC 107012 (Sub-681)" is corrected to read "MC 107012 (Sub 682)".

BILLING CODE 1505–01–M

DEPARTMENT OF JUSTICE

Office of Juvenile Justice and Delinquency Prevention

Coordinating Council on Juvenile Justice and Delinquency Prevention; Meeting

Notice is hereby given that the Coordinating Council on Juvenile Justice and Delinquency Prevention will meet Wednesday, May 20, 1981, in the 13th Floor Conference Room, 633 Indiana Avenue, N.W., Washington, D.C. 20531. The meeting will be open to the public and will begin at 10:00 a.m.

The meeting will provide an opportunity for newly-designated members to become familiar with the Council's previous activities and current statutory responsibilities. Existing interagency agreements between the Office of Juvenile Justice and Delinquency Prevention and other Council members will be summarized. There will be some discussion pertaining to delinquency-related program changes anticipated in light of the Administration's revised fiscal year 1982 Budget. Additional agenda items include brief presentations of ongoing research and survey efforts which have cross-agency program development implications. There will also be a brief synopsis of the findings and implications of the Fifth Annual Analysis and Evaluation of Federal Juvenile Delinquency Programs.

For further information, contact either Mr. William Modzeleski, or Mr. Edward Guryansky, Office of Juvenile Justice and Delinquency Prevention, Department of Justice, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

Charles A. Lauer,

Acting Administrator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 81–14055 Filed 5–8–81; 8:45 am]

BILLING CODE 4410–18–M

NUCLEAR REGULATORY COMMISSION

Advisory Panel for the Decontamination of Three Mile Island, Unit 2; Meeting

Notice is hereby given pursuant to the Federal Advisory Committee Act that the Advisory Panel for the Decontamination of Three Mile Island, Unit 2 will be meeting on June 4, 1981, from 7:00 p.m. to 10:00 p.m. in the City Council Chambers, Kendig C. Bare Public Safety Building, 208 North Duke Street, Lancaster, Pennsylvania. The meeting will be open for public observation.

At this meeting the Panel will discuss Radiation Worker Exposure/Health Effects.

Further information on the meeting may be obtained from Dr. William Travers, Three Mile Island Program Office, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, telephone 301/492–7466.

Dated: May 6, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81–14155 Filed 5–8–81; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–295, 50–304]

Commonwealth Edison Co.; Issuance of Amendment to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 63 to Facility Operating License No. DPR–39, and Amendment No. 60 to Facility Operating License No. DPR–48 issued to the Commonwealth Edison Company (the licensee), which revised Technical Specifications for operation of Zion Station, Units 1 and 2 (the facilities) located in Zion, Illinois. The amendments are effective as of the date of issuance.

These amendments incorporate the requirements for implementation of the TMI–2 Lessons Learned Category "A" items. They specifically include the areas of emergency power supply requirements, valve position indication, instrumentation for inadequate core cooling, containment isolation, auxiliary feedwater systems, and shift technical advisor. The License Conditions require the implementation of programs to reduce leakage outside containment and to accurately determine airborne iodine concentrations.

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. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated February 17, 1981, (2) Amendment Nos. 63 and 60 to License Nos. DPR-39 and DPR-48, (3) the Commission's related Safety Evaluation transmitted to the licensee on February 29, 1980, and (4) the Commission's letter dated April 20, 1981. 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 Zion-Benton Public Library District, 2600 Emmaus Avenue, Zion, Illinois 60099. A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 20th day of April 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81-14156 Filed 5-8-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-3, 50-247]

Consolidated Edison Co. of New York, Inc.; Issuance of Amendments to Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 30 to Provisional Operating License No. DPR-5 and Amendment No. 70 to Facility Operating License No. DPR-26, issued to the Consolidated Edison Company of New York, Inc. (the licensee), which revised Environmental Technical Specifications for operation of the Indian Point Station, Unit No. 1, and the Indian Point Nuclear Generating Unit No. 2 (the facilities) located in Buchanan, Westchester County, New York. The amendments are effective as of the date of issuance.

The amendments revise the Appendix B Environmental Technical Specifications to delete non-radiological environmental requirements, and to add a non-radiological environmental protection plan. The NRC will rely on the requirements of the State Pollutant Discharge Elimination Systems (SPDES) Permit issued by the State of New York for the protection of the environment.

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. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated February 27, 1981, and (2) Amendment Nos. 30 and 70 to License Nos. DPR-5 and DPR-26, respectively; and (3) the Commission's related letter dated April 24, 1981. 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 White Plains Public Library, 100 Martine Avenue, White Plains, New York. 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 Licensing.

Dated at Bethesda, Md., this 24th day of April 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81-14157 Filed 5-8-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-70 (Show Cause)]

General Electric Co., (Vallecitos Nuclear Center—General Electric Test Reactor, Operating License No. TR-1); Rescheduling of Final Prehearing Conference

May 5, 1981.

Please take notice that, at the request of the parties, the prehearing conference scheduled for 9:30 a.m. on May 12, 1981, has been rescheduled. The parties and Board will conduct a telephone conference call during the week of May 11, 1981 to attempt to resolve all pending procedural matters. Thereafter, a final prehearing conference will be convened at 9:25 a.m. on May 27, 1981, at the Veterans Hall, 522 So. L Street, Livermore, California. The hearing that had been scheduled to begin at that location at 9:30 a.m. on that morning, will begin immediately following the conclusion of the prehearing conference.

Dated at Bethesda, Md., this 5th day of May 1981.

By order of the Board.

For the Atomic Safety and Licensing Board.

Herbert Grossman,

Chairman, Administrative Judge.

[FR Doc. 81-14158 Filed 5-8-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-352, 50-353]

Negative Declaration Supporting: Extension of Construction Permit Nos. CPPR-106 and CPPR-107 Expiration Dates for Philadelphia Electric Co. Limerick-Generating Station, Unit Nos. 2 and 3

The U.S. Nuclear Regulatory Commisssion (the Commission) has reviewed the Philadelphia Electric Company's request to extend the expiration dates of the construction permits for the Limerick Generating Station, Unit Nos. 1 and 2 (CPPR-106 and CPPR-107) which are located in Limerick Township of Montgomery County in the State of Pennsylvania. The permittee requested an extension to the permits through October 1, 1985 for CPPR-106 and through October 1, 1987 for CPPR-107, to allow for completion of construction of the facilities.

The Commission's Division of Licensing has prepared an environmental impact appraisal relative to these changes to CPPR-106 and CPPR-107. Based on this appraisal, the Commission has concluded that an environmental impact statement for this particular action is not warranted because there will be no significant environmental impact attributable to the

proposed action other than that which has already been described in the Commission's Final Environmental Statement (Construction Permit Stage) or evaluated in the environmental impact appraisal.

The environmental impact appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Public Library, Pottstown, Pennsylvania.

Dated at Bethesda, Md., this 13th day of April 1981.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Licensing Branch No. 2, Division of Licensing.

[FR Doc. 81-14100 Filed 5-8-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-352, 50-353]

Philadelphia Electric Co., Limerick Generating Station, Units 1 and 2; Order Extending Construction Completion Dates

Philadelphia Electric Company is the holder of Construction Permits CPPR-106 and CPPR-107 issued by the Commission on June 19, 1974. These permits authorize the construction of the Limerick Generating Station, Units 1 and 2, presently under construction at the Company's site on the Schuylkill River, near Pottstown, in Limerick Township, Montgomery County, Pennsylvania.

On February 23, 1981, Philadelphia Electric Company filed a request pursuant to the Code of Federal Regulations, Title 10, Part 50, § 50.55(b) for an extension of the consruction completion dates for these units.

Philadelphia Electric Company gave as reasons for the schedule change a reduction in their projected construction program by approximately $750 million for the four-year period 1976-1980 and $270 million in the four-year period 1978-1982 due to (1) reductions in electrical sales and peak load growth rates, (2) sluggish economic growth, (3) financial considerations, and (4) high interest rates and tight credit. This action involves no significant hazards consideration. Good cause had been shown for extension of the latest construction completion date for Unit 1 to October 1, 1985 and for Unit 2 to October 1, 1987. The bases for the extension of these dates is set forth in a staff evaluation, dated April 13, 1981.

The preparation of an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action authorized by the Order other than that which has already been predicted and described in the Commission's Final Environmental Statement (Construction Permit Stage) for the Limerick Generating Station Units 1 and 2 published in November 1973. A negative declaration and an environmental impact appraisal have been prepared and are available, as are the above stated documents, for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555 and at the Public Library, Pottstown, Pennsylvania.

It is hereby order that the earliest and latest completion date for CPPR-106 be extended from: April 1, 1981 to October 1, 1985 and that the earliest and latest completion date for CPPR-107 be extended from: April 1, 1982 to October 1, 1987.

Date of issuance: April 24, 1981.

For the Nuclear Regulatory Commission.

Robert L. Tedesco,

Assistant Director for Licensing, Division of Licensing.

[FR Doc. 81-14159 Filed 5-8-81; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

May 6, 1981.

Background

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 Paperwork Reduction Act (44 USC, 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 is 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 (burden change), extensions (no change), or reinstatements. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available);

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;

The Standard Industrial Classification (SIC) codes, referring to specific respondent groups that are affected;

Whether small businesses or organizations are affected;

A description of the Federal budget functional category that covers the information collection;

An estimate of the number of responses;

An estimate of the total number of hours needed to fill out the form;

An estimte of the cost to the Federal Government;

An estimate of the cost to the public;

The number of forms in the request for approval;

An indication of whether Section 3504(h) of Pub. L. 96-511 applies;

The name and telephone number of the person or office responsible for OMB review; and

An abstract describing the need for and uses of the information collection.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the **Federal Register**, but occasionally the public interest requires more rapid action.

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. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or 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 Jim J. Tozzi, Deputy Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202–447–6201

Revisions

- Forest Service

State and Private Accomplishment Reporting System
3100–8, 3200–6, 3400–5, 3500–5 & 3600–2
Annually
State or local governments
State Forestry agencies
SIC: 951
Conservation and land management 265 responses, 530 hours; $1,773 Federal cost, 5 forms; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340.

Approval is requested to continue use of the State and private forestry reporting system, with minor improvements to forms. Purpose of the reporting system is to meet reporting requirements for State and private forestry programs as required under the Cooperative Forestry Assistance Act of 1978 and the Forest and Rangeland Renewable Resources Planning Act.

Reinstatements

- Food and Nutrition Service

Program and Budget Summary Statement
FNS–366A & FNS–366B
Annually
State or local governments
State income maintenance—State agencies
SIC: 943
Food and nutrition assistance, 270 responses, 9,168 hours; $55,240 Federal cost, 2 forms; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340.

Part A of the FNS–366 is needed by the respondents to justify and request Federal financial participation in the administrative cost sharing of the food stamp program. A narrative attachment to the form demonstrates the respondents planning in the estimation process. Part B reports annual program performance by the same administrative cost categories as part A for FNS monitoring.

DEPARTMENT OF EDUCATION

Agency Clearance Officer—Wallace McPherson—202–426–5030

New

- Office of Elementary and Secondary Education

National Assessment of Educational Progress Citizenship/Social Studies, Mathematics and Science Assessments—
2371–13BQ, 13A, I, SLF, SSR, PQ, SOQ, QC
TEQ, EGLO, DLO, VO, BQO, SQO, AO, TV
Biennially
Individuals or households/State or local governments
9, 13 & 17 year old students, and school officials
SIC: 821
Research and general education aids, 81,550 responses, 27,559 hours; $5,521,338 Federal cost, 9 forms; not applicable under 3504(h)
Federal Education Data Acquistion Council, 202–426–5030.

Congress has mandated the collection of national assessment survey data. The data collection will occur during the 1981–82 school year in the areas of citizenship/social studies, mathematics and science with respondents ages 9, 13 and 17. The data will be used by policymakers to monitor changes in student performance over time in the United States. The data will be useful to the public, researchers, legislators and educators in determining changes in education.

- Office of Educational Research and Improvement

Common Core of Data (CCD)
Ed (NCES) 2350–5, 6, 7, 8, 8–1, 9, 13, 2393–2 and 4
Annually
State or local governments
50 States, D.C., and 6 outlying areas
SIC: 821
Research and general education aids 57 response, 25,244 hours; $845,000 Federal cost, 1 form; not applicable under 3504(h)
Federal education data acquisition council, 202–426–5030

Elementary and secondary data are collected in cooperation with State education agencies. These data provide information about fall membership, high school graduates, teachers and other staff positions, revenues by source, expenditures by function and other related data. These data are used in allocation of Federal funds for some education grant programs (ESEA title I), and in carrying out NCES mandated studies (equity profiles).

Extensions (No Change)

- Office of Educational Research and Improvement

Salaries, tenure, and fringe benefits of full-time [1] instructional faculty in institutions of higher education, 1981–82
NCES 2300–3
Annually
Businesses or other institutions
Colleges and universities
SIC: 822
Research and general education aids, 3,190 responses, 25,520 hours; $200,000 Federal cost, 1 form; not applicable under 3504(h)
Federal education data acquisition council, 202–426–5030

Faculty data are used by institutions to establish salary scales, State agencies to determine budgets for State supported institutions, professional and educational associations and Federal agencies to evaluate the extent to which salaries differ between men and women.

Reinstatements

- Office of Postsecondary Education

Application for Grants Under Continuing Education Outreach Special Projects Program
OE–1280
Annually
Businesses or other institutions
Colleges, organizations, States, business, industry and labor
SIC: 822
Higher education, 200 responses, 8,000 hours; $25,000 Federal cost, 1 form; not applicable under 3504(H)
Federal Education Data Acquistion Council, 202–426–5030

The information contained in application package will be used in the evaluation process administered by the Department of Education in awarding grants.

[1] This report has already been assigned on OMB number. Because the request for clearance was received prior to implementation of Section 3520 of the Paperwork Reduction Act of 1980 (P.L. 96–511), the report was reviewed and approved by the Federal Education Data Acquisition Council as required by the Control of Paperwork Amendments of 1978 (P.L. 95–561).

DEPARTMENT OF ENERGY

Agency Clearance Officer—Irene Montie—202–633–9464

New

• Departmental and others
Study of Builders and Buyers of Newly Constructed Homes
CE–704 A/B
Nonrecurring
Individuals or households/business or other institutions
Purchasers and builders of new homes
Small businesses or Organizations
Energy supply, 1,467 responses, 1,467 hours; $167,000 Federal cost, 2 forms; not applicable under 3504(H)
Jefferson B. Hill, 202–395–7340

To collect information on the awareness, knowledge, attitudes and preference of builders and buyers regarding passive Solar energy concepts.

• Conservation and solar Energy
Study of Builders and Buyers of Newly Constructed Homes
CE–704 A & B
Nonrecurring
Individuals or households / businesses or other institutions
Purchasers and builders of new homes
SIC: 152 881
Small businesses or organizations
Energy supply, 1,467 responses, 1,564 hours; $167,000 Federal cost, 2 forms; not applicable under 3504(H)
Jefferson B. Hill, 202–395–7340

To collect information on the awareness, knowledge, attitudes and preference of builders and buyers regarding passive solar energy concepts.

• Departmental and others
Survey of Small Business Firms Engaged in Fossil Energy Technology
FE–712
Nonrecurring
Businesses or other institutions
Small businesses engaged in fossil energy activities
SIC: Multiple
Small businesses or organizations
Energy information, policy, and regulation, 400 responses, 400 hours; $30,000 Federal cost, 1 form; not applicable under 3504(H)
Jefferson B. Hill, 202–395–7340

Data are being collected to assess problems encountered by small business firms engaged in Fossil energy related activities in obtaining contractual awards with the Office of Fossil Energy.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202–245–7488

New

• Health Care Financing Administration
Questionnaire on Regulatory Reform [1]
HCFA–285
Nonrecurring
State or local governments/businesses or other institutions
State medicaid agencies and prof. organizations in hlth field
SIC: 911 805 806
Small businesses or organizations
Health, 400 responses, 400 hours; $17,317 Federal cost, 1 form; not applicable under 3504(H)
Richard Eisinger, 202–395–6880

Questionnaire will be used to solicit public comment concerning the identification of HCFA regulations which are excessively burdensome or unnecessary. Information will be used by HCFA's task force on regulatory reform.

• Human Development Services
PSE Participant Outcome
ETA–RC408
Monthly
State or local governments
Win program sponsors
SIC: 944
Training and employment, 324 responses, 324 hours; $3,052 Federal cost, 1 form; not applicable under 3504(H)
Gwendolyn PLa, 202–395–6880

Data will be used to monitor the placement of win clients as they are terminated from CETA PSE and to provide management assistance to win sponsors experiencing difficulty in transitioning them into unsubsidized employment or training.

DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—Vivian A. Keado—202–343–6191

New

• National Park Service
National Park System Units in Alaska—36 CFR Part 13
Nonrecurring annually
Individuals or households/businesses or other institutions
Individuals and small businesses
Sic: Multiple
Small businesses or organizations
Recreational resources, 1,460 responses, 609 hours; $69,150 Federal cost, 1 form; NPRM under 3504(H)
Constance Buckley, 202–395–7340.

This information will be collected on permit applications from individuals and businesses seeking statutory or administrative benefits in the following areas: Downed aircraft removal, use of helicopters, cabins and ORVS, access (both temporary and permanent), and the use of aircraft and timber for subsistence purposes. It will also be collected from those appealing permit denials.

• United States Fish and Wildlife Service
Alaska National Wildlife Refugees
50 CFR 36, S. .15, .21(B), (E), .22 .23, .24, .33 & .41(B)
On occasion
Individuals or households/businesses or other institutions
Ind. and bus. desiring rights on Alaska National Wild. Refug.
Sic: 091 097 138 104 144 152
Small businesses or organizations
Recreational resources, 1,430 responses, 830 hours; $73,000 Federal cost, 1 form; not applicable under 3504(H)
Constance Buckley, 202–395–7340

50 CFR 36 is intended to provide management of National Wildlife Refuges in Alaska consistent with the Alaska Lands Act, P.L. 96–487. The information requested is the minimum necessary to determine applicant's eligibility for benefits.

• Bureau of Land Management
43 CFR Part 5400 Timber Sales
BLM 5460–17, 5460–16 & 5450–17
Nonrecurring
Businesses or other institutions
Timber industry contractors or forest products manufacturers
Sic: 081 241
Small businesses or organizations
Conservation and land management, 25 responses, 25 hours; $100 Federal cost, 3 forms; not applicable under 3504(H)
Constance Buckley, 202–395–7340

The rulemaking provides a process to safeguard against the substitution of Federal timber for exported private timber by affiliates of Bureau of Land Management timber purchasers. The forms identified under item 12 will be used to protect against substitution by affiliates of purchasers.

DEPARTMENT OF TRANSPORTATION

(Agency Clearance Officer—John Windsor—202–426–1887

New

• Research and Special Programs Administration
Tank car record requirements
On occasion
Businesses or other institutions
Tank car owners—railroads and manufacturers
Sic: 374 401
Small businesses or organizations

[1] Because of the importance of this voluntary information collection to the success of the regulatory relief program, a waiver from the public comment period has been determined to be justified.

Other transportation, 15,000 responses, 3,750 hours; 1 form; not applicable under 3504(H)
Terry Grindstaff, 202–395–7340

Needed to show results of periodic tests and inspections of tank cars so that compliance with standards can be ascertained and integrity of the tank cars assured. (49 CFR 173.31)

Reinstatements

• Federal Aviation Administratioon
Aircraft registration (regulations) FAR 47
AC 8050–81
On occasion
Individuals or households/businesses or other institutions
Aircraft owners
Sic: 451 452
Small businesses or organizations
Air transportation, 92,200 responses, 43,807 hours; $22,000 Federal cost, 0 form; not applicable under 3504(H)
Corrine Hayward, 202–395–7340

Federal Aviation Act of 1958, Section 501 (49 USC 1401) requires registration of aircraft. 14 CFR 47 prescribes requirements for the registration process. Information collected is used to determine compliance.

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAP

Agency Clearance Officer—Charles Fletcher—703–557–1145

New

Workshop Responsibilities and Changes in Specifications
On occasion, annually
Businesses or other institutions
Seventy (70) blind workshops
SIC: 833
Small businesses or organizations
Other labor services, 636 responses, 636 hours; $650 Federal cost, 1 form; not applicable under 3504(h)
Diane Wimberley, 202–395–6880

This change is to eliminate certain recordkeeping requirements on blind individuals employed in qualified workshops producing commodities or providing services under Public Law 92–28.

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Clearance Officer—Panos Konstat—389–4251

New

• Summary of Accounts and Deposits
8020/05, 8020/46
Annually
Businesses or other institutions
Commercial banks and mutual savings banks
SIC: 602, 603
Small businesses or organizations
Mortgage credit and thrift insurance, 58,865 responses, 275,000 hours; $422,000 Federal cost, 5 form; not applicable under 3504(h)
Warren Topelius, 202–395–7340

Survey obtains deposit amounts and number of deposit accounts at commercial and mutual savings banks. Survey covers all banks and their branches in U.S. Survey data provide a basis for measuring the competitive impact of bank mergers and have additional uses in estimates of FDIC-insured deposits and in research studies.

FEDERAL MARITIME COMMISSION

Agency Clearance Officer—Ronald D. Murphy—523–5326

Extensions (no change)

• General Order 4—Licensing of Independent Ocean Freight Forwarders
46 CFR 510
On occasion
Businesses or other institutions
Freight forwarders (export trade)
SIC: 472
Water transportation, 2,100 responses, 246 hours; $177,000 Federal cost, 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

FMC requests short term extension of freight forwarder rules in G.O. 4. The present rules are being revised to become effective October 1, 1981. Extension will insure there is no lapse between clearances.

Application for Independent Ocean Freight Forwarder License
FMC–18
Nonrecurring
Businesses or other institutions
Freight forwarders (export trade)
SIC: 472
Water transportation, 200 responses, 67 hours; $100,000 Federal cost, 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

FMC requests short term extension of application for license as an independent ocean freight forwarder. The application form is being revised to become effective October 1, 1981. Extension will insure there is no lapse between clearances.

NUCLEAR REGULATORY COMMISSION

Agency Clearance Officer—Stephen Scott—492–8585

New

• TMI Action Plan Requirements and Related Orders
Nonrecurring
Businesses or other institutions
Utilities licensed to operate nuclear power plants
SIC: 483
Energy information, policy, and regulation, 65 responses, 831,480 hours; $3,000,000 Federal cost, 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

TMI action plan imposes reporting and recordkeeping requirements on 65 licensees with operating licenses to provide staff adequate data to perform safety reviews of specific design aspects of nuclear power plants.

Revisions

• 10 CFR Part 20—Standards for Protection Against Radiation
On occasion
Businesses or other institutions
NRC licensees
SIC: 493
Energy information, policy, and regulation, 96 responses, 768 hours; $4,992 Federal cost, 0 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

10 CFR 20 has been amended to include reporting requirements necessary to determine compliance with EPA regulations 4 CFR 190 regarding environmental protection standards. NRC licensees will be required to submit a report to NRC when EPA standards have been violated.

PENSION BENEFIT GUARANTY CORPORATION

Agency clearance Officer—Robert E. Geiger—202–254–4776

New

•Election of Single-Employer Plan Status
Nonrecurring
Businesses or other institutions
Sngle-empl. pens. plans, otherwise would become multiemply.
SIC: multiple
Small Businesses or organizations
General retirement and disability insurance, 700 responses; 180 hours; $50,000 Federal cost, 1 form, not applicable under 3504(h)
Diane Wimberly, 202–395–6880

The information required by 2671.2 of the rule is necessary and is not otherwise available to the PBGC. It will be used by the PBGC to make a determination required by statute. The information is readily available to plans and will involve little or no compliance burden. For example plans will provide copies of the annual report, form 5500 but without any attachments, thus minimizing duplication costs. Plans will also have to provide infor on the amt. of annual contributions made.

RAILROAD RETIREMENT BOARD

Agency Clearance Officer—Pauline Lohens—312–751–4692

Reinstatements

•Supplemental Information on Accident and Insurance
SI–1C
On occasion
Individuals or households
Applicants for sickness benefits
Mltiple functions, 20,000 responses, 1,667 hours; $220,000 Federal cost, 1 form, not applicable under 3504(h)
Barbara F. Young, 202–395–6880

The Railroad Unemployment Insurance Act provides for reimbursement of sickness benefits paid if the employee receives a settlement for the same injury for which benefits were paid. The collection obtains identifying information about the person or company responsible for such payments and for sending notices of lien by the Board.

•Medical Reports
G–3RMP, G–250, G–253A, G257
G–3EMP, G–250, G–253A, G–257
On occasion
Businesses or other institutions
Physicians
Small businesses or organizations
General retirement and disability insurance, 21,500 responses, 9,250 hours; $300,000 Federal cost, 4 forms, not applicable under 3504(h)
Barbara F. Young, 202–395–6880

Section 2 of the Railroad Retirement Act provides for the payment of disability annuities to qualified railroad employees who are unable to work in their regular occupation (occupational disability) or any occupation (total disability). The medical reports are needed to determine the employee's entitlement to a disability annuity.

VETERANS ADMINISTRATION

Agency Clearance Officer—R. C. Whitt—202–389–2146

Reinstatements

•Title VI Compliance Review Report
27–8734 and 27–8734A
Other—see SF83
Individuals or households/State or local governments/businesses or other ins
Proprietary sch., job-train., estab., their enrollees, etc.
SIC: multiple
Small businesses or organizations
Other veterans benefits and services, 1,979 responses, 4,829 hours, $55,388 Federal cost, 2 forms, not applicable under 3504(h)
Federal Education Data Acquisition council 202–426–5030

Form is necessary to determine equal opportunity compliance status of proprietary institutions and job-training establishements which are approved to train veterans and other eligible beneficiaries, and proprietary institutions which are receiving funds through the department of Education. It is used by agency compliance personnel to appraise the compliance status of facilities under title VI of the Civil Rights Act of 1964 and title IX of the Education Amend. of 1972.

C. Louis Kincannon,

Assistant Administrator for Reports Management.

[FR Doc. 81–14170 Filed 5–8–81; 8:45 am]

BILLING CODE 3110–01–M

PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

Annual Selection Meeting for White House Fellows

Pursuant to section 10(a)(2) of Pub. L. 92–463, the Federal Advisory Committee Act, notice is hereby given that the Annual Selection Meeting of the President's Commission on White House Fellowships will be held at the Sheraton International Conference on June 4–8, 1981.

The Annual Selection Meeting is part of the screening process of the White House Fellowships program. During this three-day meeting the thirty-three national finalists will be interviewed by the members of the Presidential Commission. At the conclusion of this meeting the Commission recommends to the President fourteen to twenty persons to serve as White House Fellows.

It has been determined by the Director of the Office of Personnel Management that, because of the very nature of the screening process where personnel records and confidential character references must be used which, if revealed to the public, would constitute a clear invasion of an applicant's privacy, the content of this meeting falls within the provisions of Section 552b(c)(6) of title 5 of the United States Code and that this meeting will be closed to the public.

James C. Roberts,

Director.

Determination to Close the Final Selection Meeting of the President's Commission on White House Fellowships

The final selection meeting of the President's Commission on White House Fellowships is part of the screening process leading to the selection of individuals for White House Fellowships. In this meeting, national finalists of the program are interviewed by the Commission members. The Commission also reviews confidential files and character references which we believe are exempt from disclosure under the provisions of the Freedom of Information and Privacy Acts. At the conclusion of the interviews, the Commission recommends to the President those individuals who should serve as White House Fellows.

This meeting is covered by the provisions of the Federal Advisory Committee Act; Pub. L. 92–463. That act provides that meetings may be closed to the public only as provided for by subsection (c) of section 552b of title 5, United States Code. That section contains the ten exemptions to the open meeting requirements of the "Government in the Sunshine Act." Exemption (6) permits closing of meetings where they would "disclose information of a personal nature when disclosure would constitute a clearly unwarranted invasion of personal privacy:"

It is hereby determined that the final selection meeting of the President's Commission on White House Fellowships is concerned with personal information as described in exemption (6) above. Accordingly, the final selection meeting of the Commission to be held on June 4–8, 1981, shall be closed to the public.

Donald J. Devine,

Director, Office of Personnel Management.

[FR Doc. 81–14069 Filed 5–8–81; 8:45 am]

BILLING CODE 6325–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–17768; File No. SR–CBOE–81–7]

Chicago Board Options Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Change

Proposed rule change by Chicago Board Options Exchange, Incorporated, relating to position and exercise limits. Comments requested on or before June 1, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on April 10, 1981, the Chicago Board Options Exchange, Incorporated ("self-regulatory organization" or "Exchange") filed with the Securities and Exchange Commission a proposed rule change to increase position and exercise limits for GNMA options, as set forth in CBOE Rules 20.3 and 20.4, from 1,000 to 2,000

contracts. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to raise the position and exercise limits for GNMA contracts. The original figure of 1000 contracts has been criticized as too low by a number of potential GNMA options market participants, including GNMA dealers. For this reason, the Exchange feels that a 2000 contract limit is not only appropriate but necessary. It is necessary in order to enable professional GNMA dealers to meet primarily their hedging, but also their arbitrage needs.

In a letter dated November 5, 1980 to George A. Fitzsimmons supporting the Exchange's GNMA options rule-change filing, the Mortgage-Backed Securities Division of the Public Securities Association indicated that it was concerned about the 1000 contract limit, stating, "* * * it may prove to be inappropriately restrictive to some market participants." It also should be noted that the limits with respect to equity options recently were increased from 1000 to 2000 contracts.

The statutory basis for the proposed rule change is section 6(b)(5) of the Securities Exchange Act of 1934 in that the change will facilitate transactions in securities without lessening the Exchange's ability to prevent fraudulent and manipulative acts and practices and to protect investors and the public interest.

II. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will not have an impact on competition.

III. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments were neither solicited nor received.

IV. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

On or before June 15, 1981, 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 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.

V. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before June 1, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

May 4, 1981.

[FR Doc. 81-14087 Filed 5-8-81; 8:45 am]

BILLING CODE 8010-01-M

Cincinnati Stock Exchange; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

May 5, 1981.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

NLT Corporation (Tennessee)
Common Stock, $5 Par Value (File No. 7-5909)

Teco Energy Inc.
Common Stock, $1 Par Value (File No. 7-5910)

Freeport-McMoRan, Inc.
Common Stock, $5 Value (File No. 7-5911)

Royal Dutch Petroleum Company
10 Guilders Par Value—Ordinary (File No. 7-5912)

These securities are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before May 27, 1981 written data, views and arguments concerning the above referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14165 Filed 5-8-81; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Application for Unlisted Trading Privileges and of Opportunity for Hearing

May 5, 1981.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of:

Houston Oil Trust
Units of Beneficial Interest (File No. 7-5913)

This security is listed and registered on one or more other national securities exchanges and is reported on the consolidated transaction reporting system.

Interested persons are invited to submit on or before May 27, 1981 written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the

maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14167 Filed 5-8-81; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Application for Unlisted Trading Privileges and of Opportunity for Hearing

May 5, 1981.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of:

Gulf Canada Limited
Common Stock, No Par Value (File No. 7-5914)

This security is registered on one or more other national securities exchanges and is reported on the consolidated transaction reporting system.

Interested persons are invited to submit on or before May 27, 1981 written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14168 Filed 5-8-81; 8:45 am]

BILLING CODE 8010-01-M

Pacific Stock Exchange, Inc.; Application for Unlisted Trading Privileges and of Opportunity for Hearing

May 5, 1981.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of:

Houston Oil Trust
Units of Beneficial Interest (File No. 7-5908)

This security is listed and registered on one or more other national securities exchanges and is reported on the consolidated transaction reporting system.

Interested persons are invited to submit on or before May 27, 1981 written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14166 Filed 5-8-81; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 09/09-0210]

Jermyn Venture Capital Corp.; License Surrender

Notice is hereby given that Jermyn Venture Capital Corporation, 190 North Canon Drive, Suite 400, Beverly Hills, California 90210, has surrendered its license to operate as a small business investment company pursuant to 13 CFR 107.105 (1981) of the Small Business Administration's Rules and Regulations governing small business investment companies.

Jermyn Venture Capital Corporation was licensed on October 18, 1978, to operate as a small business investment company specializing in the financing of the production and distribution of motion pictures under the provisions of the Small Business Investments Act of 1958 (the Act), as amended (15 U.S.C. 661 *et seq.*).

Under the authority vested by the Act and pursuant to the cited Regulation, the surrender of the license is hereby accepted and all rights, privileges, and franchises therefrom are cancelled.

(Catalog of Federal Domestic Assistance Programs No. 59.011, Small Business Investment Companies)

Dated: May 4, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-14052 Filed 5-8-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Radio Technical Commission for Aeronautics (RTCA); Special Committee 136—Installation of Emergency Locator Transmitters (ELT) in Aircraft; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of Special Committee 136 on Installation of Emergency Locator Transmitters (ELT) in Aircraft to be held on June 2-3, 1981 in RTCA Conference Room 267, 1717 H Street, N.W., Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Introductory Remarks; (2) Approval of Minutes of the Ninth Meeting Held on January 29-30, 1981; (3) Consideration of Comments Received on the Third Draft of Committee Report on Installation and Performance of Emergency Locator Transmitter Systems; and (4) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1717 H Street, N.W., Washington, D.C. 20006; (202) 296-0484. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C. on May 1, 1981.

Karl F. Bierach,

Designated Officer.

[FR Doc. 81-14004 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

U.S. National Aviation Standard; Automatic Traffic Advisory and Resolution Service (ATARS)

AGENCY: Federal Aviation Administration, DOT.

ACTION: Extension of comment period.

SUMMARY: On March 26, 1981, the Federal Aviation Administration published for public review and comment a draft U.S. National Aviation Standard for the Automatic Traffic Advisory and Resolution Service (ATARS) (FR Vol. 46, No. 58, 18885). This notice announces that the comment period is extended to June 15, 1981.

DATES: Comments are to be received on or before June 15, 1981.

ADDRESS: Director, Systems Research and Development Service, ATTN: ARD-10, Federal Aviation Administration, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Dr. John Scardina, Aircraft Separation Assurance Branch, ARD-241, Communications and Surveillance Division, Systems Research and Development Service, Federal Aviation Administration, Department of Transportation, 400 7th Street, SW., Washington, D.C., 20590, telephone 202-755-4995.

Issued in Washington, D.C., on May 5, 1981.

Robert W. Wedan,

Director, Systems Research and Development Service, Engineering and Development, Federal Aviation Administration, Department of Transportation.

[FR Doc. 81-14005 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

Gates Learjet 20 and 30 Series; Type Certification Decision Document and Availability of Speical Certification Review.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Availability of Documentation.

SUMMARY: The Director of the FAA Central Region has conducted a review of the issues involved in the Learjet 20 and 30 Series Special Certfification Review. He has also reviewed and discussed with his staff a document entitled "Type Certification Decision Document, Learjet Special Certification Review." Based on this review, the Director approves issuance of the first phase report of the Type Certification Decision Document of the Gates Learjet 20 Series Special Certification Review. A copy of the "Type Certification Decision Document, Learjet Special Certification Review" is on file in the FAA Rules Docket. This document is the first phase report of the FAA of the Learjet 20 Series Special Certification Review. It is anticipated that closeout of all the items undergoing review may be as long as 6 months to a year from now. Reports on the balance of the investigative closeouts will be made by supplements to this report. The document is available for examination and copying at the Rules Docket, and may be obtained from the Office of the Regional Counsel, FAA Central Region, 601 East 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Mo., on April 30, 1981.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 81-14042 Filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

National Airspace Review; Reschedule of Informal Meeting

AGENCY: Federal Aviation Administration, DOT.

ACTION: Reschedule of Informal Meeting.

SUMMARY: This notice announces the rescheduling of the National Airspace Review informal meeting previously scheduled for May 18-20, 1981, as announced in **Federal Register** 46 FR 25027 on May 4. The meeting is rescheduled for the following dates:

DATES: May 27—9 a.m. to 3:30 p.m.; May 28—9 a.m. to 3:30 p.m.; May 29—9 a.m. to 12 p.m.

ADDRESS: The meeting will be held at the Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. in the auditorium (third floor).

FOR FURTHER INFORMATION CONTACT: Karl Trautmann, Chief, En Route Procedures Branch (AAT-330), 202-426-8630. To provide sufficient meeting space, it is requested that persons desiring to attend give advance notice to the FAA, AAT-330, 800 Independence Avenue, SW., Washington, D.C. 20591.

Issued in Washington, D.C. on May 6, 1981.

Willard H. Reazin,

Acting Chief, ATC Procedures Division.

[FR Doc. 14138 filed 5-8-81; 8:45 am]

BILLING CODE 4910-13-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 90
Monday, May 11, 1981

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).

CONTENTS

Items
Federal Deposit Insurance Corporation 1
Federal Energy Regulatory Commission 2
Federal Maritime Commission 3
International Trade Commission 4, 5
Nuclear Regulatory Commission 6

1

FEDERAL DEPOSIT INSURANCE CORPORATION.

Pursuant to subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at 12:00 Noon on Wednesday, May 6, 1981, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session, by telephone conference call, to consider a recommendation regarding First Pennsylvania Bank N.A., Bala-Cynwyd, Pennsylvania.

In calling the meeting, the Board determined, on motion of Chairman Irvine H. Sprague, seconded by Director John G. Heimann (Comptroller of the Currency), concurred in by Director William M. Isaac (Appointive), that Corporation business required its consideration of the matter on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matter in a meeting open to public observation; and that the matter could be considered in a closed meeting pursuant to subsections (c)(4), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(8), and (c)(9)(A)(ii)).

Dated: May 6, 1981.

Federal Deposit Insurance Corporation.

Alan J. Kaplan,

Assistant Executive Secretary.

[S-735-81 Filed 5-8-81; 11:52 am]

BILLING CODE 6714-01-M

2

FEDERAL ENERGY REGULATORY COMMISSION.

May 7, 1981.

TIME AND DATE: May 14, 1981, 10:00 a.m.

PLACE: 825 North Capitol Street, N.E., Washington, D.C. 20426, room 9306.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kenneth F. Plumb, Secretary, Telephone (202) 357-8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Division of Public Information.

The consent agendas and the gas agenda will be considered on Thursday, May 14, 1981. The power and miscellaneous agendas will be considered on Friday, May 15, 1981.

Consent Power Agenda—489th Meeting, May 14, 1981, Regular Meeting (10:00 a.m.)

CAP-1. Project No. 3797, City of La Habra.
CAP-2. Project Nos. 2929, 2969, 2995 and 3004, Pennsylvania Hydroelectric Development Corp., et al.
CAP-3. Project No. 906, Virginia electric and Power Co.
CAP-4. Project Nos. 233 and 2735, Pacific Gas and Electric Co.
CAP-5. Project No. 4064, Baker Valley Irrigation District; Project No. 3459, Cascade Waterpower Development Corp.
CAP-6. Project No. 2913, Alabama Electric Cooperative, Inc. Project No. 2918, Municipal Electric Authority of Georgia. Project No. 3016, City of Dothan, Ala.
CAP-7. Docket No. ER81-5-000, Edison Electric Institute.
CAP-8. Docket Nos. ER81-355-000, ER81-356-000, and ER81-357-000, Kansas Gas and Electric Co.
CAP-9. Docket Nos. ER81-46-000, ER81-47-000 ER81-48-000 and ER81-105-000, Indiana & Michigan Electric Co.
CAP-10. Docket No. ER81-31-000, Green Mountain Power Corp.
CAP-11. Docket No. ER80-326, New England Power co.
CAP-12. Docket No. ER80-238, Public Service Co. of Oklahoma.
CAP-13. Docket No. ER81-38-000, The Detroit Edison Co.

Consent Miscellaneous Agenda

CAM-1. Docket No. RM81-3, Annual Report for Electric Utilities, Licensees and Others (Class A and Class B): Filings by Federal Entities pursuant to § 141.1
CAM-2. Docket No. RM79-15, Amendment to the Regulation for the Implementation of Section 401 of the Natural Gas Policy Act
CAM-3 Docket No. GP81- , Oil and Gas Division, West Virginia Department of Mines, Charleston, W. Va. Section 102 NGPA Determination and Union Drilling, Inc., William F. Osburn #2-1488-UC, WV File No. 791107-102-097-1946, FERC Control No. JD80-37951
CAM-4. Docket No. RO80-6, Triangle J. Oil Co.

Consent Gas Agenda

CAG-1. Docket Nos. RP73-65 and TA80-1-21, Columbia Gas Transmission Corp., Docket Nos. G-5258, G-8487, G-18783, RP61-13, RP65-31 and RP67-3, Transcontinental Gas Pipe Line Corp.
CAG-2. Docket No. RP78-63, Southwest Gas Corp.
CAG-3. Docket No. RP81-1-000, Michigan Wisconsin Pipe Line Co.
CAG-4. Docket No. RP80-131-001, Natural Gas Pipeline Co. of America
CAG-5. Docket No RP80-3, Michigan Wisconsin Pipe Line Co.
CAG-6. Docket No. RP72-133 (PGA75-1, PGA75-3, PGA76-1, PGA77-1, PGA77-1a, PGA77-2, PGA78-1, PGA78-2, PGA79-1, PGA79-2, PGA80-1, PGA80-2), United Gas Pipe Line Co.
CAG-7. Docket Nos. AR61-2, AR67-1 and AR69-1, et al., G-13258, G-18512, G-20509 & RP60-15, RP64-31, RP70-5 & RP70-16, RP70-38, et al., RP79-21, et al., Southern Natural Gas Co.
CAG-8. Docket No. CI81-183-000, Mobile Oil Exploration and Producing Southeast Inc.; Docket No. CI81-132-000, Getty Oil Co.; Docket No. CI81-101-000, General American Oil, Co. of Texas; Docket No. CI81-182-000, Natresco, Inc.; Docket No. CI81-188-000, The Superior Oil Co.; Docket No. CI75-480, Mobil Producting Texas and New Mexico, Inc.; Docket Nos. CI81-111-000, and CI81-117-000, American Petrofina Company of Texas; Docket No. CI81-116-000, The B & A Pipe Line Co.; Docket No. CI81-174-000, Felmont Oil Corp.; Docket No. CI81-175-000, Case-Pomeroy Oil Corp.; Docket No. CI81-178-000, Exxon Corp.; Docket Nos. CI81-218-000 and CI81-219-000, Ocean Production Co.; Docket No. CI67-820-000, El Grande Pipeline Corp.; Docket No. CI73-2-000, Belco Petroleum Corp.; Docket No. CI81-206-000, Mesa Petroleum Co.; Docket No. CI81-3-001, Texoma Production Co.; Docket No. CI76-53-000, Mobil Oil Exploration & Producing Southeast Inc.
CAG-9. Docket No. TC81-9-000, Texas Gas Transmission Corp.
CAG-10. Docket Nos. CP80-250 and CP80-271, United Gas Pipe Line Co.
CAG-11. Docket No. CP78-465, Michigan Wisconsin Pipe Line Co.

CAG–12. Docket No. CP76–344, Southern Natural Gas Co.
CAG–13. Docket No. CP80–399, Michigan Wisconsin Pipe Line Co.
CAG–14. Docket No. DP80–449, El Paso Natural Gas Co. Docket No. CI80–460, Amoco Production Co.; ICAG–15. Docket No. CP66–110–019, Great Lakes Gas Transmission Co.
CAG–16. Docket No. CP79–282, Transcontinental Gas Pipeline Corp.
CAG–17. Docket No. CP79–327–002, Natural Gas Pipeline Co. of America, United Gas Pipe Line Co., Michigan Wisconsin Pipe Line Co. and Transcontinental Gas Pipe Line Corp.

Regular Power Agenda

I. Licensed Project Matters

P–1. Reserved.

II. Electric Rate Matters

ER–1. Docket No. ER81–183–000, Consolidated Edison Co. of New York, Inc.
ER–2. Docket No. ER81–282–000, Montana Power Co.
ER–3. Docket Nos. ER81–353–000, ER81–354–000 and ER81–381–000, Dayton Power and Light Co.
ER–4. Docket No. ER81–316–000, Southwestern Electric Power Co.
ER–5. Docket No. EF79–4011, Southwestern Power Administration (System Rates).

Regular Miscellaneous Agenda

M–1. Reserved.
M–2. Reserved.
M–3. Docket No. RM81–20, Delegation of the Commission's Authority to the Directors of Office of Electric Power Regulation, Office of the Chief Accountant, and Office of Pipeline and Producer Regulation.
M–4. (A) Docket No. RM79–76, High-Cost Gas Produced from Tight Formations.
(B) Docket No. RM79–76 (Colorado–5), High-Cost Gas Produced From Tight Formations.
M–5. Docket No. RM81– , Clarification of Regulations Regarding New Onshore Production Wells

Regular Gas Agenda

I. Pipeline Rate Matters

RP–1. Docket No. RP80–101, Texas Gas Transmission Corp.

II. Producer Matters

CI–1. Reserved.

III. Pipeline Certificate Matters

CP–1. (A) Docket Nos. CP80–65, CP77–569, CP77–570 and CP77–571, Tennessee Gas Pipeline Co., a Division of Tenneco Inc. (B) Docket No. CP76–492, National Fuel Gas Supply Corp. and Penn-York Energy Corp.
CP–2. Docket No. CP74–35, Pacific Offshore Pipeline Co., Docket No. CI79–533, Exxon Corp.
CP–3. Docket No. CP80–485, Transcontinental Gas Pipeline Corp.
CP–4. Docket Nos. CP79–332 and CP79–332–001, Natural Gas Pipeline Co. of America, Michigan Wisconsin Pipe Line Co. and Tennessee Gas Pipeline Co., a Division of Tenneco Inc. and Texas Eastern Transmission Corp.; Docket Nos. CP79–462, CP66–110, et al., CP79–462–001, CP66–110–020, CP–70–19–007, CP70–100–002, CP–71–222–005, CP71–299–001 and CP71–223–003, Great Lakes Gas Transmission Co.; Docket Nos. CP79–467 and CP79–467–001, Michigan Wisconsin Pipe Line Co.
CP–5. Docket Nos. CP79–532, RP80–97, CP76–492, CP77–569, CP77–570, CP77–571, CP78–490, CP78–499, CP78–523, CP78–543, CP79–67, CP79–81, and CP79–311, Tennessee Gas Pipeline Co. a Division of Tenneco Inc.
CP–6. Docket No. CP75–57, Kansas-Nebraska Natural Gas Co., Inc.; Docket No. CP75–154, Montana-Dakota Utilities Co.; Docket No. CP75–227, Montana-Dakota Utilities Co.; Docket No. CP80–348, Northern Utilities, Inc.
CP–7. Docket No. TC81–23, Alabama-Tennessee Natural Gas Co.; Docket No. TC81–24, Algonquin Gas Transmission Co.; Docket No. TC81–25, Arkansas-Louisiana Gas Co.; Docket No. TC81–26, Cities Service Gas Co; Docket No. TC81–27, Colorado Interstate Gas Co.; Docket No. TC81–28, Columbia Gas Transmission Corp.; Docket No. TC81–29, Consolidated Gas Supply Corp.; Docket No. TC81–30, East Tennessee Natural Gas Co.; Docket No. TC81–31, Eastern Shore Natural Gas Co.; Docket No. TC81–32, El Paso Natural Gas Co.; Docket No. TC81–33, Florida Gas Transmission Co.; Docket No. TC81–34, Michigan-Wisconsin Pipe Line Co.; Docket No. TC81–35, Midwestern Gas Transmission Co.; Docket No. TC81–36, Mississippi River Transmission Corp.; Docket No. TC81–37, National Fuel Gas Supply Corp.; Docket No. TC81–38, Natural Gas Pipeline Co. of America; Docket No. TC81–39, Northern Natural Gas Co.; Docket No. TC81–40, Northwest Pipeline Corp.; Docket No. TC81–41, Panhandle Eastern Pipeline Co.; Docket No. TC81–42, Southern Natural Gas Co.; Docket No. TC81–43, Tennessee Gas Pipeline Co.; Docket No. TC81–44, Tennessee Natural Gas Lines, Inc.; Docket No. TC81–45, Texas Eastern Transmission Corp.; Docket No. TC81–46, Texas Gas Transmission Corp.; Docket No. TC81–47, Transcontinental Gas Pipe Line Corp.; Docket No. TC81–48, Transwestern Pipeline Co.; Docket No. TC81–49, Trunkline Gas Co.; Docket No. TC81–50, United Gas Pipeline Co.

Kenneth F. Plumb,

Secretary.

[S–736–81 Filed 5–7–81; 1:43 pm]

BILLING CODE 6450–01–M

3

FEDERAL MARITIME COMMISSION.

TIME AND DATE: 9:00 a.m., May 13, 1981.

PLACE: Hearing Room 1, 1100 L Street NW., Washington, D.C. 20573.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Agreements Nos. 10041–8 and 10044–6: Modification and Extension of U.S. Atlantic/Peru and U.S. Gulf/Peru Pooling Agreements.
2. Nigeria-United States Discussion Agreement No. 10407.
3. Agreement No. 8080–17 and Agreement No. 8240–15: Modifications of the Atlantic and Gulf-Indonesia Conference and the Atlantic and Gulf-Singapore, Malaya and Thailand Conference to Provide for Substituted Service.
4. Proposed Rulemaking—Petition of Sea-Land for Rulemaking to Promulgate Filing Requirements for Publication of Per-Container Rates in the U.S. Foreign Commerce.
5. Proposed Amendment to General Order 45: Procedures for Environmental Policy Analysis to Expand the List of Categorical Exclusions.
6. Proposed Amendment to Procedures for Closing Meetings to Public Observation.
7. Docket No. 80–56—Temporary Tariff Filing Regulations Applicable to Carriers and Conferences of Such Carriers in the Foreign Commerce of the United States—Consideration of comments.

CONTACT PERSON FOR MORE INFORMATION: Joseph C. Polking, Acting Secretary, (202) 523–5725.

[S–734–81 Filed 5–6–81; 4:46 pm]

BILLING CODE 6730–01–M

4

INTERNATIONAL TRADE COMMISSION.

[USITC SE–81–11]

TIME AND DATE: 10:00 a.m., Tuesday, May 19, 1981.

PLACE: Room 117, 701 E Street, NW., Washington, D.C. 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda.
2. Minutes.
3. Ratifications.
4. Petitions and complaints, if necessary.
5. Investigation 731–TA–41 [Final] (Tubeless Tire Valves from the Federal Republic of Germany)—briefing and vote.
6. Investigation 337–TA–83 (Window Shades)—briefing and vote.
7. Any items left over from previous agenda.

CONTACT PERSON FOR MORE INFORMATION: Kenneth R. Mason, Secretary, (202) 523–0161.

[S–733–81 Filed 5–6–81; 4:35 pm]

BILLING CODE 7020–02–M

5

INTERNATIONAL TRADE COMMISSION.

[USITC ERB–81–12], Executive Resources Board (ERB).

TIME AND DATE: 9:00 a.m., Friday, May 8, 1981.

PLACE: Room 117, 701 E Street, N.W., Washington, D.C. 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Manpower Planning.

CONTACT PERSON FOR MORE INFORMATION: Kenneth R. Mason, Secretary, (202) 523–0161.

[S–732–81 Filed 5–6–81; 4:35 am]

BILLING CODE 7020–02–M

6

NUCLEAR REGULATORY COMMISSION.

DATE: Week of May 11, 1981.

PLACE: Commissioners' Conference Room, 1717 H Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Tuesday, May 12, 2:00 p.m.

1. Discussion of Revised Licensing Procedures (Tentative, Approximate 1½ hours.)
2. Affirmation/Discussion Session, Affirmation and/or Discussion and Vote:
   a. Indian Point Cooling Towers—Response to Settlement Proposed by the Parties
   b. Reappointment of ACRS Members.

Automatic telephone answering service for schedule update: (202) 634–1498. Those planning to attend a meeting should reverify the status on the day of the meeting.

CONTACT PERSON FOR MORE INFORMATION: Walter Magee (202) 634–1410.

Walter Magee,

Office of the Secretary.

[S–731–81 Filed 5–6–81; 4:01 pm]

BILLING CODE 7590–01–M

federal register

Monday
May 11, 1981

Part II

Department of the Interior

Bureau of Land Management

Outer Continental Shelf; Lower Cook Inlet/Shelikof Strait; Proposed Oil and Gas Lease Sale No. 60

4310-84

DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Outer Continental Shelf
Lower Cook Inlet/Shelikof Strait
Proposed Oil and Gas Lease Sale No. 60

With regard to oil and gas leasing on the Outer Continental Shelf (OCS), the Secretary of the Interior, pursuant to Sec. 19 of the OCS Lands Act, as amended, provides the affected States the opportunity to review the proposed sale notice. The following is a proposed sale notice for Sale No. 60 in the offshore waters of the lower Cook Inlet/Shelikof Strait area. This notice is hereby published as a matter of information to the public.

Acting Associate Director, Bureau of Land Management
Arnold E. Petty

Dated: May 5, 1981

Approved:

Under Secretary of the Interior
Donald Paul Hodel

Proposed Sale Notice

1. Authority. This notice is published pursuant to the Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331-1343), as amended (92 Stat. 629), and the regulations issued thereunder (43 CFR Part 3300).

2. Filing of Bids. Sealed bids will be received by the Manager, Alaska Outer Continental Shelf (OCS) Office, Bureau of Land Management, 620 East 10th Avenue, P.O. Box 1159, Anchorage, Alaska 99510. Bids may be delivered, either by mail or in person, to the above address until 4:30 p.m., September __, 1981; or by personal delivery to the sale site in Anchorage, Alaska (to be announced) between the hours of 8:30 a.m., a.h.s.t. and 9:30 a.m., a.h.s.t., September __, 1981. Bids received by the Manager later than the times and dates specified above will be returned unopened to the bidders. Bids may not be modified or withdrawn unless written modification or withdrawal is received by the Manager prior to 9:30 a.m., a.h.s.t., September __, 1981. All bids must be submitted and will be considered in accordance with applicable regulations, including 43 CFR Part 3300. This list of restricted joint bidders which applies to this sale was published in _____ FR _____, April __, 1981.

3. Method of Bidding. A separate bid in a sealed envelope, labeled "Sealed Bid for Oil and Gas Lease (insert number of tract), not to be opened until 10:00 a.m., a.h.s.t., September __, 1981" must be submitted for each tract. A suggested form appears in 43 CFR Part 3300, Appendix A, for bonus bid tracts. An example of the form for tracts offered under the Net Profit Share Bid with a fixed cash bonus is provided in Attachment A hereto. The net profit share bid should be expressed in percent, to a maximum of 3 decimal places after the decimal point, e.g., 50.123%. Bidders are advised that tract numbers are assigned solely for administrative purposes and are not the same as block numbers found on official protraction diagrams. All bids received shall be deemed submitted for a numbered tract. Bidders must submit with each bid one-fifth of the cash bonus in cash or by cashier's check, bank draft, or certified check payable

to the order of the Bureau of Land Management. No bid for less than a full tract as described in paragraph 12 will be considered. Bidders submitting joint bids must state on the bid form the proportionate interest of each participating bidder, in percent to a maximum of five decimal places, as well as submit a sworn statement that the bidder is not disqualified under 43 CFR Subpart 3316. The suggested form for this statement to be used in joint bids appears in 43 CFR Part 3300, Appendix B. Other documents may be required of bidders under 43 CFR 3316.4. Bidders are warned against violation of 18 U.S.C. 1860, prohibiting unlawful combination or intimidation of bidders.

4. Bidding Systems. All leases awarded for this sale will provide for a yearly rental payment of $8 per hectare or fraction thereof. The following systems will be utilized.

(a) Bonus Bidding with a Fixed Net Profit Share. Bids on tracts 60-74, 60-75, 60-76, 60-77, 60-79, 60-81, 60-83, 60-84, 60-118, 60-120, 60-122, 60-124, 60-126, 60-128, 60-130, 60-132, 60-135, 60-137, 60-140, 60-144, 60-146, 60-148, 60-149, and 60-151 are to be submitted on a cash bonus basis with a fixed net profit share rate of 40 percent and a 0.75 capital recovery factor. The net profit share payment shall be calculated according to Department of Energy regulations in 10 CFR 390 (45 FR 36784, May 30, 1980).

(b) Net Profit Share Bidding with a Fixed Cash Bonus. Bids on tracts 60-73, 60-78, 60-80, 60-82, 60-85, 60-117, 60-119, 60-121, 60-123, 60-125, 60-127, 60-129, 60-131, 60-133, 60-134, 60-136, 60-138, 60-139, 60-141, 60-142, 60-143, 60-145, 60-147, 60-150, and 60-152 must be submitted on a variable profit share basis with a capital recovery factor of 0.75 and a fixed cash bonus of $2 million.

The Department of Energy is under court order to publish final regulations for this system by May 25, 1981. Proposed regulations for this system (10 CFR 376 and 390) appeared in the Federal Register on March 5, 1981, at 46 FR 15484. The Supreme Court has granted certiorari to review the decision of the U.S. Court of Appeals for the District of Columbia Circuit in Energy Action Educational Foundation v. Andrus, Civil No. 79-1633. Tracts are proposed to be offered under the variable net profit share bid system to facilitate their inclusion in Sale No. 60, subject to implementation of the court's order. A final decision on the offering of tracts under this system will be announced in the Notice of Sale to be published in August 1981.

(c) Bonus Bidding with a 16-2/3 Percent Royalty. Bids on the remaining tracts to be offered at this sale must be submitted on a cash bonus basis with a fixed royalty of 16-2/3 percent. All leases awarded under this system will provide for a minimum annual royalty payment of $8 per hectare or fraction thereof.

5. Equal Opportunity. Each bidder must have submitted by 9:30 a.m., a.h.s.t., September __, 1981, the certification required by 41 CFR 60-1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, on the Compliance Report Certification Form, Form 1140-8 (November 1973), and the Affirmative Action Representation Form, Form 1140-7 (December 1971). See Item 14, "Information to Lessees."

6. Bid Opening. Bids will be opened on September __, 1981, beginning at 10 a.m., a.h.s.t., at the address stated in paragraph 2. The opening of the bids is for the sole purpose of publicly announcing and recording bids received and no bids will be accepted or rejected at that time. If the Department is prohibited for any reason from opening any bid before midnight, September __, 1981, that bid will be returned unopened to the bidder as soon thereafter as possible.

7. Deposit of Payment. Any cash, cashier's checks, certified checks, or bank drafts submitted with a bid may be deposited in a suspense account in the Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bid on behalf of the United States.

8. Withdrawal of Tracts. The United States reserves the right to withdraw any tract from this sale prior to issuance of a written acceptance of a bid for that tract.

9. Acceptance or Rejection of Bids. The United States reserves the right to reject any and all bids for any tract. In any case, no bid for any tract will be accepted and no lease for any tract will be awarded to any bidder unless:

a. The bidder has complied with all requirements of this notice and applicable regulations;

b. The bid is the highest valid bid; and

c. The amount of the bid has been determined to be adequate by the Secretary of the Interior.

No bonus bid will be considered for acceptance unless it provides for a cash bonus in the amount of $62 or more per hectare or fraction thereof. No profit share bid will be considered for acceptance unless it provides for a profit share rate of at least 30 percent.

10. Successful Bidders. Each person who has submitted a bid accepted by the Secretary of the Interior will be required to execute copies of the lease specified below, pay the balance of the cash bonus together with the first year's annual rental and satisfy the bonding requirements of 43 CFR 3318 within the time provided in 43 CFR 3316.5.

11. Protraction Diagrams. Tracts offered for lease may be located on the following official protraction diagrams which are available from the Manager, Alaska Outer Continental Shelf Office, Bureau of Land Management, 620 East 10th Avenue, P.O. Box 1159, Anchorage, Alaska 99510, at $2 each.

a. Outer Continental Shelf Official Protraction Diagram NO 5-1, Ilianna (approved 3/20/75).

b. Outer Continental Shelf Official Protraction Diagram NO 5-2, Seldovia (approved 3/20/75).

c. Outer Continental Shelf Official Protraction Diagram NO 5-3, Mt. Katmai (approved 7/3/75).

d. Outer Continental Shelf Official Protraction Diagram NO 5-4, Afognak (approved 7/3/75).

12. Tract Descriptions. The tracts offered for bid are as follows: Note: There may be gaps in the numbers of the tracts listed. Some of the blocks identified in the final environmental statement may not be included in this notice.

OCS OFFICIAL PROTRACTION DIAGRAM, Iliamna NO 5-1
(Approved 3/20/75)

Tract No.	Block No.	Designation	Hectares
60-1	484	All	2304
60-2	527	All	2304
60-3	615	All	2304
60-4	659	All	2304
60-5	703	All	2304
60-6	748	All	2304
60-7	836	All	2304
60-8	880	All	2304
60-9	923	All	2304
60-10	924	All	2304
60-11	968	All	2304
60-12	1011	All	2304
60-13	1012	All	2304
60-14	1055	All	2304
60-15	1056	All	2304

OCS OFFICIAL PROTRACTION DIAGRAM, Seldovia NO 5-2
(Approved 3/20/75)

Tract No.	Block No.	Designation	Hectares
60-16	93	All	1037 (est.)
60-17	94	All	2304
60-18	137	All	2028 (est.)
60-19	138	All	2304
60-20	181	All	2304
60-21	182	All	2304
60-22	186	All	2304
60-23	224	All	2304
60-24	225	All	2304
60-25	226	All	2304
60-26	228	All	2304
60-27	229	All	2304
60-28	230	All	2304
60-29	268	All	2304
60-30	269	All	2304
60-31	270	All	2304
60-32	271	All	2304
60-33	272	All	2304
60-34	273	All	2304
60-35	312	All	2304
60-36	313	All	2304
60-37	314	All	2304
60-38	315	All	2304
60-39	316	All	2304
60-40	317	All	2304
60-41	359	All	2304
60-42	360	All	2304
60-43	361	All	2304
60-44	404	All	2304
60-45	405	All	2304
60-46	487	All	2304
60-47	533	All	2304
60-48	580	All	2304
60-49	621	All	2304
60-50	625	All	2304
60-51	661	All	2304
60-52	662	All	2304
60-53	663	All	2304
60-54	664	All	2304
60-55	665	All	2304
60-56	666	All	2304
60-57	669	All	2304

OCS OFFICIAL PROTRACTION DIAGRAM, Seldovia NO 5-2, continued

Tract No.	Block No.	Designation	Hectares
60-58	705	All	2304
60-59	706	All	2304
60-60	707	All	2304
60-61	713	All	2304
60-62	751	All	2304
60-63	756	All	2304
60-64	757	All	2304
60-65	793	All	2304
60-66	795	All	2304
60-67	800	All	2304
60-68	837	All	2304
60-69	838	All	2304
60-70	881	All	2304
60-71	882	All	2304
60-72	925	All	2304

OCS OFFICIAL PROTRACTION DIAGRAM, Mt. Katmai NO 5-3
(Approved 7/3/75)

Tract No.	Block No.	Designation	Hectares
60-73	43	All	2304
60-74	44	All	2304
60-75	88	All	2304
60-76	131	E1/2E1/2	576
60-77	132	All	2304
60-78	176	All	2304
60-79	219	NE1/4,S21/4W1/4, S1/2	1872
60-80	220	All	2304
60-81	263	All	2292 (est.)
60-82	264	All	2304
60-83	306	All	2028 (est.)
60-84	307	All	2304
60-85	308	All	2304
60-86	350	All	2304
60-87	351	All	2304
60-88	352	All	2304
60-89	394	All	2304
60-90	395	All	2304
60-91	396	All	2304
60-92	438	All	2304
60-93	439	All	2304
60-94	479	All	2304
60-95	480	All	2304
60-96	481	All	2304
60-97	482	All	2304
60-98	483	All	2304
60-99	522	All	2304
60-100	523	All	2304
60-101	524	All	2304
60-102	525	All	2304
60-103	526	All	2304
60-104	565	All	2304
60-105	566	All	2304
60-106	567	All	2304
60-107	568	All	2304
60-108	569	All	2304
60-109	570	All	2304
60-110	607	All	2304
60-111	608	All	2304
60-112	609	All	2304
60-113	610	All	2304
60-114	611	All	2304
60-115	612	All	2304

OCS OFFICIAL PROTRACTION DIAGRAM, Mt. Katmai NO 5-3, continued

Tract No.	Block No.	Designation	Hectares
60-116	613	All	2304
60-117	651	All	2304
60-118	652	All	2304
60-119	653	All	2304
60-120	654	All	2304
60-121	655	All	2304
60-122	656	All	2304
60-123	695	All	2304
60-124	696	All	2304
60-125	697	All	2304
60-126	698	All	2304
60-127	699	All	2304
60-128	737	E1/2,E1/2W1/2	1728
60-129	738	All	2304
60-130	739	All	2304
60-131	740	All	2304
60-132	741	All	2304
60-133	742	All	2304
60-134	781	All	2304
60-135	782	All	2304
60-136	783	All	2304
60-137	784	All	2304
60-138	785	All	2304
60-139	825	All	2304
60-140	826	All	2304
60-141	827	All	2304

OCS OFFICIAL PROTRACTION DIAGRAM, Afognak NO 5-4
(Approved 7/3/75)

Tract No.	Block No.	Designation	Hectares
60-142	48	All	2304
60-143	90	All	2304
60-144	91	All	2304
60-145	92	All	2304
60-146	133	All	2304
60-147	134	All	2304
60-148	135	All	2304
60-149	177	All	2304
60-150	178	All	2304
60-151	221	All	2304
60-152	265	All	2304
60-153	309	All	2304

13. Lease Terms and Stipulations. All leases issued as a result of this sale will be for an initial term of 5 years. Leases issued as a result of this sale will be on Form 3300-1 (September 1978), available from the Manager, Alaska Outer Continental Shelf Office, at the address stated in paragraph 2.

(a) For leases resulting from this sale for tracts offered on (1) a cash bonus basis with a fixed net profit share, listed in paragraph 4 (a); and (2) a net profit share basis with a fixed cash bonus, listed in paragraph 4 (b), Form 3300-1 will be amended as follows:

Sec. 4. Rentals. The phrase "which commences prior to a discovery in paying quantities of oil or gas on the leased area" is hereby deleted and replaced by "which commences prior to the date the first net profit share payment becomes due."

Sec. 5. Minimum Royalty. Hereby deleted.

Sec. 6. Royalty on Production. Hereby replaced by Net Profit Share. The lessee agrees to pay a net profit share rate of _____ percent with a _____ capital recovery factor, calculated pursuant to 10 CFR 390.

(b) Except as otherwise noted, the following stipulations will be included in each lease resulting from this proposed sale. In the following stipulations the term DCM refers to the the Deputy Conservation Manager for Field Operations, Alaska Region, U.S. Geological Survey and the term Manager refers to the Manager of the Alaska OCS Office of the Bureau of Land Management.

Stipulation No. 1

If the DCM has reason to believe that a site, structure or object of historical or archaeological significance (hereinafter referred to as "cultural resource") may exist in the lease area and gives the lessee written notice that the lessor is invoking the provisions of this stipulation, the lessee shall upon receipt of such notice comply with the following requirements.

Prior to any drilling activity or the construction or placement of any structure for exploration or development on the lease, including, but not limited to, well drilling and pipeline and platform placement (hereinafter in this stipulation referred to as "operation"), the lessee shall conduct remote sensing surveys to determine the potential existence of any cultural resource that may be affected by such operations. All data produced by such remote sensing surveys, as well as other pertinent natural and cultural environmental data, shall be examined by a qualified marine survey archaeologist to determine if indications are present suggesting the existence of a cultural resource that may be adversely affected by any lease operation. A report of this survey and assessment prepared by the marine survey archaeologist shall be submitted by the lessee to the DCM and to the Manager for review.

If such cultural resource indicators are present the lessee shall: (1) locate the site of such operation so as not to affect adversely the identified location; or (2) establish, to the satisfaction of the DCM, on the basis of further archaeological investigation conducted by a qualified marine survey archaeologist or underwater archaeologist using such survey equipment and techniques as deemed necessary by the DCM either that such operation will not adversely affect the location identified or that the potential cultural resource suggested by the occurrence of the indicators does not exist.

A report of this investigation prepared by the marine survey archaeologist or underwater archaeologist shall be submitted to the DCM and the Manager for review. Should the DCM determine that the existence of a cultural resource which may be

adversely affected by such operation is sufficiently established to warrant protection, the lessee shall take no action that may result in an adverse effect on such cultural resource until the DOM has given directions as to its preservation.

The lessee agrees that if any site, structure or object of historical or archaeological significance should be discovered during the conduct of any operations on the leased area, he shall report immediately such findings to the DOM and make every reasonable effort to preserve and protect the cultural resource from damage until the DOM has given directions as to its preservation.

Stipulation No. 2

If the DOM, having reason to believe that significant biological populations or habitats requiring additional protection may exist within the lease area, gives the lessee written notice that the lessor is invoking the provisions of this stipulation, the lessee shall, upon receipt of such notice, comply with the following requirements:

Prior to the commencement of any drilling activity, or construction or placement of any structure for exploration or development activity, the lessee shall conduct site-specific environmental surveys or studies, including sampling as approved by the DOM, to characterize existing environmental conditions in an identified zone prior to oil and gas operations, and to determine the extent and composition of biological populations or habitats, and the effects of proposed operations on the populations or habitats which might require additional protective measures. The nature and extent of any such surveys or studies will be determined by the DOM on a case-by-case basis.

Based on any surveys or studies which the DOM may require of the lessee, the DOM may require the lessee to: (1) relocate the site of operations so as not to affect adversely the significant biological populations or habitats deserving protection; (2) modify operations in such a way as not to affect adversely the significant biological populations or habitats deserving protection; or (3) establish to the satisfaction of the DOM that such operations will not adversely affect the significant biological populations or habitats deserving protection. Based on any surveys or studies which the DOM may also require of the lessee, the DOM may require the lessee to provide for periodic sampling of environmental conditions during operations.

The lessee shall submit all data obtained in the course of such surveys or studies to the DOM, with the locational information for drilling or other activity. The lessee may take no action that might result in any effect on the biological populations or habitats surveyed, until the DOM provides written directions to the lessee with regard to permissible actions.

In the event that important biological populations or habitats are identified subsequent to commencement of operations, the lessee shall make every reasonable effort to preserve and protect all biological populations and habitats within the lease area, until the DOM provides written instructions to the lessee with regard to the biological populations or habitats identified.

Stipulation No. 3

The lessee shall include in any exploration and development plans submitted under 30 CFR 250.34 a proposed environmental training program for all personnel involved in exploration or development activities (including personnel of the lessee's contractors and subcontractors) for review and approval by the DOM. The program shall be designed to inform each person working on the project of specific types of environmental, social, and cultural concerns which relate to the individual's job. The program shall be formulated by qualified instructors experienced in each pertinent field of study, and shall employ effective methods to insure that personnel are informed of archaeological, geological, and biological resources, to include bird and sea mammal rookeries, to identify the importance of avoidance and non-harassment of wildlife resources.

The program shall also be designed to increase the sensitivity and understanding of personnel to community values, customs, and lifestyles in areas in which such personnel will be operating and shall include information concerning avoidance of conflicts with commercial fishing operations and with commercial fishing gear.

The lessee shall also provide for review and approval a continuing technical environmental briefing program for supervisory and managerial personnel of the lessee and its agents, contractors, and subcontractors.

Stipulation No. 4

Pipelines will be required: (a) if pipeline rights-of-way can be determined and obtained; (b) if laying such pipelines is technically feasible and environmentally preferable; and (c) if, in the opinion of the lessor, pipelines can be laid without net social loss, taking into account any incremental costs of pipelines over alternative methods of transportation and any incremental benefits in the form of increased environmental protection or reduced multiple use conflicts. The lessor specifically reserves the right to require that any pipeline used for transporting production to shore be placed in certain designated management areas. In selecting the means of transportation, consideration will be given to any recommendation of the intergovernmental planning program for assessment and management of transportation of Outer Continental Shelf oil and gas with participation of Federal, State, and local governments and industry.

All pipelines, including both flow lines and gathering lines for oil and gas, shall be designed and constructed to provide for adequate protection from water currents, storms, geohazards, fisheries trawling gear, and other hazards as determined on a case-by-case basis.

Following the development of sufficient pipeline capacity, no crude oil will be transported by surface vessel from offshore production sites, except in the case of emergency. Determinations as to emergency conditions and appropriate responses to these conditions will be made by the DOM.

Where the three criteria set forth in the first sentence of this stipulation are not met and surface transportation must be employed, all vessels used for carrying hydrocarbons to shore from the leased area will conform with all standards established for such vessels, pursuant to the Ports and Waterways Safety Act (46 U.S.C. 391a) and the Port and Tanker Safety Act of 1978 (33 U.S.C. 1221).

Stipulation No. 5

(To be included only in the leases resulting from this sale as specified in 4(a) Bonus Bidding with a Fixed Net Profit Share and 4(b) Net Profit Share Bidding with a Fixed Cash Bonus).

The net profit share payment specified in section 6 of this lease may be satisfied in whole or in part by the lessor taking production in amount rather than in value. However, not more than 16-2/3 percent of the production saved, removed or sold from the lease area may be taken as a net profit share payment in amount, except as provided in Sec. 15(d); additional net profit share payments shall be calculated to include the value of such production in excess of 16-2/3 percent.

14. Information to Lessees. Bidders are advised that during the conduct of all activities related to leases issued as a result of this proposed lease sale, the lessee and its agents, contractors and subcontractors will be subject to the provisions of the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, as amended, and International Treaties. Violations of these Acts and Treaties may be reported to the National Marine Fisheries Service or U.S. Fish and Wildlife Service, as appropriate.

The lessee or his contractors should be aware that disturbance of wildlife could be determined to constitute harassment, and thereby be in violation of existing laws. Behavioral disturbance of most birds and mammals found in or near the sale 60 area would be unlikely if ocean vessels and aircraft maintained at least a 1-mile distance from observed wildlife or known wildlife concentration areas such as bird colonies or marine mammal rookeries. Therefore, in concurrence with the National

Marine Fisheries Service and the U.S. Fish and Wildlife Service, it is recommended that aircraft or vessels operated by lessees maintain at least a 1-mile distance from observed wildlife or known wildlife concentration areas. Human safety will take precedence at all times over distances recommended herein for avoidance or disturbance of wildlife. Maps locating major wildlife concentration areas are available through the DOM and appropriate resource agencies.

Some of the tracts offered for lease may fall in areas which may be included in fairways, precautionary zones, or traffic separation schemes which might be established, among other reasons, for the purpose of protecting commercial fisheries. Bidders are advised that the United States reserves the right to designate necessary fairways through leased tracts pursuant to the Port and Tanker Safety Act of 1978 (33 U.S.C. 1221).

Corps of Engineers permits are required for construction of any artificial islands, installations and other devices permanently or temporarily attached to the seabed located on the Outer Continental Shelf in accordance with section 4(e) of the Outer Continental Shelf Lands Act of 1953, as amended.

Bidders are advised that the Departments of the Interior and Transportation have entered into a Memorandum of Understanding, dated May 6, 1976, concerning the design, installation, operation and maintenance of offshore pipelines. Bidders should consult both Departments for regulations applicable to offshore pipelines.

Bidders are also advised that in accordance with Sec. 16 of each lease offered at this sale, the lessor may require a lessee to operate under a unit, pooling or drilling agreement, and that the lessor will give particular consideration to requiring unitization in instances where one or more reservoirs underlie two or more leases with either a different royalty rate or a royalty rate based on a sliding scale.

Bidders for these tracts should recognize that the Department of Energy is authorized under section 302(b) and (c) of the Department of Energy Organization Act, to establish production rates for all Federal Oil and Gas Leases.

Revisions of Department of Labor regulations on Affirmative Action requirements for Government Contractors (including lessees) have been assigned a deferred effective date of April 29, 1981, pending review of those regulations (see Federal Register of January 28, 1981, at 46 F.R. 9084). Should those changes become effective at any time before the issuance of leases resulting from this sale, Section 18 of the lease form, Form 3300-1 (September 1978), would be deleted from leases resulting from this sale. In addition, existing stocks of the Affirmative Action Forms described in section 5 of this notice contain language that would be superseded by the revised regulations at 41 CFR 60-1.5(a)(1) and 60-1.7(a)(1) regarding the aggregate value of contracts over a 12-month period (see the Federal Register of December 30, 1980, at 45 F.R. 86231-86232).

Pending the issuance of revised versions of Forms 1140-7 and 1140-8 by the Bureau of Land Management, submission of Form 1140-7 (December 1971) and Form 1140-8 (November 1973) will not invalidate an otherwise acceptable bid, and the revised regulations' requirements will be deemed to be part of the existing Affirmative Action Forms.

15. OCS Orders. Operations on all leases resulting from this sale will be conducted in accordance with the provisions of all Gulf of Alaska Orders, as of their effective date, and any other applicable OCS Order as it becomes effective.

Attachment A
Suggested Bid Form
for Net Profit Share Bidding with a Fixed Cash Bonus

The following bid is submitted for an oil and gas lease on the tract of the Outer Continental Shelf specified below:

Tract No.	Percent Net Profit Share Bid (1)	Amount of fixed Cash Bonus Submitted with Bid
_____	_____	_____

Proportionate Interest of
Company(s) Submitting Bid

Qualification No._____ Company _____

Percent Interest_____ Address _____

_____

_____

_____
Signature

(Please type signer's name under signature)

(1) Express in percent to a maximum of 3 decimal places after the decimal point, for example: 50.123%.

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federal register

Monday
May 11, 1981

Part III

Federal Communications Commission

Radio Broadcast Services; Revision of Applications for Renewal of License of Commercial and Noncommercial AM, FM, and Television Licensees

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 80-253; RM-2898; FCC 81-146]

Radio Broadcast Services; Revision of Applications for Renewal of License of Commercial and Noncommercial AM, FM, and Television Licensees

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this Report and Order, the Commission determines the issues raised on its own motion in a Notice of Proposed Rule Making, adopted on June 4, 1980. Those issues concern proposed changes in the FCC's renewal process and related filings. The Commission is adopting a simplified renewal application containing five questions and is revising its renewal enforcement techniques shifting from review of all licensees at renewal time, to a random sampling approach selecting a portion of all television and noncommercial radio licensees for audits and field inspections. The FCC also simplifies licensee public notice requirements, and eliminates certain filing requirements associated with the renewal process. The FCC determines that these modifications will result in savings to the industry and the FCC and also more efficient use of the FCC's resources.

DATE: The rule changes set out in Appendix B are effective June 10, 1981. The forms adopted in this report and order (Appendices C, D, and E) will be effective after approval by the Office of Management and Budget.

FOR FURTHER INFORMATION CONTACT: Israel Teitelbaum, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION: In the matter of revision of applications for renewal of license of commercial and noncommercial AM, FM, and Television Licensees, BC Docket No. 80-253, RM-2898.

Report and Order—Proceeding Terminated

Adopted: March 26, 1981.

Released: May 11, 1981.

By the Commission: Chairman Ferris not participating; Commissioner Fogarty concurring in the result.

1. On June 4, 1980, we adopted a *Notice of Proposed Rule Making* in this proceeding proposing a dramatic shift in our renewal procedures for broadcast licensees. FCC 80-327. We proposed to eliminate our detailed review of lengthy renewal filings and to adopt a procedure which uses a five-question simplified renewal application (SRA). We have considered the comments and reply comments filed in this proceeding and have determined that adoption of this proposal is warranted.

Summary of Action Taken

2. In the *Notice* we observed that our proposal would result in significant savings to the Commission and the industry without any diminution in the substance of licensee service to the public. Congress had fashioned a broad standard for licensing broadcast entities. The Communications Act provides that "* * * the Commission shall determine, in the case of each application filed with it * * *, whether the public interest, convenience and necessity will be served by the granting of such application." 47 U.S.C. 309(a). In order to acquire the data necessary to comply with the public interest standard for renewal of license, Congress provided that applications.

> * * * shall set forth such facts as the Commission by regulation may prescribe as to citizenship, character, and financial, technical and other qualifications of the applicant to operate the station.
>
> 47 U.S.C. 308(b).

3. We believe that we can discharge our obligations by adopting a simplified renewal application (SRA) as the standard application for renewal of license for all commercial and noncommercial licensees. We are implementing new enforcement measures to be used in conjunction with the SRA. At least five percent of all commercial TV and noncommercial licensees will be selected at random to complete audit forms which are similar to the applications they currently file for renewal of license. A second sample of all licensees, including commercial radio, will receive on-site inspections by Field Operations Bureau (FOB) personnel. In those inspections FOB will continue its current practice of monitoring the technical compliance of broadcast licensees and will also review public inspection files to assure that licensees are complying with our requirements for making particular data concerning their operations available to the public. As a third measure, the Broadcast Bureau may conduct on-site inspections of a number of licensees who submit problem applications. Also, some Broadcast Bureau field inspections may be undertaken to verify the data provided to us by licensees. As a separate matter, we have considered a request filed by the National Radio Broadcasters Association to simplify our requirements related to the regular and pre- and post-filing announcements made by broadcast licensees to apprise the public that they are licensed every three years to serve the public interest. Some relief in this area has been provided.

4. We are confident that this new process will prove cost-effective for the Commission. Yet, we have not adopted any changes in our technical, programming, or other substantive requirements that licensees serve the public interest. Only procedural requirements have been altered.

Background

5. Over the years, as the Commission refined its regulation of the broadcast industry, questions reflecting the implementation of new or modified rules have made their way into license renewal applications. For example, advancement from the generalized requirement that licensees know the needs of their communities set out in the 1960 *En Banc Programming Inquiry*, 44 F.C.C. 3303, to the implementation of fixed procedures for ascertaining these needs as adopted in the *Ascertainment Primer* [1] in 1970, resulted in the addition of questions on the renewal applications of commercial licensees. Our interest in the presentation of public service announcements caused questions on them to be added to the renewal applications. Our concern with television programming to meet the needs of children and to assure that television licensees exercised restraint in the quantity of commercial matter presented in conjunction with children's programming was reflected in questions added to the television renewal application. And the Commission attempt to develop information concerning the presentation of nonentertainment television programming gave rise to the Annual Programming Report (FCC Form 303-A) for use in conjunction with the renewal application.

6. The Commission established firm processing criteria for review of some of these matters. Thus, licensees who presented or promised to present nonentertainment programming falling below specific percentages set out in § 0.281 of our rules (see Appendix G) had their applications brought before the entire Commission for review. Those applications could not be routinely processed and granted under authority granted to the Chief of the Broadcast Bureau. Section 0.281 (see Appendix G) thresholds were established for the quantities of commercial matter

[1] *Ascertainment of Community Problems*, 27 F.C.C. 2d 650 (1971).

presented, with specific thresholds for commercials presented in conjunction with children's programming. Guidelines were included to require Commission consideration of applicants whose presentation of nonentertainment programming varied sharply from what was proposed in the last renewal application, even if the amount presented was greater than the threshold percentages set out in Section 0.281.

7. This has led to the use of renewal applications requiring the filing of extensive documentation by licensees. Until the recent adoption of the *Radio Deregulation* decision (see para. 30, *infra*), even the Radio Renewal Form, FCC 303–R, printed on two sides of a page and containing 24 questions, became a substantial filing once all the exhibits called for by the application were attached. Our renewal form for commercial TV licensees, FCC Form 303, with its instructions is 21 pages long; the noncommercial renewal application, 15 pages.

8. A large staff was accumulated for review and assessment of these materials. Additional clerical and support staff were required to separate portions of the application; transmit those sections to various Branches within the Broadcast Bureau; and to tabulate some of that information. To the public, the industry, and the Commission this process evolved as the basis for this agency's compliance with our requirement to obtain the necessary information from licensees upon which to determine whether a grant of renewal of license was in the public interest.

9. In 1976, the Commission concluded the most recent in a series of reviews of the renewal application process. *Revision of FCC Form 303*, 37 RR 2d 1, *recon. denied*, 38 RR 2d 755 (1976). In that proceeding we eliminated several questions which yielded information of marginal utility and revised certain other questions to elicit only that information needed by the Commission to discharge its responsibilities. The direct outgrowth of that proceeding was adoption of a new and separate renewal application for commercial radio licensees, FCC Form 303–R. However, that proceeding gave no consideration to the nature of the renewal process, only to the efficacy of specific questions. Thus, the renewal applications adopted therein continued to elicit information on legal, technical, engineering, programming and equal employment opportunity performance of each licensee. The Commission did eliminate the required filing of balance sheets for commercial radio licensees, but not for commercial TV.

10. Even with the changes adopted in 1976, the renewal process remains costly and time consuming for both licensees and the Commission. Broadcasters must reduce their records to the form demanded by the application. Once the application reaches the Commission, it must be checked in, routed to the various reviewing offices, reviewed and ultimately stored. Realizing the costs imposed on licensees by the triennial filings and faced by competing demands for our own scarce resources, the Commission commenced a review of the renewal process itself, to ascertain what reductions in the burdens to both licensees and the government could be accomplished in a manner consistent with our regulatory obligations under the Communications Act. That review culminated in proposals to trim the renewal application process to its essential elements. The proposals adopted represented no change in substantive policies for service in the public interest.

11. What we proposed to change were the procedures by which we intend to monitor licensee compliance with our rules and policies. We observed that over the years most licensees have met or exceeded our operating guidelines and a renewal process which has consumed substantial Commission resources has resulted in few applications designated for hearing for failure to comply with our rules and policies. We therefore proposed that our processes be reduced to a level consistent with our obligations under the Act. We proposed to eliminate certain filing requirements which resulted in the submission of materials that were not reviewed by the Commission, and to adopt procedures which would assure that licensees continued to carry out their duties to serve the public interest consistent with our rules.

Proposals

12. As set out in the *Notice*, we proposed new processes that would require less direct review by the Commission's staff yet insure licensee compliance with our substantive requirements. Those processes would include implementation of a simplified renewal application in conjunction with audits and field inspections of randomly selected licensees to assure their compliance with our rules. The questions contained on the SRA would provide the Commission with adequate information to make its public interest finding consistent with the Communications Act. It would insure that all licensees comply with the Act's alien ownership requirements, have filed necessary equal employment opportunity and ownership information with the Commission, and are maintaining the additional data required by our rules in their public inspection files.

13. In addition, we proposed that 5 percent of all affected licensees be audited by filing a more detailed long form. Our selection was to be drawn randomly so that no licensee would know if it would be audited. Since the SRA questions are integrated into the audit form, licensees which received an audit form would not receive the SRA. The audit forms proposed are similar to the current renewal applications used by the Commission. However, a number of questions of marginal utility on existing forms were proposed for elimination. The audit form requires a licensee to demonstrate how it has ascertained community needs and interest, the programming service it has provided, including the amounts of nonentertainment programming, commercial matter, PSA's, and for television licensees information concerning its programming to the child audience. Finally, it requires the licensee to make promises concerning its operation in the future in these areas. These promises are to remain in effect until the Commission is notified of a proposed change.

14. We also proposed that a sample of 16 percent of all licensees be selected at random for visits by personnel from our Field Operations Bureau to determine whether those licensees are in compliance with our technical requirements and to review the contents of the public inspection file for completeness. This measure was proposed to assure that licensees develop a record by which we can review compliance with substantive Commission requirements and that this material remains available to members of the public. The public inspection file will contain promises concerning the levels of nonentertainment programming to be offered in the future, the amount of commercial time that will be aired, and documentation of a licensee's compliance with our ascertainment requirements and equal employment opportunity policies. All of this and other material currently forming the basis for review of a licensee's past and proposed operations would remain available for public and Commission scrutiny. In this fashion, the integrity of our petition to deny process is preserved and adequate data made available to members of the public wishing to verify

their concerns regarding a licensee's service to the public. Finally, we proposed that our Broadcast Bureau staff would conduct on-site inspections of some licensees submitting problem SRA's and audit form applications. If few such Broadcast Bureau inspections are necessary we proposed to select at random an indefinite number of licensees for on-site inspections to check the data filed in their renewal applications and other forms for reliability.

15. Additionally, the *Notice* merged into this proceeding a proposal to simplify licensee public notice obligations. This proposal was filed by the National Radio Broadcasters Association, which contends that the process by which licensees apprise the public of a licensee's obligation to the public is too cumbersome and complicated. It therefore proposed simplified announcements and timing for the presentation of these announcements. A detailed review of these matters and of the comments submitted in this proceeding follows. The *Notice* also proposed significant other reductions in the burdens associated with the renewal applications filed by all licensees. We suggested that commercial television licensees be relieved of the burden of submitting balance sheets at renewal time and of some of the obligations associated with the Annual Programming Report, FCC Form 303–A. Licensees would submit their EEO Model Programs to the Commission only if our review of their employment profiles and other pertinent data revealed a need for us to delve further into this area. Other proposals were made and are discussed below.

The Simplified Renewal Application

16. Having discussed, in general, the proposals before us, we turn our attention to the specific elements of the proceeding. The Commission proposed to adopt a simplified renewal application (SRA) which would elicit basic information concerning each licensee from which we could determine whether there were any impediments to a grant of renewal. The sample SRA attached to the *Notice* (Appendix A, therein), contained five questions.

—*Question 1* identifies the licensee and its location.

—*Question 2(a)* asks whether the licensee has complied with its obligation to file its Annual Employment Reports (FCC Form 395). This question assures that our Equal Employment Opportunity Branch has the information needed to review all licensees' compliance with our nondiscrimination and affirmative action requirements. With this information in hand, that Branch can act to defer an application for renewal of license if an adequate concern regarding a licensee's compliance is raised by those annual filings.

—*Question 2(b)* verifies that a current ownership report is on file at the Commission for every licensee.

—*Question 3*, demonstrated that a licensee remains in compliance with Section 310 of the Act relating to interests of aliens and foreign governments in broadcast licenses. The Commission currently gathers information concerning the citizenship of those who hold interests in a licensee through the ownership reports they must file with the Commission (FCC Forms 323 and 323–E). These forms would adequately apprise the Commission of compliance with Section 310 of the Act for most licensees. However, licensee corporations having more than 50 stockholders submit information only for stockholders who are officers and directors or who hold more than one percent of the stock of the corporation. The same is true for a party that has more than a one percent ownership interest in a noncommercial licensee and is not an officer or member of the licensee's governing board. The Act permits some alien ownership of shares of a broadcast facility. However, it is possible that one of a number of those holding such interests could place a licensee out of compliance with Section 310 of the Act by aggregation of these small interests. That fact would not be disclosed by the licensee's ownership reports. In the *Notice*, we stated our view that the burden of assuring compliance with Section 310 should be placed upon the licensee.

—*Question 4* confirms the applicant's continued good character, asking whether since the filing of the applicant's last renewal application an adverse finding was made, a consent decree entered, or a final action approved by a court or administrative body concerning particular conduct bearing on a licensee's character. These include actions concerning felonies, lotteries, unlawful restraints or monopolies, unlawful combinations, contracts or agreements in restraint of trade or the use of unfair methods of competition. An affirmative answer to this question would require a full description of that matter and would result in scrutiny of that information at the Commission.

—*Question 5* protects the integrity of the petition to deny process and the Commission's own ability to review for each licensee the full range of its compliance with our rules. That question asks whether the applicant has placed in its public inspection file at the appropriate times the documentation required by §§ 73.3526 and 73.3527 of the Commission's rules. Those sections require licensees to retain and place in their public inspection files recent applications and associated exhibits filed with the Commission. Under those sections, other significant information must also be kept on file and made available to the public including: *The Public and Broadcasting—A Procedure Manual*, which sets out licensee obligations to the public and the avenues available to the public for consideration of complaints; Annual Employment Reports (FCC Form 395) for the last seven years; the licensee's Equal Employment Opportunity Model Program; composite week logs for verification of a licensee's programming performance; and a full range of ascertainment documentation.

Comments [2]

17. The proposed adoption of the simplified renewal application generated a wide range of comments. Action for Children's Television (ACT), the Office of Communication—United Church of Christ (UCC), Citizens Communication Center (CCC), National Citizens Committee for Broadcasting and Public Media Center (NCCB–PMC) argued that the questions on the SRA do not provide an adequate basis from which the Commission can reach the statutory finding that a grant of renewal serves the "public interest, convenience and necessity," 47 U.S.C. 307(d) and 309. In this vein NCCB–PMC argued that "at the heart of this rule making is a switch from a renewal form capable of measuring licensee performance and capabilities to one whose only concern is whether a licensee is a law violator * * *." Citing *Office of Communication of the United Church of Christ* v. *FCC*, 425 F.2d 543, 548 (D.C. Cir. 1969), NCCB–PMC argued that by adoption of the proposed SRA the Commission would be abdicating its responsibility to develop a meaningful record on which to renew a license. CCC echoes this view and adds that "the Commission itself has stated that renewal application must normally provide the Commission with sufficient information to make its public interest determination. *Renewal of Broadcast License*, 44 F.C.C. 2d 403, 406 (1973)." These comments posit that the Commission cannot renew a broadcast license without a detailed review of each licensee's performance.

18. UCC and others add that adoption of the SRA would result in grants of licenses beyond the three years permitted under the Act. This view is based upon the contention that the Commission would be discharging its statutory obligations only in connection with licensees who complete the audit form application. Thus, the actual license term would be between the times that a licensee completed the proposed audit forms. Since the statute provides only for 3-year license terms

[2] Where comment on a particular matter was light, the comments may be integrated into the discussion of our resolution of that matter. We have not set out every particular suggestion or comment, but all comments have been considered. Finally, some minor or technical suggestions which were unopposed are reflected in form or rule changes without discussion in this *Report and Order*.

this course of action would be prohibited.

19. National Black Media Coalition (NBMC) and NCCB–PMC raise concerns regarding the statement in our *Notice* that, "* * * we have found that the best vehicle for bringing violations to our attention has been public participation in our processes through petitions to deny, informal objections, and complaints." From this language, they conclude that the Commission has shifted primary regulatory responsibility for broadcasting to the public and citizen's groups. NCCB–PMC argued that we should consider the fairness to licensees of having their renewals depend heavily on the existence or absence of concerned citizens in their communities. NBMC maintains that:

> The *entire* annual budgets of all the media reform organizations, local and national, in the country would not purchase a single sixty second commercial on the Superbowl. It is fundamental that costs should be borne by those capable of bearing them. No licensee has suffered by bearing these costs thus far.

NBMC also contends that the SRA will deprive citizens groups of easy access to licensee records, and that requiring citizens to inspect station files locally to obtain information will have a chilling effect on public participation. In this regard, it states:

> Even more serious is the problem faced by those, including but not limited to, many of our affiliates who desire to read licensee files without either the licensee's awareness that they are being read, or the licensee's awareness of which specific documents are being perused. A station employee with a grievance, a union, a political candidate, and a potential future job applicant are only some of the many types of people with an interest in what might be in a public file and a legitimate fear of reading the file itself. Often, these individuals rely on those of us in Washington to go to the FCC and find the relevant information for them. More often they do without.

The Committee for Community Access (CCA) suggests that if the SRA is adopted renewal information be sent to the Commission but not looked at by Commission staffers unless it is necessary to do so. NCCB–PMC urges us to require licensees to ship documentation to Washington at the licensee's expense on request by a member of the public.

20. ABC, General Electric Broadcasting Co. (GEBCO), WNET and Joint Comments (see Appendix A), disagree with these comments concerning our authority. They argue that the Commission has very substantial discretion to reconsider, and review, from time to time, the appropriateness of regulations affecting broadcasting, including the continued need for particular information in connection with renewal applications. The NAB supports this view citing *FCC* v. *Pottsville Broadcasting Co.*, 309 U.S. 134, 138 (1940). These commenters go on to say that many of the Commission's regulatory "tools," such as ascertainment, minimum programming percentages, commercial standards and program log requirements were not derived from specific statutory requirements, and that the Commission carried out its mission for many years with either no requirements in this area or with different less burdensome ones. Thus, these licensees comment that contrary to the assertions of these opposing parties, it is fully within the power of the Commission to revise and eliminate regulations when, in light of accumulated experience, it finds them burdensome and of little or no value in making the public interest judgments called for by the Act.

21. Support for our SRA proposal was received from the law firm of Smith & Pepper and from KEZY Radio, Inc. A number of comments from noncommercial broadcasters and their associations also supported these proposals. Illinois Eastern Community College believes that, "coupled with the proposed random audit and field inspections, the new renewal application process will adequately assure compliance with Commission rules and the Communications Act while, at the same time, providing the Commission, public and industry substantial savings in costs, effort and paperwork * * *." These sentiments were supported in reply comments filed by the National Federation of Community Broadcasters and the West Virginia Board of Regents. National Public Radio (NPR) "heartily" endorsed our proposal indicating that an NPR informal survey of a small number of its member stations revealed that an average of 48 hours of station staff time is required for preparation of the current renewal application, time which it contends could be better directed to programming.

22. The *Notice* asked whether any other questions should be added to the SRA. Aside from comments which argued that all of the questions currently asked should be put back, the United States Catholic Conference and ACT urged that we include a programming question on the SRA. The West Virginia Board of Regents urged that we include a question which would ask whether the licensee has complied with all Commission rules.

Discussion

23. The Commission's mandate to regulate the broadcast industry was broadly conceived to afford this Commission the flexibility it would need to meet new technology and changes in the public's needs. See *Philadelphia Television Broadcasting Co.* v. *FCC*, 359 F. 2d 282 (D.C. Cir. 1966). Indeed, the courts have determined that the language of Section 308(b) of the Act setting forth areas such as citizenship, character, financial, and technical qualifications, upon which the Commission shall make its public interest determination, merely provides examples of the types of areas concerning which the Commission may require licensees to submit information. *National Association of Regulatory Utility Commissioners* v. *FCC*, 525 F. 2d 630 (D.C. Cir. 1976) (*NARUC*). Concerning Section 308(b), in *NARUC* the Court held:

> That section leaves it within the discretion of the Commission to decide which facts relating to such factors it wishes to have set forth in applications. Since this leaves the Commission free to have no facts set forth on any of these matters, if it finds such action appropriate, if follows necessarily that the Commission is not required to consider financial fitness if it deems it irrelevant to its regulatory scheme. *Id.* at 645.

The Commission therefore has substantial discretion to reconsider and review the appropriateness of our regulations including the continued need for particular information in connection with renewal applications.

24. Historically, the Commission has used the renewal process to enforce its rules and policies. For example, our review of renewal applications has allowed the Commission to ferret out applicants who transgress processing guidelines for too many commercials, not enough nonentertainment programming, problems-programs lists that do not correlate, or licensees who have fallen significantly short of prior programming promises. Those who cross the established thresholds have their applications referred to the full Commission for review. Those who do not transgress those processing criteria are ordinarily granted renewal pursuant to delegated authority.

25. In essence the Commission grants applications that meet its processing criteria unless specific concerns are brought to its attention which lead it to conclude that the public interest would not be served thereby. In such cases, we have an obligation to create a full and complete record concerning pertinent conduct on the part of the licensee being considered. The thrust of the *United*

Church of Christ case, cited above, supports this view. In that case complaints were made to the Commission alleging that a licensee had engaged in discriminatory conduct. An adequate showing had been made raising a question of whether a grant of renewal would be in the public interest. Under such circumstances the "Commission and the Examiners have an affirmative duty to assist in the development of a meaningful record which can serve as the basis for the evaluation of the licensee's performance of his duty to serve the public interest." 425 F. 2d at 548.

26. Under the rules and policies adopted herein, the information necessary to conduct an in-depth review of a licensee's performance will be available at the station in the public inspection file. Interested citizens need only visit that file to avail themselves of the information necessary to support a complaint or petition to deny, should one be appropriate. We have weighed the concerns over confidentiality and do not believe them insurmountable. These concerns do not justify the added burdens on licensees and the Commission of requiring the filing of public file materials in Washington. Regarding the unavailability of data here in Washington, the purpose of broadcast regulation is to assure licensee operation in the public interest. Our concerns for assuring the ability of local citizens to monitor the operations of licensees who serve them are fulfilled by maintenance of local public files. Indeed, local record keeping should serve the ends of promoting dialogue between a licensee and interested members of its community. Therefore, we will not require the submission of such information to us in a blanket fashion.

27. We believe that our regulations and policies have guided the industry in the provision of adequate levels of nonentertainment programming. As stated in our *Notice*, our experience has shown that most licensees meet or exceed our processing guidelines. This is an important consideration in balancing Commission priorities. The Commission currently devotes enormous energies and space to the renewal process during a time when we carry a significant backlog of applications for new facilities and major changes. Currently awaiting resolution are approximately 250 petitions for rule making to assign new FM or television frequencies to particular communities; 850 applications for new AM, FM or television facilities; 650 applications for major changes in AM, FM or television licenses; 2,500 applications for low power television authorizations; 800 applications for new translator authorizations; and 100 applications for major changes in translator authorizations. The Commission is faced with budget reductions and it is, therefore, incumbent upon us to pursue the most efficient uses of our staff. Often this requires that we balance needs, emphasizing those which are most important. We believe that adoption of the SRA will free up scarce resources for use in other areas.

28. Our ability to make our public interest finding is preserved through the SRA. Our § 0.281 criteria are unaffected by the actions taken in this proceeding (see Appendix G). Nor have we altered the requirements for ascertainment or the presentation of programming to meet community needs and interests. Programming performance in the public interest can be monitored in this fashion as readily as other Commission requirements. We will retain an investigative staff ready and able to inquire into serious violations. FOB will continue to report on serious technical violations. The Renewal Branch will continue to review petitions to deny and informal objections. No change in the current petition to deny process embodied in Section 309 of the Act was proposed and we make no such change herein. Any facts adduced through this process which adequately raise questions of whether a renewal of license would be in the public interest will serve to defer renewal pending full consideration of those facts. These tools will act as a complement to the audit and inspection processes as they do to our current methodology. For licensees which are not audited or inspected we will assume continued compliance with our rules as we have done for so many rules that have never been part of the renewal application process. The audit and inspection process will reveal whether the premises upon which we act are ill-founded.[3]

29. Unlike radio deregulation, this proceeding was never intended to change our current substantive requirements for the broadcast industry, and it does not alter the substance of licensee obligations to serve the public interest. Rather, we are modifying the procedures for review of compliance with the Communications Act as well as our regulations and policies. In this regard, the SRA provides us with adequate information to make a determination that a licensee is not in violation of statutory requirements, has filed certain required reports with the Commission and has provided for the local public availability of certain required information. In the absence of any indications to the contrary, the information supplied by the SRA is thereby sufficient to make the statutory finding that grant of the subject renewal application would serve the public interest. However, the presumption of service in the public interest may be rebutted by SRA responses which indicate violations of statutory requirements, or Commission regulations. It would also be rebutted by substantial complaints or petitions to deny alleging violations of statute, the Commission's rules or policies.[4] Moreover, in order to insure the continued viability of this presumption, we will institute random long form audits of television and noncommercial radio licensees. The audit procedure will provide independent assurances of the conclusions which support the presumption.[5]

30. In this respect, we note that in the recently concluded radio deregulation proceeding [6] we determined that significant changes in the radio marketplace had occurred over the past 45 years so that detailed regulation of nonentertainment programming, ascertainment, commercial limits and logging practices were no longer required by this Commission. Therefore, for radio we eliminated the programming percentage guidelines, ascertainment requirements, commercial guidelines and program logging requirements maintaining a generalized obligation for stations to offer programming responsive to issues facing their communities. All renewal application questions relating to these areas were either eliminated or changed to reflect these changes in policy.[7] Since

[3] A number of commenters have urged that a change this significant should first be implemented on an experimental basis. We are confident that our methodology will work and do not believe that an experiment is needed. Should our confidence prove to be misguided we will certainly be in a position to institute a proceeding to consider this matter and to fashion adequate remedies.

[4] Situations in which the SRA, complaints or petitions to deny, indicate a problem in the operation of a broadcast station will be resolved in the same manner as under present procedures.

[5] Field inspections by the Field Operations Bureau, complaint procedures and the petition to deny process will provide additional assurances of the validity of the process.

[6] *Deregulation of Radio*, 46 FR 13888, published February 24, 1981.

[7] Question 13 of the current commercial radio renewal form was modified to ask "Has the applicant placed in its public inspection file at the appropriate times its annual list of issues which, in the applicant's judgment, warranted treatment by the station and typical and illustrative programming

Continued

we have eliminated the guidelines in these areas, a long form audit would serve no purpose. Indeed, we have essentially adopted an SRA for these licensees in our deregulation proceeding. Any shift to meaningful audit procedures for radio, therefore, would require us to undo the philosophy and impact of that proceeding. We will, therefore, with some modifications discussed below, adopt the simplified renewal application for commercial radio as its sole application and consider our proposed random long form audit procedure only for television and noncommercial licensees.[8] We will, however, conduct random FOB technical inspections and check the public inspection files of commercial radio licensees for completeness. Should our determination concerning radio deregulation be reversed on appeal, we will implement the long form audit discussed herein and in the *Notice* for commercial radio licensees.

The Long Form Audit

31. The *Notice* proposed three measures that would act as the enforcement tools in the suggested renewal procedure. Among them we proposed to randomly select 5 percent of all licensees and to send them an audit form instead of the SRA. The audit forms are similar to the renewal applications currently in use, and, when completed, will supply the Commission with all of the legal and programming information supplied in current renewal applications. To develop this information and for our enforcement purposes it was proposed that licensees would be required to retain in their public inspection files much of the same documentation as is required for completion of the existing applications. As noted above, no audit forms are being adopted for commercial radio licensees. The form adopted for commercial television licensees is found in Appendix D, the form for noncommercial licensees, in Appendix E.

Comments

32. Citizens groups and members of the public who disagreed with the proposed renewal process directed their concerns mainly to the inadequacy of the SRA as a basis for concluding that renewal of a particular license was in the public interest, or submitted the unsupported view that the proposed audit percentages are insufficient. Industry groups disagreeing with these proposals, including ABC, GEBCO, WNET and Joint Comments, attacked the Commission's premise that this process entailed any savings to the industry since it will have to compile all data currently prepared for completion of existing renewal applications. Very little comment was directed solely to the proposed audit forms. However, many licensees objected to what they perceived as mistrust on the part of the Commission. Thus, CBS took issue with the "hard look" we suggested for audited licensees. It believes that implicit in such a statement is the notion that many serious rule violations are not detected by either the Commission or the public and will be found by more effective searching.

33. A number of those commenting expressed opinions concerning the methods to be used for random selection should the proposals in the *Notice* be adopted. Comments on this topic were provided by parties favoring and opposing the proposed renewal procedures. NBC, Smith & Pepper and Cox Broadcasting Corp. (Cox) urged that the Commission employ a truly random sample. Smith and Pepper suggested that a computer programmed to generate numbers randomly might be used. Cox maintains that weighting the sample in favor of minorities, a proposal for which we requested comment, is unnecessary to achieve review of licensee compliance with our rules. It notes that in markets with statistically significant minority populations, station performance is already monitored by those minorities. Storer urges that the past ten years' history of citizen participation in the renewal process underscores the validity of this position. NBMC differs with this view and urges that samples be weighted to assure review in communities with significant Black American populations. Absent such weighting, NBMC is concerned that licensees will not have adequate incentive to program to this element of the community. Similarly, it urges that licensees found to have fallen short in the past be plugged in for a second audit. CCA recommends that the Commission separately draw complete random samples of radio and television licensees with no other weighting required. The Ohio Association of Broadcasters urges that audited licensees be assured that they will not be selected repeatedly.

Discussion

34. We have considered the comments of those who argue that audits of 5 percent of the industry are inadequate for enforcement purposes. We believe that a minimum of 5 percent would be adequate for enforcement purposes. Each station stands at least a 5 percent chance of being audited. The possibility of further Commission scrutiny is sufficient inducement to comply with our rules. Moreover, as indicated, this is the minimum number of audits we will do and flexibility is preserved to increase the number of audits we will do should it be demonstrated that an increase is warranted. Indeed, we may vary this percentage from license period to license period. We will never do less than 5 percent.

35. We have considered comments concerning weighting the random samples. We will draw our samples based on renewal filing periods. These samples will be drawn using a computer or manual random number generator. No personal choice will be exercised in the random selection process. A bi-monthly sample will be made for commercial television and noncommercial licensees from among the states that file together.[9] Drawing a sample for every renewal filing date will assure that samples are drawn widely across the country. This procedure will assure that all of these licensees, wherever located, stand at least a 5 percent probability of an audit. This is sufficient inducement to comply with Commission requirements. We believe that weighting for minority concentration is not necessary as all of these licensees will be equally prone to audit or inspection and there is no reason to assume that a licensee serving an area densely populated by minorities would be any less responsive to their needs than would a licensee located in an area with a sparse minority density. Similarly, since the thrust of our audits and inspections is enforcement, this goal is better served by drawing from pools of all television and noncommercial licensees each time the selection is made. It is conceivable that a licensee might escape selection time after time, but it is equally likely that a licensee will be selected time after time. It is the latter concern we wish to highlight. Similarly, since we will draw separate samples for the audit forms and FOB

in response thereto?" SRA Question No. 5 would verify compliance with this requirement. [Appendix C.] Appendix J of the decision in the deregulation proceeding contains the changes made in FCC Form 303R. Those changes are effective for all commercial radio renewal groups filing on or after April 3, 1981.

[8] The *Notice* explained that we may have to conform this proceeding to any decisions made in our Children's Programming proceeding. See *Notice of Proposed Rule Making*, Docket No. 19142, 75 F.C.C. 2d 138 (1979). No action has been taken in that proceeding since adoption of the *Notice* in this proceeding.

[9] A separate sample of commercial radio licensees will be drawn for the Field Operations Bureau's on-site inspection of the public file.

inspections, a licensee may receive one, none or both of these inquiries.[10]

36. In its discussion of the audit forms, the *Notice* proposed not to continue the Commission's practice of requiring TV licensees to furnish balance sheets and to explain how they dispose of complaints from the public. Concerning the former, the *Notice* explained that balance sheets are no longer reviewed by our processing staff. We no longer perceive any need for this information. No opposition to the proposal was received and the requirement that these balance sheets be filed is therefore eliminated. Concerning the latter, we expressed the view that no meaningful response other than self-serving statements could be made in response to this question. NCCB–PMC argued that requiring the licensee to respond to this question will make licensees develop such methodology; that the answer will point out blatant unresponsive licensees; and that the public will identify blatant discrepancies between what licensees state in response to this question and the truth. We do not believe that this question is necessary to assure a dialogue between the licensee and the public. It is clearly in the licensee's own interest to maintain good relations will all sectors of its community. To the extent that a licensee might resist these reasons for maintaining good relations with members of it community, it is not likely that this question on the renewal form could effectively change that attitude. In other respects we find this question unusable for data or enforcement purposes. Therefore, this question is not included in the audit form.

The FOB Field Audit and Engineering Information

37. The Commission's Field Operations Bureau currently has local and regional offices around the country. Among its other functions, FOB monitors licensee compliance with our technical requirements. At the time our *Notice* was adopted, FOB monitoring of broadcast facilities was devoted largely to checks of the directional arrays of AM licensees. Approximately 500 such inspections were conducted annually. Recently, upon conclusion of its monitoring of AM directional arrays, FOB instituted a random selection process for review of the technical operations of all commercial and noncommercial licensees.

38. In the *Notice*, we stated that applicants for initial licensing for a commercial or noncommercial AM, FM or television facility or for modifications of existing facilities must submit substantial detailed engineering data to the Commission. See FCC Forms 340 and 341 (noncommercial facilities); and 301 and 302 (commercial facilities). We expect licensees to maintain their technical facilities and operations at the levels required by our rules and the licensees' authorizations. In this regard, we have stated:

> One of the most essential duties incumbent upon the licensee of a broadcast station is that of insuring the continuous operation of the transmitting equipment. In fact, this is an indispensable condition of the good service of any station. Failure of this equipment, due to causes reasonably within human control, whereby the public is deprived of service, denotes a state of carelessness and mismanagement which this Commission, in the exercise of its regulatory authority, will not condone.

Brooklyn Broadcasting Corp., 4 F.C.C. 521, 531 (1937), cited in *The Heart of the Black Hills Stations*, 32 F.C.C. 2d 196, 199 (1971), *recon. denied*, 25 R.R. 2d 10, *aff'd per curiam*, (D.C. Cir. 1973), *cert. denied*, 414 U.S. 1002. The Commission has denied revewal of license for continuous and repeated failure to comply with the technical requirements of our rules and the licensee's authorization. *The Heart of the Black Hills Stations, supra; United Television Co., Inc.*, 55 F.C.C. 2d 416 (1975), *recon. denied*, 37 R.R. 2d 503 (1976); *Charles C. Carlson (WJBW)*, 12 F.C.C. 902 (1948), *aff'd per curiam*, 172 F. 2d 766 (D.C. Cir.), *cert. den.*, 337 U.S. 930 (1949).

39. There was no opposition to the proposal to eliminate the engineering component of our renewal applications and substitute FOB monitoring. We continue to believe that checks for compliance with these rules are suited to random field inspections as will be undertaken by FOB and that violations in this area are particularly suited to assessments of forfeitures until compliance is attained.[11] Moreover, serious infractions of our technical rules are likely to be brought to our attention by the public or other affected licensees. This proposal will, therefore, be adopted. FOB has developed a random methodology for engineering review of licensees and has already implemented this procedure. Through this methodology it is currently inspecting the technical operations of a random selection of all licensees. Therefore, elimination of the engineering portion of all renewal applications can be implemented at the earliest permissible time.

40. We proposed that FOB personnel undertake, in addition to their technical duties, to review the public inspection files of approximately sixteen percent of all licensees. No specific comment pertaining only to this aspect of our proposal was made. Related comments are covered elsewhere in this *Report and Order*.

41. We conclude that these FOB inspections provide an effective means to assure that licensees retain the documentation that we require. We have prepared a checklist of particular public file documents (Appendix F) that FOB personnel will check for. While the list does not include every document for which we require retention, it does list those documents integral to the public and the Commission for most of their needs.

42. Recent cutbacks in our budget have eliminated a number of planned new FOB field offices and a number of existing field offices will be closed. Given this fact, we are reducing the number of planned field inspections to 10%. Further reductions may be necessary. If budget constraints require further reductions, we will continue to do a sufficient number of these audits to assure their utility as an enforcement tool. We believe that a review of the technical operations of a random selection of all licensees is adequate to assure licensee compliance. Moreover, as noted above, the FOB inspections of the public files will assure that information necessary for further review by the Commission and the public is available. All commercial television and noncommercial licensees will continue to place ascertainment documentation and composite week logs in their public inspection files. Radio licensees will file their issues-programs lists as well as other pertinent information.

The Broadcast Bureau Onsite Inspections

43. The final element of our proposed procedure is the Broadcast Bureau audit. We suggested that Broadcast Bureau personnel could be used to conduct on-site investigations of licensees submitting problem SRA's and audit forms. In addition, we proposed that if

[10] Virtually all of the information now available in renewal applications will be retained by licensees. Should we desire information for use in connection with policy considerations, we can request that information from all or some licensees. This strikes us as being more reasonable than routinely requiring the filing of information we may never use.

[11] We requested comment on use of alternate sanctions for noncompliance with our rules. No comments favoring such an approach were submitted. Many comments argued that we are without statutory authority to impose sanctions other than those provided by Section 503 of the Act. We do not reach the issue of authority to impose alternate sanctions, and have concluded that the monetary forfeitures currently allowed are adequate.

few such investigations were needed, we could select licensees at random for on-site inspections by the Broadcast Bureau personnel to check the data filed in license renewal applications and other forms for reliability.

44. The Broadcast Bureau's proposed field audits raised considerable concern. Many of those who might have otherwise supported use of the short form renewal application found the Broadcast Bureau audit to be too great a price to pay. As stated by the Maryland-D.C.-Delaware Broadcasters Association (MDCD), while some relief in the form could be helpful ". . . MDCD is extremely concerned about the catch to the SRA—the random field audit." It contends that now a licensee can have counsel active in the prosecution of a renewal application. It believes that it will not be practical to have counsel present for field audits, thereby abridging broadcasters' rights.

45. Weighing the benefits against the detriments, National Radio Broadcasters Association (NRBA) concluded that the industry would be trading decreased filing requirements for increased exposure to potential Commission sanctions for violations that might be discovered during field audits. NRBA and Ohio Association of Broadcasters interpreted the Broadcast Bureau's audit as all inclusive—exposing all facets of a licensee's operation to Commission scrutiny. ABC felt that the Broadcast Bureau field audit may well represent a "fishing expedition." CBS comments that such searches would have a chilling effect upon the exercise of licensee First Amendment rights Cox, which generally supports the Commission's proposal, concludes that the suggested Broadcast Bureau on-site inspection implies that the Commission has an unsubstantiated suspicion that licensees are not trustworthy.

46. Our proposal to check applications for reliability were perceived by many broadcasters to resemble illegal searches and seizures or random frolics through licensee operations. We did not intend such on-site visits to be in the nature of investigations. We did not propose to conduct interviews with staff members or to conduct a "fishing expedition" to elicit undisclosed violations. What we did intend was to verify the information supplied on SRA's or audit forms through use of information ordinarily generated for that purpose. Licensee public files will contain information which will permit us to review past programming and commercialization, promises and performance in those areas, completeness of the materials in the public file, ascertainment compliance, and programming to children, to name some of those areas. We consider the potential for this review as an important element of this proposed enforcement technique. We have not proposed to do any particular number of these inspections and will be free to structure these in a manner consistent with our perception of their need and our budgetary constraints. We will continue to "investigate" serious, adequately documented allegations of licensee misconduct. These will continue as the traditional investigation currently conducted by our Complaints and Compliance staff. These investigations would involve concerns such as misrepresentation or unauthorized transfers of control. However, under the new process adopted herein, we may also conduct on site "inspections" at stations that submit problem SRA's or audit forms that cannot be brought up to snuff through correspondence or telephone inquiries from our staff. Depending upon budgetary constraints, we may also conduct on site "inspections" of a number of stations selected at random to verify the accuracy of information submitted to us. This latter "inspection" will involve a review of only the types of information routinely reviewed by the Commission, such as program logs and public file materials. It will not include such investigative conduct as interviews with station employees or reviews of confidential financial information. As with the long form audit procedure, any on-site random audits will include only commercial television licensees and noncommercial television and radio licensees.

Equal Employment Opportunity

47. The *Notice* proposed that an updated EEO program would be deposited annually in the station's public file, and that the Commission would develop a method that, by review of Form 395 filings for conformance with our EEO percentage guidelines or such other factors as previous conditional renewals, would identify those renewal applicants whose EEO programs need in-depth reviews. These licensees would be informed, prior to the due date for their renewal applications, that their most recent annual EEO programs should be filed before we will consider a grant of their renewal applications. Unless called for, Model Programs would not be routinely filed with the Commission. Upon reflection, we conclude that all of these decisions are more appropriately made in the overall context of our pending EEO proceedings, Docket No. 21474. We are not, therefore, adopting our proposed deletion of this filing requirement. All licensees will continue to submit their Model Programs on the date that their renewal applications are due to be filed with the Commission. One final matter concerning EEO must be resolved. While we did not propose any methodology for licensees to continue to apprise us of complaints filed against them, we believe that this information should still be filed. Therefore, pending the final resolution of Docket 21474, we will require licensees to submit this information as a part of Element 10 of their Model Programs.

Ownership Reports

48. The Commission currently requires licensees with 50 or more stockholders to file a new ownership report every year. All other licensees submit a new ownership report every three years. Section 73.3615 permits a licensee to incorporate by reference an ownership report that was filed within three years of the application being submitted. We proposed to relieve licensees with current and unamended ownership reports on file at the Commission of the obligation to refile. We believe that approximately one-third of our licensees would benefit from this relaxation of our rules. Virtually all licensees benefitted by this proposal would be in the group of licensees with less than 50 stockholders. There were no comments opposing this proposal. Some licensees, such as Cox argued that current and amended reports should be sufficient to relieve licensees of this filing requirement. We would prefer to follow the course suggested by Cox. However, accurate ownership information is essential to our regulatory process. We have found that amendments have generated significant changes to the initial ownership reports on file. When it is necessary for us to reconstruct a licensee's ownership from these amendments we have the ability to do so. Nevertheless, on a current basis this reconstruction requires an inordinate amount of time and we are benefitted by completly updated ownership forms. We hope, in the future, to place this information into our computers in a manner which would allow us to accurately update our files through amendments. Until that time we will relieve only those licensees with current and unamended ownership reports from this filing requirement.

Annual Programming Reports—Form 303-A

49. The Commission requires that all commercial television licensees file

Annual Programming Reports—Form 303–A. The reports provide the Commission with nonentertainment and local programming data for a composite week drawn over a year. We proposed to merge this form into our television audit form or to require that it be placed in the public file. In either event we proposed to discontinue the requirement that all licensees annually file this form with the Commission.

50. Action for Children's Television, providing the only significant comment on this proposal, opposed it strenuously. It contends that this form provides important information concerning licensee performance and broadcast trends. Indeed, ACT contends that even more reporting is required if broadcasters are to recognize their obligation to the child audience.

51. The Commission adopted Form 303–A in 1973, citing a number of benefits it would provide. *Renewal of Broadcast Licenses*, 43 F.C.C. 2d 1. The form was to provide the Commission with yearly statistics regarding nationwide television programming on commercial stations during a given composite week. These statistics were expected to be valuable to the Commission in shaping any new policies in this area and in making the Commission, Congress and any interested parties better informed. The form was also to permit the Commission to make a more complete evaluation of the programming performance of the licensee during the past renewal period. The Commission also anticipated that information compiled through Form 303–A could be valuable in a comparative proceeding. Finally, the Commission expected that it could set up a ranking of licensees by their performance and the staff could closely scrutinize the renewal applications of licensees whose ranking falls below a specified level and prepare a summary report of those applicants. We concluded that for statistical purposes we would not acquire an adequate data base if we used only one composite week over a three-year period. Three annual composite weeks were, therefore, used.

52. Our review discloses that use of the information on Form 303–A for policy formulation has been very limited. Only the Cable Bureau has used this information in connection with consideration of policy matters regarding specialty channels and for economic impact studies. Indeed, when our staff attempted to use this information for policy formation in the Children's Television proceeding we found it impossible to use for that purpose. Therefore, to the extent that we perceived a need for annual filing and composite weeks for the purposes of a statistically sound data base, that data base has been rarely used and its utility is questionable. Our rating scheme was not adopted with the annual report and has not been resurrected.

53. Additionally, there is the concern over the costs associated with processing 303–A data when such data are infrequently utilized by the Commission staff. Licensees submit to the Commission two copies of the 303–A form plus accompanying program descriptions pertaining to news, public affairs and other nonentertainment/non-sports programming. The amount of time devoted to various program categories and other licensee information, are prepared for computer analyses as a preliminary step in compiling the data on the Annual Programming Reports. Subsequent computer analyses, printing, mailings, staff resources and miscellaneous expenses, *e.g.*, telephone inquiries, are all calculated as Commission expense items. The dollar costs for processing these data are substantial. Commission estimates place the dollar cost of processing 303–A data for each filing at approximately $160 to $250 per license renewal period. Since the inception of the 303–A form (1973), the total cost to the Commission of analyzing the data is estimated to be between $300,000 and $500,000. We believe that a triennial composite week reflected in a form made part of our audit procedures will permit us to monitor the promise vs. performance compliance of our licensees at a reduction in cost to the Commission. All licensees will be bound to promises made in their latest renewal application or Audit Form unless the Commission is notified of a change in that proposal. Additional information for the renewal or comparative proceedings can be generated from the station programming logs as needed.[12] We do not believe that in other respects the burden on licensees in compiling this data and on the Commission in tabulating it is warranted. The 303–A form will therefore be merged into the television audit form and will tabulate data drawn over a triennial composite week.

[12] In our *Notice*, we asked how competing applicants would be treated in light of our proposals. This process for competing applications for commercial radio licenses was disposed of in our radio deregulation proceeding. We have retained the requirement that TV licensees make promises concerning their nonentertainment programming. We will continue to process competing television applications consistent with current practices.

Radio

54. In the *Radio Deregulation* proceeding we modified our renewal form deleting numerous questions and modifying one. The remaining questions concerning ownership (FCC Form 303–R, question 4); alien ownership (question 5); violations of law (question 7); placement of the issues-programs list in the public file (question 13 as modified); and identification of the applicant are covered by the proposed SRA. We have concluded that no specific engineering or EEO information will be sought in renewal applications. EEO filing requirements will be verified on the SRA. Question 6 asks "Is the applicant or any officer, director, or principal stockholder (any person owning 25% or more of applicant's stock) an officer, director, or 25% or more stockholder in a newspaper publishing company, a CATV company, or a company engaged in broadcasting related activities?" This question has been used in the past for data collection but has seldom been used. Since our multiple ownership rules are adequate to assure that abuses in this area will not occur, this question will no longer be required. Also, as a result of the U.S. Supreme Court's action in *FCC* v. *WNCN*, Case No. 79–824, issued March 24, 1981, we are also deleting the format question from the audit forms. Licensees filing renewal applications 30 days after this *Order* is printed in the **Federal Register** will not have to supply format information.[13]

55. The Commission's regulations adequately govern program duplication, 47 CFR § 73.242. Unless a waiver of this rule has been obtained licensees must comply. This question will, therefore, no longer be asked of commercial radio renewal applicants. Finally, question 22 asks licensees to "attach as Exhibit 22, any additional information which, in the applicant's judgment, is necessary to adequately describe or to present fairly its services and operations in relating to the public interest." We are confident that radio licensees who feel compelled to submit additional information will do so, and therefore this question need not be included. Therefore with the other actions taken above, the SRA will serve as the complete renewal application for commercial radio licensees.

Licensee Public Notice Requirements

56. The National Radio Broadcasters Association (NRBA) filed a petition for

[13] Similarly, effective 30 days from publication of this *Order* in the **Federal Register**, applicants filing FCC Forms 301, 314 and 315 are not required to answer questions on those applications concerning program format.

rule making which has been merged into this docket. It asks that the Commission amend § 1.580(d) (now §§ 73.3580) and 73.1202 of its rules to:

a. Substitute a single "Regular Announcement" regarding the obligation of licensees to operate their stations in the public interest for the two public announcements presently required by § 73.1202 (d) and (e) (currently subsection (c) and (d)).

b. Substitute a single "Renewal Announcement" for the separate "pre-filing" and "post-filing" renewal announcements presently required pursuant to § 1.580(d).

c. Establish unchanging "Schedules of Announcements" for radio and television which will be applicable to both "Renewal Announcements" and "Regular Announcements."

d. Indicate during what specified time periods the announcements required to be given pursuant to § 1.580(d) in connection with applications for modification, assignment or transfer of operating stations should be broadcast.

57. The announcements covered by § 73.1202 (c) and (d) are announcements by commercial licensees to inform the public of the licensee's obligation to the people and of the appropriate method for individuals to express their opinions of the station's operation. These are aired on the first and sixteenth day of each calendar month throughout the license period. The timing of these announcements is rotated to reach listeners with various listening habits. The language of this announcement is modified, under subparagraph (d) of the rules beginning with the first day of the last month of the license term and ending with that license term. Upon grant of renewal the modified announcement is abandoned and the regular announcement is made again.

58. Section 73.3580 provides two substitute announcements for the regular announcements. These are commonly referred to as pre- and post-filing announcements and are also imposed upon noncommercial licensees. The pre-filing announcement alerts the licensee's audience to the fact that the licensee will soon file a renewal application. These begin on the 1st day of the 6th full calendar month prior to expiration of license and are made on the 1st and 16th day of the calendar month. At least two of the four such announcements must be made during hours when audience levels are expected to be their highest.

59. Beginning with the 1st day of the fourth full month prior to expiration of license (that is, beginning on the date that licensees must file their renewal applications), licensees must make the post-filing announcements. These alert the citizens to the fact that a licensee's application has been filed, and continue up to the last day on which a petition to deny can be filed (that is, the first day of the last calendar month prior to expiration of license). Three of these announcements are made on a rotating schedule and three during the hours of prime listenership.

60. This is a rather general rendition of these requirements. As was shown in the *Notice*, effectuating this process is unnecessarily complex. Therefore, NRBA asks that we implement one regular and one renewal announcement and a standardized schedule for all such announcements. Also, NRBA asks that we specify times for the announcement required in connection with applications for modification, assignment or transfer of an operating station. Section 73.3580 requires four such announcements once each of four days of a particular week. The time of day of the announcement is not specified. NRBA provides sample texts of the announcements it proposes. Concerning the timing, it would permit one-half of the announcements to be made during any time between 6 a.m. and midnight. The other half would be made during peak listening time as set out in the rules.

61. Oppositions to the NRBA proposal were submitted by National Citizens Committee for Broadcasting prior to issuance of our *Notice* and by CCC in response to our *Notice*. They contend that compliance with these rules is not as difficult as it is made out to be and that any change in the timing of these announcements will limit their reach and frustrate the purposes of this link between the licensee and the public. CBS, on the other hand contends that these announcements are useless and should all be eliminated. ABC and NAB urge that all but the post-filing notices be eliminated. ABC and NAB believe that these announcements can be justified only in connection with the time that citizens have formal vehicles for the filing and consideration of complaints through the petition to deny process. During other periods they produce little, if any, response. ABC further believes that the timing of the post-filing announcements is satisfactory. NBC suggests that a single announcement be broadcast year-round on a uniform schedule. The Maryland-D.C.-Delaware Broadcasters Association supports the NRBA proposal.

62. While we do not full agree with the ABC and NAB proposals, there is merit to their logic for making these announcements coincide with the license renewal process. Commission scrutiny of all but egregious licensee conduct occurs in connection with a licensee's application for renewal of license. To the extent that the listening public should be educated concerning the Commission's oversight functions and the availability of public recourse at the Commission, this can be accomplished every two and one-half years in connection with the pre- and post-filing announcements made by all licensees. There is no overriding need to require these year-round regular announcements. We, therefore, believe that there is adequate justification for elimination these regular announcements and do so herein.

63. However, we view both the pre- and post-filing announcements as elements in alerting the public to this ability to participate in the renewal process. Standing alone, compliance with the textual and timing requirements of the pre- and post-filing announcements do not appear overly burdensome and will be retained.[14] Finally, we have established times for the announcements made by applicants for modification, assignment or transfer of an operating station. These will be made during hours of peak audience participation as set out in our amendment to § 73.3580 of our rules (Appendix B).

Summary of Action

64. Having discussed, in detail, our new renewal forms and procedures and the reasons for these new procedures, the new requirements may be summarized as follows:

I. *Commercial Radio*—All commercial radio licensees filing for renewal of license will file the SRA (Appendix C).[15] Radio licensees will file for renewal according to the existing filing dates. Radio licensees will not be subject to the long form random audit or on-site Broadcast Bureau audit. Radio licensees will, however, be subject to random FOB inspections of their technical operations and public files. In addition, as in the past, should serious compliance problems be brought to the Commission's attention, radio licensees will be subject to field investigations by Commission personnel.

[14] The text of the announcements will, however, be changed for commercial radio licensees to conform with actions taken in our *Radio Deregulation* proceeding. Since commercial radio licensees no longer make proposals concerning future programming, the language in the announcement dealing with those proposals will be eliminated for these licensees.

[15] The SRA will be mailed with a copy of the required Privacy Act notification. 5 U.S.C. 552a(e)(3).

II. *Commercial Television*—Most television licensees will file the SRA at renewal time. In addition, at least 5 percent of television licensees will file the long form audit instead of the SRA. *Television licensees will not be required to file both forms* unless the Commission determines that the long form is required to elicit further information from the licensee. Promises made to the Commission concerning programming and commercial time will remain in effect until amended by filing with the Commission. Television licensees will also be subject to FOB inspections of their technical operations and public files as well as random Broadcast Bureau field audits. As with radio, serious compliance problems may result in field investigations. Television licensees will no longer be required to file a balance sheet at renewal time or FCC Form 303–A (the Annual Programming Report).

III. *Noncommercial Radio and Television*—Noncommercial radio and television renewal applicants will file the SRA. At least 5 percent will file the long form audit instead of the SRA. They will also be subject to FOB inspections of their technical operations and public files as well as random Broadcast Bureau field audits. Promises made to the Commission concerning programming will remain in effect until amended by filing with the Commission.

IV. *All Licensees*—All licensees will continue to file a model EEO program and list any complaints filed against the licensee relating to discrimination. All licensees will continue to make pre- and post-filing announcements as presently set forth in the Commission's rules.[16] The interim announcements required by § 73.1202 of the rules have been eliminated for commercial licensees. The Ownership Reports for commercial and noncommercial licensees need not be filed every three years at renewal time provided the report on file with the Commission has not been amended. Questions relating to technical performance have been eliminated from commercial and noncommercial renewal applications. The Commission will rely upon FOB inspections and complaints to monitor technical compliance. We will presume for audited and unaudited applicants that renewal without modification is requested for currently authorized auxiliary antennas and transmitters, alternate transmitters requiring authorization, subsidiary communications authorization, remote pickup broadcast stations (automatic mobile relay, base or mobile), low power broadcast auxiliary, aural broadcast STV and intercity relay and TV auxiliary broadcast stations (TV pickup, TV STL, TV intercity and TV translator relay stations). Questions on renewal applications and on FCC Form 313R concerning these services will be eliminated. If there has been a change in the information shown on the previously filed license application for one of these services, the appropriate FCC form must be filed. When an application for modification of such an authorization is pending, any renewals which are granted shall be considered a renewal of the currently authorized services. Also, if a licensee authorized to use one of these services no longer needs such a service, the licensee should notify the Commission and return the authorization to us.

[16] All licensees will certify that these announcements were made by placing a statement to that effect in their public files. For applicants for renewal of license this will be done in lieu of the requirements of § 73.3580(h) of the rules. Renewal applicants will not file these certifications with the Commission.

Effective Dates

65. The modifications adopted herein concerning public notice requirements, and the filing of ownership reports, engineering information, classification of radio program formats, and balance sheets are effective June 10, 1981. Phasing in the audit and inspection procedures adopted herein would be unnecessarily complex. We will, therefore, mail the SRA and audit forms to licensees as soon as possible after the Office of Management and Budget approval of these forms is obtained. Public Notice of that date will be released by the Broadcast Bureau. The review process for FOB public file inspections will begin after June 1, 1981. This will provide adequate time for all licensees to be apprised of these new procedures.

66. Accordingly, it is ordered, that the rule changes set out in Appendix B of this *Report and Order*, are adopted, effective June 10, 1981.

67. It is further ordered, that subject to approval by the Office of Management and Budget, the forms set out in Appendices C, D, and E are adopted. After adoption of these new forms and implementation of these new renewal methods, FCC forms 303, 303A, 303R, 313R and 342 are eliminated.

68. It is further ordered, that the petition filed by the National Radio Broadcasters Association, is granted, to the extent indicated above.

69. It is further ordered, that this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended 1066, 1082, 1083 (47 U.S.C. 154, 303, 307))

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix A

Parties Filing Comments in BC Docket No. 80–253

Illinois Eastern Community Colleges
Action for Children's Television
National Citizens Committee for Broadcasting and Public Media Center
Smith & Pepper
West Virginia Board of Regents
Storer Broadcasting Company
Department of Communication, U.S. Catholic Conference
National Public Radio
Ohio Association of Broadcasters, Inc.
Broadcast Licensees:
- Advance Broadcasting Corporation
- Argonaut Broadcasting Company
- Bahia de San Francisco Television Company
- Broadcasting Associates of America, Inc.
- Buford Television, Inc.
- Central Broadcasting Corporation
- James Porter Clark
- Collinsville Broadcasters, Inc.
- Enterprise Publishing Company
- Entertainment Enterprises, Inc.
- Forward Communications Corporation
- Futura Communications Corporation
- GCC Communications of Houston, Inc.
- Golden Plains, Inc.
- Greater Ocala Broadcasting Corporation
- Group One Broadcasting Company
- Guaranty Broadcasting Corporation
- Hennepin Broadcasting Associates, Inc.
- Hudson Broadcasting Corporation
- Huntsville Broadcasting Company, Inc.
- Infinity Communications Corporation
- Interurban Broadcasting Corporation
- K-Six Television, Inc.
- KFAB Broadcasting Company
- KMAP, Inc.
- KOMW, Inc.
- KRLA, Inc.
- Kula Broadcasting Company
- Lake Broadcasting Co., Inc.
- Lake Huron Broadcasting Corporation
- Lakeland Broadcasting Company
- Laurens County Broadcasting Co., Inc.
- M & S Broadcasting Group, Inc.
- Mark/Way, Inc.
- May Broadcasting Company
- Jack Mayer d/b/a Radio Station WDXN
- Mini Cassia Broadcasting, Inc.
- Oyate, Inc.
- John H. Phipps Broadcasting Stations, Inc.
- Plains Television Corporation
- Powell Broadcasting Co., Inc.
- Prime Time Alaska, Inc.
- R & R Broadcasting
- Radio Marshall, Inc.
- Radio Rock Mid-Ocean Broadcasting Corporation
- Retlaw Enterprises, Inc.
- E. O. Roden & Associates, Inc.
- Sam, Inc.
- San Juan Radio, Inc.—Bellingham Buyer, Inc.
- Sel Thom Communications, Inc.
- Service Broadcasters, Inc.
- Seven Hills Television Company

Shamrock Broadcasting Company, Inc.
Sillerman-Morrow Broadcasting Group, Inc.
Slater Broadcasting Company
Southern Television Corporation
Spanish International Communications Corporation
Studio Broadcasting System, Division of Highwood Service, Inc.
Summit Radio Corporation
Suncoast Stereo Corporation
Tacoma School District #10
Telerad, Inc.
Tri-Cities Broadcasting Company
Tri-Cities Broadcasting, Inc.
WBIP Broadcasting Corporation
Weigel Broadcasting Co.
Ralph C. Wilson Industries, Inc.
WFDF Corporation
WICS–TV, Inc.
Wilson Communications, Inc.
WIXT Television, Inc.
WKRG–TV, Inc.
WTRF Broadcasting, Inc.
Ziff-Davis Broadcasting Company
Citizens Communications Center, *et al.*
National Association for the Advancement of Colored People
National Media Task Force of the National Organization for Women
National Black Programming Consortium
Black Citizens for a Fair Media
Chinese for Affirmative Action
National Council of La Raza
National Broadcasting Company
Joint Comments:
Cox Broadcasting Corporation
Fetzer Broadcasting Corporation
Fetzer Television Corporation
Kent State University
Lancaster Palmdale Broadcasting Corporation
Lehigh Valley Public Television
McClatchy Newspapers
Newhouse Broadcasting Corporation
Radio House, Inc.
Southwestern Sales Corporation
State Telecasting Company, Inc.
University of Washington
WBML, Inc.
American Broadcasting Companies
CBS, Inc.
Maryland-District of Columbia-Delaware Broadcasters Association, Inc.
KEZY Radio, Inc.
Office of Communications of the United Church of Christ
National Radio Broadcasters Association
National Association of Broadcasters
General Electric Broadcasting Company, Inc.
Committee for Community Access
Educational Broadcasting Corporation

Parties Filing Reply Comments

American Broadcasting Companies, Inc.
Broadcast Licensees (same as above)
Citizens Communications Center, et al. (same as above)
General Electric Broadcasting Company, Inc.
National Association of Broadcasters
National Black Media Coalition
National Federation of Community Broadcasters
Department of Communication, United States Catholic Conference

Comments and Reply Comments on the NRBA Proposal (RM–2898) Filed Prior to Issuance of the Notice in this Proceeding

Comments

American Broadcasting Companies, Inc.
Joint Statement:
Forward Communications Corporation
Fredric A. Danz
General Electric Broadcasting Company, Inc.
Group One Broadcasting Co.
Kale, Inc.
Keedo, Inc.
Sterling Recreation Organization Co.
Summit Radio Corporation
Vision Corporation
Whatcom Management Co.
WKRG–TV, Inc.
National Citizens Committee for Broadcasting

Reply Comments

National Radio Broadcasters Association

Appendix B

Rule Changes

§ 73.1202 [Amended]

1. 47 CFR Part 73 is amended by removing §§ 73.1202 (a), (b), (c), and (d).

2. 47 CFR Part 73 is amended by revising the heading of § 73.1202 to read as follows:

§ 73.1202 Retention of letters received from the public.

* * * * *

3. 47 CFR Part 73, is amended by renumbering § 73.1202(e) as § 73.1202(a) (subparagraphs (1) and (2) of new § 73.1202(a) remain unchanged).

4. 47 CFR Part 73 is amended by revising the introductory text of § 73.3615(a) to read as follows:

§ 73.3615 Ownership reports.

(a) Each licensee of a commercial AM, FM or TV broadcast station shall file an ownership report on FCC Form 323 at the time the application for renewal of station license is required to be filed. Licensees owning more than one AM, FM or TV station need file only one Ownership Report at 3-year intervals. Licensees with current and unamended Ownership Reports on file at the FCC may so indicate on their renewal applications and be relieved of the obligation to file a new Ownership Report. Ownership Reports shall give the following information as of a date not more than 30 days prior to the filing of the Ownership Report:

(1) * * *
(2) * * *
* * * * *

5. 47 CFR Part 73 is amended by revising § 73.3526 (a)(8), (a)(9), the introductory text of (a)(11), and the flush paragraph following (a)(11)(v) to read as follows:

§ 73.3526 Local public inspection file of commercial stations.

(a) * * *
* * * * *

(8) For TV stations, the licensee's or permittee's program logs for the composite week and a Statement of TV Program Service placed in the public file on the date that the licensee's renewal application is due to be filed at the FCC.

(9) To be placed in the public inspection file every year, on the anniversary date on which the station's renewal application would be due for filing with the FCC, a listing of no more than ten significant problems and needs of the area served by the station during the preceding twelve months. In relation to each problem or need cited, licensees and permittees shall indicate typical and illustrative programs or program series, excluding ordinary news inserts of breaking events (the daily or ordinary news coverage of breaking newsworthy events), which were broadcast during the preceding twelve months in response to those problems and needs. Such a listing shall include the title of the program or program series, its source, type, brief description, time broadcast and duration. The third annual listing shall be placed in the station's public inspection file on the due date of the filing of the station's application for renewal of license. Additionally, if called for by the application for renewal of license, the three annual problems-programs listings shall be forwarded to the FCC as part of that application. The annual listings are not to exceed five pages, but may be supplemented at any time by additional material placed in the public inspection file and identified as a continuation of the information submitted to the FCC.

(10) * * *

(11) Each licensee or permittee of a commercially operated TV station (except as provided in Note 2, below) shall place in the station's public inspection file appropriate documentation relating to its efforts to interview a representative cross-section of community leaders within its service area to ascertain community problems and needs. Such documentation shall be placed in the station's public inspection file within a reasonable time after the date of completion of each interview, but in no event later than the due date for filing the station's application for renewal of licensee and shall include:

(i) * * *
(ii) * * *
(iii) * * *
(iv) * * *
(v) * * *

Additonally, on the due date of the filing of the station's application for renewal of license each commercial TV licensee shall deposit in its public file, and forward to the FCC if called for by the application, a checklist indicating the number of community leaders interviewed during the current license term representing the several elements found on the form, provided that, if a community lacks one of the enumerated institutions or elements, the licensee or permittee shall so indicate by providing a brief explanation on its checklist.

* * * * *

6. 47 CFR Part 73, § 73.3527 is amended by revising the introductory text of (a)(7), (a)(7)(i), (b), the flush paragraph following (c)(1)(v), the introductory text of (c)(2)(ii) and (c)(2)(iii) to read as follows:

§ 73.3527 Local public inspection file of noncommercial educational stations.

(a) * * *

* * * * *

(7) Problems-programs lists as follows:

(i) Every year, on the anniversary date on which the station's renewal application would be due for filing with the FCC, each nonexempt renewal applicant shall place in its public inspection file a listing of no more than ten significant problems and needs of the area served by the station during the preceding twelve months. In relation to each problem or need cited, licensees and permittees shall indicate typical and illustrative programs or program series, excluding ordinary news inserts of breaking events, which were broadcast during the preceding twelve months in response to those problems and needs. Such a listing shall include the title of the program or program series, its source, type, brief description, time broadcast and duration. Renewal applicants shall place the third annual listing in the station's public inspection file on the due date of the filing of the station's application for renewal of license. If called for by the renewal application, the three annual problems-programs lists shall be forwarded to the FCC as part of the application for renewal of license. The annual listings are not to exceed five pages each, but may be supplemented at any time by additional material placed in the public inspection file and identified as a continuation of the information submitted to the FCC.

* * * * *

(b) *Records to be maintained by non-exempt applicants, permittees, and licensees in the noncommercial educational radio service.* In addition to the requirements set out in paragraph (a) of this section, each radio applicant, permittee and licensee in the noncommercial educational radio service shall place in its public inspection file at such time as its renewal application would ordinarily be filed with the FCC—or in the case of applicants other than for renewal of license, at the time the application is filed—a narrative statement detailing the sources consulted and the methods followed in conducting its ascertainment of community needs and interests and summarizing principal needs and interests discovered through that survey. If called for by the application, these items shall also be filed with the FCC.

(c) * * *

(1) * * *

(i) * * *

(ii) * * *

(iii) * * *

(iv) * * *

(v) * * *

Additionally, each licensee and permittee shall place in the station's public inspection file and if called for in the renewal application each licensee shall forward to the FCC as part of the application for renewal of license, a checklist indicating the number of community leaders interviewed during the current license term representing elements found on the sample community leader checklist (see *Ascertainment of Community Problems by Broadcast Renewal Applicants*, 41 FR 1372, 1384 (1976): *Provided*, That, if a community lacks one of the enumerated institutions or elements, the licensee and permittee shall so indicate by providing a brief explanation on its checklist. The same rules apply to applicants for other than renewal of license except that the checklist for an ascertainment of community leaders shall reflect information obtained within six months prior to filing and shall be placed in the public file no later than the time the application is filed.

(2) * * *

(i) * * *

(ii) *Information regarding the public survey.* An applicant for other than renewal of license shall conduct a random survey of the general public in its community of license within six months prior to filing its application, and shall file the information requested in paragraph (c)(2)(ii)(A), of this section. Applicants for renewal of license may, at their option, conduct a random general public survey, periodic call-in program, periodic public meetings or a combination of the latter two methods. If called for in the renewal application, licensees shall file information describing the methods used as set out in paragraphs (c)(2)(ii) (A), (B), and (C) of this section as a part of their renewal applications:

(A) * * *

(B) * * *

(C) * * *

(iii) The information requested in paragraphs (c)(2)(ii) (A), (B), and (C) of this section shall be placed in the public inspection file within a reasonable time after completion of the public ascertainment—or severable portion thereof, such as each call-in program or public meeting—but in no event later than the due date for filing the application, and if called for in the application it shall be filed with the FCC as a part of the renewal application. The demographic information requested in paragraph (c)(2)(i) of this section shall be deposited in the public file no later than the time at which the information called for by (c)(2)(ii) of this section, or some portion thereof, is deposited.

* * * * *

7. 47 CFR Part 73 is amended by revising Section 73.3580(d)(3)(i) to read as follows:

§ 73.3580 Local public notice of filing of broadcast applications.

* * * * *

(d) * * *

(1) * * *

(2) * * *

(3) * * *

(i) At least once daily on four days in the second week immediately following either the tendering for filing of the application or immediately following notification to the applicant by the FCC that Public Notice is required pursuant to §§ 73.3571, 73.3572, 73.3573 or § 73. 3578. For commercial radio stations these announcements shall be made between 7 a.m. and 9 a.m. and/or 4 p.m. and 6 p.m. For stations which neither operate between 7 a.m. and 9 a.m. nor between 4 p.m. and 6 p.m., these announcements shall be made during the first two hours of broadcast operation. For commercial TV stations, these announcements shall be made between 6 p.m. and 11 p.m. (5 p.m. and 10 p.m. Central and Mountain time).

§ 73.3580 [Amended]

8. 47 CFR Part 73 is amended by revising the introductory text of § 73.3580 (d)(4)(i) and (d)(4)(ii) to read as follows:

* * * * *

(d) * * *

(4) * * *

(i) *Pre-filing announcements.* During the period and beginning on the first day of the sixth full calendar month prior to the expiration of the license, and

continuing to the date on which the application is filed, the following announcement shall be broadcast on the 1st and 16th day of each calendar month. Stations broadcasting primarily in a foreign language should broadcast the announcements in that language.

On *(date of last renewal grant) (Station's call letters)* was granted a license by the Federal Communications Commission to serve the public interest as a public trustee until *(expiration date)*.

Our license will expire on *(date)*. We must file an application for license renewal with the FCC *(date four calendar months prior to expiration date)*. When filed, a copy of this application will be available for public inspection during our regular business hours. It contains information concerning this station's performance during the last *(period of time covered by the application)*, (only TV and noncommercial radio say the remainder of this paragraph) and projections of our programming during the next three years.

Individuals who wish to advise the FCC of facts relating to our renewal application and to whether this station has operated in the public interest should file comments and petitions with the FCC by (date first day of last full calendar month prior to the month of expiration).

Further information concerning the FCC's broadcast license renewal process is available at (address of location of the station's public inspection file) or may be obtained from the FCC, Washington, D.C. 20554.

(A) * * *

(*1*) * * *

(*2*) * * *

(*3*) * * *

(ii) *Post-filing announcements.* During the period beginning on the date on which the renewal application is filed to the sixteenth day of the next to last full calendar month prior to the expiration of the license, all applicants for the renewal of broadcast station licenses shall broadcast the following announcement on the 1st and 16th day of each calendar month. Stations broadcasting primarily in a foreign language should broadcast the announcements in that language.

On *(date of last renewal grant) (Station's call letters)* was granted a license by the Federal Communications Commission to serve the public interest as a public trustee until *(expiration date)*.

Our license will expire on *(date)*. We have filed an application for renewal with the FCC.

A copy of this application is available for public inspection during our regular business hours. It contains information concerning this station's performance during the last *(period of time covered by application)*, (only TV and noncommercial radio say the remainder of this paragraph) and projections of our programming during the next three years.

Individuals who wish to advise the FCC of facts relating to our renewal application and to whether this station has operated in the public interest should file comments and petitions with the FCC by *(date first day of last full calendar month prior to the month of expiration)*.

Further information concerning the FCC's broadcast license renewal process is available at *(address of location of the station's public inspection file)* or may be obtained from the FCC, Washington, D.C. 20554.

(A) * * *

* * * * *

BILLING CODE 6712-01-M

Appendix C

FCC Form 303-S
March 1980

United States of America
Federal Communications Commission
Washington, D.C. 20554

Approved by GAO
B-180223(R0)

Application for Renewal of License for Commercial and Non-Commercial AM, FM or TV Broadcast Station

1 Name of Applicant	Call Letters	Street Address	City	State	Zip Code

2. Are the following reports on file at the Commission:

(a) The three most recent Annual Employment Reports (FCC Form 395)
☐ Yes ☐ No
If No, attach as Exhibit No. __ an explanation.

(b) The applicant's Ownership report (FCC Form 323 or 323-E)
☐ Yes ☐ No
If No, give the following information:
Date last ownership report was filed:
Call letters of the renewal application with which it was filed:

3. Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments?

☐ Yes ☐ No If No, attach as Exhibit No. an explanation.

4. Since the filing of the applicant's last renewal application for this station or other major application, has an adverse finding been made, a consent decree been entered, or final action been approved by any court or administrative body with respect to the applicant or parties to the application concerning any civil or criminal suit, action, or proceeding, brought under the provisions of any federal, state, territorial or local law relating to the following: any felony, lotteries, unlawful restraints or monopolies, unlawful combinations, contracts or agreements in restraint of trade, the use of unfair methods of competition; fraud, unfair labor practices, or discrimination?

☐ Yes ☐ No If Yes, attach as Exhibit No. __ a full description, including identification of the court or administrative body, proceeding by file number, the person and matters involved, and the disposition of litigation.

5. Has the applicant placed in its public inspection file at the appropriate times the documentation required by Section 73.3526 and 73.3527 of the Commission's rules?

☐ Yes ☐ No If No, attach as Exhibit No. __ a complete statement of explanation.

THE APPLICANT hereby waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States, because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act.)
THE APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION

I certify that the statements in this application are true, complete and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this _____ day of _____ 19____

Name of Applicant _____

By Signature _____

Title _____

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT, U.S. CODE, TITLE 18, SECTION 1001

BILLING CODE 6712-01-C

Appendix D

Federal Communications Commission, Washington, D.C. 20554

Renewal Application Audit Form for Commercial TV Broadcast Stations

Instructions

A. Your television station has been randomly selected to complete this Renewal Application Audit Form 303–L instead of the Federal Communications Commission's ordinary Renewal Application. This Renewal Application consists of the following sections:

I. General Information
II. Legal
III. Statement of Program Service
IV. Certification

B. Prepare and file two copies of this form and all exhibits with the Secretary, Federal Communications Commission, Washington, D.C. 20554.

C. File this application no later than the first day of the fourth full calendar month prior to expiration of your license. An application is "filed" upon actual receipt in the Secretary's office.

D. In responding to the questions set forth in this form, the applicant may incorporate by reference information already on file with the FCC, provided that:

(1) The information is now on file in another application or FCC form filed by or on behalf of the applicant;

(2) The information is identified fully by reference to the file number, if any, the FCC form number and the filing date of the application or other form containing the information and the page or paragraph referred to; and

(3) After making the appropriate references, the applicant states "No changes since date of filing."

Any such reference will be considered to incorporate into this application all information, confidential or otherwise, contained in the application or other forms referred to. The incorporated application or other form, thereafter, in its entirety, must be placed in the applicant's public inspection file.

E. Each exhibit submitted by the applicant must be numbered to match the number of the question the exhibit is responsive to on the form. Date each exhibit. The date must be the same or preceding the date of the applicant's certification (Section IV) of this form. Each exhibit shall set forth the name and official title, if any, of the officer or employee by whom or under whose direction the exhibit was prepared.

F. The name of the applicant must be stated exactly as it appears on the current license.

G. The "composite week" is seven different days of the week during the license term designated by the FCC and is used as the basis for responding to questions in this application. If the station was not operating during any one or more days of the composite week, the applicant should notify the Broadcast Bureau's Renewal and Transfer Division, which will specify substitute dates.

H. A "typical week" is a week which an applicant projects as typical of its proposed weekly operation.

I. A legible copy of this renewal application and all exhibits submitted herewith shall be kept on file, available for public inspection. It shall be maintained at the station's main studio or other accessible place such as a public registry for documents or attorney's office in the community in which the station is licensed. See Instruction D, above.

J. This application shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member who is an officer, if the applicant is an unincorporated association; by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction, if the applicant is an eligible government entity; or by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall, in the event he signs for the applicant, separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

K. Replies to questions contained in this form constitute representations on which the FCC will rely in considering an application for renewal. Thus, time and care should be devoted to the replies so that they will reflect accurately the applicant's responsible consideration of the questions asked. Be sure all necessary information is furnished and all paragraphs are fully answered. Defective or incomplete applications can result in deferral of renewal.

Section I

General Information

1. Name of Applicant ——————
Street ——————
City———— State———— Zip Code——

Send notices and communications to the following named person at the address indicated below:
Name ——————
Street Address ——————
City———— State———— Zip Code——

2. Renewal requested for following existing facilities:
Call Letters———— Channel No. ——
Sharing with (specify stations)————

Section II

Legal

1. Is applicant's Ownership Report (FCC Form 323) filed with this application?

☐ Yes ☐ No If no, give the date of filing of the last Ownership Report ———— and the station's call letters —— of the renewal application with which it was filed.

2. Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to the interest of aliens and foreign governments?

☐ Yes ☐ No If no, attach as Exhibit No. II–2, a full explanation.

3. Since the filing of the applicant's last renewal application for this station or other major application, has an adverse finding been made, a consent decree been entered, or final action been approved by any court or administrative body with respect to the applicant or parties to the application concerning any civil or criminal suit, action, or proceeding, brought under the provisions of any federal, state, territorial or local law relating to the following: Any felony; lotteries; unlawful restraints and monopolies; unlawful combinations, contracts or agreements in restraint of trade; the use of unfair methods of competition; fraud; unfair labor practices; or discrimination?

☐ Yes ☐ No If yes, attach as Exhibit No. II–4, a full description, including identification of the court or administrative body, the proceeding by file number, the persons and matters involved, and the disposition of the litigation.

Section III

Programming

Definitions

The definitions set out below are to be followed in furnishing the information called for by the questions in this Section. The inclusion of various types and sources of programs in the paragraphs which follow is not intended to establish a formula for station operation, but is a method for analyzing and reporting station operation.

1. A. *Sources* of programs are defined as follows:

(i) A *Local Program* is any program originated or produced by the station, or for the production of which the station is substantially responsible, and which also employs live talent more than 50 percent of the time. Such a program, taped, recorded or filmed for later broadcast shall be classified as local. A local program fed to a network shall be classified by the originating station as local. All non-network and non-syndicated news programs may be classified as local. Programs primarily featuring syndicated or feature films, or other than non-locally recorded programs shall not be classified as local, even though a station personality appears in connection with such material. However, identifiable units of such programs which are live and separately logged as such may be classified as local (*e.g.*, if during the course of a feature film program a non-network 2-minute news report is given and logged as a news program, the report may be classified as local.

(ii) A *Network Program* is any program furnished to the station by a network (national, regional or special). Delayed broadcasts of programs originated by networks are classified as network.

(iii) A *Recorded Program* is any program not defined in (i) and (ii) above, including without limitation, syndicated programs, taped or transcribed programs, and feature films.

B. *Types* of programs are defined as follows:

(i) *News Programs* include reports dealing with current local, national and international events, including weather and stock market reports; and commentary, analysis or sports news when it is an integral part of a news program.

(ii) *Public Affairs Programs* are programs dealing with local, state, regional, national or international issues or problems, including, but not limited to, talks, commentaries, discussions, speeches, editorials, political programs, documentaries, minidocumentaries, panels, round-table and vignettes and extended coverage (whether live or recorded) of public events or proceedings, such as local council meetings, congressional hearings and the like.

(iii) *All Others* (excluding entertainment and sports) include all other programs which are not intended primarily as entertainment (*e.g.*, music, drama, variety, comedy, quiz, etc.). This category does not include play-by-play and pre- or post-game related activities and separate programs of sports instruction, news, or information (*e.g.*, fishing opportunities, golfing instructions, etc.).

(iv) *Programs Designed for Children* include programs originally produced and broadcast primarily for an audience of children twelve years old and under. This does not include programs originally produced for a general or adult audience which may nevertheless be significantly viewed by children. (The definition of "Programs Designed for Children" is not applicable for the purpose of logging, but is applicable only to Questions 6, 14, and 17.

Note.—If a program contains two or more identifiable units of program material which constitute different program types as herein defined, each such unit may be separately classified.

C. *Commercial Matter* includes commercial continuity (network and non-network) and commercial announcements (network and non-network) as follows:

(i) *Commercial Continuity* is the advertising message of a program sponsor.

(ii) A *Commercial Announcement* is any other advertising message for which a charge is made, or other consideration is received.

(1) Included are:

(i) "bonus spots"

(ii) "trade-out spots"

(iii) Promotional announcements by a commercial broadcast station for or on behalf of another commonly owned or controlled broadcast station serving the same community. See *Report and Order* in Docket No. 20588, 59 F.C.C. 2d 594, 41 FR 22055 (1976)

(iv) Promotional announcements of a future program where consideration is received for such an announcement or where such announcement identifies the sponsor of the future program beyond mention of the sponsor's name as an integral part of the title of the program (*e.g.*, where the agreement for the sale of the time provides that the sponsor will receive promotional announcements, or when the promotional announcement contains a statement such as TOMORROW SEE—(NAME OF PROGRAM)—BROUGHT TO YOU BY—(SPONSOR'S NAME)).

(2) Other announcements including but not limited to the following are *not* commercial announcements:

(i) Promotional announcements, except as defined above.

(ii) Station identification announcements for which no charge is made.

(iii) Announcements of taped, filmed or recorded material.

(iv) Public service announcements.

(v) Announcements made pursuant to § 73.1212(d) of the FCC Rules that materials or services have been furnished as an inducement to broadcast a political program involving the discussion of controversial public issues.

(vi) Announcements made pursuant to the local notice requirements of § 73.3580 ("Local Notice of Filing of Applications"), § 73.3594 ("Local Notice of Designation for Hearing") and § 73.1202 ("Public Notice of Licensee Obligations") of the FCC Rules.

2. A *Public Service Announcement* is any announcement (including network) for which no charge is made and which promotes programs, activities or services of federal, state or local governments (*e.g.*, recruiting, sales of bonds, etc.) or the programs, activities or services of nonprofit organizations (*e.g.*, UGF, Red Cross blood donations, etc.) and other announcements regarded as serving community interests, excluding time signals, routine weather announcements and promotional announcements.

3. A *Program* is an identifiable unit of program material, logged as such, which is not an announcement as defined above (*e.g.*, if, within a 30 minute entertainment program, a station broadcasts a one-minute news and weather report, this news and/or weather report may be separately logged and classified as a one-minute news program and the entertainment portion as a 29 minute program).

4. *Network Programs.* Where information for the composite week is called for herein with respect to commercial matter or program type classification in connection with network programs, the applicant may rely on information furnished by the network.

5. Replies relating to future operation constitute representations against which subsequent operation of the station will be measured. Accordingly, beginning with this upcoming license term and *until the filing of the station's next Renewal Application Audit Form,* if the station substantially alters its programming or commercial practice, the applicant should notify the Commission of such changes at that time; otherwise it is presumed that the station is being operated substantially as proposed. Since the filing of the audit form is determined by random selection, the next time that your station will be audited is not predetermined.

Section III

Programming

Call letters _____

1. Has the applicant placed in its public inspection file at the appropriate times the required documentation relating to its efforts to ascertain community problems, needs and interests?

( ) Yes ( ) No ( ) Does not apply

If No, attach as Exhibit III–1 a complete statement of explanation.

2. Attach as Exhibit III–2 applicant's community leader checklist for the preceding license term.

( ) Does not apply

3. Has the applicant placed in its public inspection file at the appropriate times its annual list of those problems, needs and interests which, in the applicant's judgment, warranted treatment by its station and typical and illustrative programming in response thereto?

( ) Yes ( ) No

If Yes, attach those listings as Exhibit III–3.

If No, attach as Exhibit III–3 a complete statement of explanation.

4. A. State, for the composite week:

(a) The total number of public service announcements broadcast ;

(b) The number broadcast between 8 a.m. and 11 p.m. .

B. Of the total number of public service announcements broadcast during the composite week state:

(a) the number, which in the licensee's judgment were primarily designed to promote programs, activities or service of organizations or organizational units located in the service area ;

Section III

Programming

Commercial TV

Call letters _____

(b) the number, which in the licensee's judgment, were primarily designed to promote programs, activities or services of organizations or organizational units located outside the service area ;

(c) the number which, in the licensee's judgment, do not readily fall into either (a) or (b) and/or are a combination of both .

C. Attach as Exhibit III–4 one exact copy of the program logs for the composite week used as a basis for responding to questions 4, 13 and 14 herein. Applicants using automatic program logging devices must comply with the provisions of § 73.1810(k)(3) of the FCC Rules.

5. A. Was the applicant affiliated with one or more national television networks during the past license period?

( ) Yes ( ) No

If Yes, give the name(s) of the Net- work(s):

; ; .

B. If the applicant had more than one such affiliation, which network was its principal source of network programs .

C. If a network affiliate, did the applicant regularly carry (*i.e.*, carry more than 50%) the available news and public affairs programs offered by the network during the current license period?

News ( ) Yes ( ) No

Public Affairs ( ) Yes ( ) No

6. In Exhibit III–6, give a brief description of programs, program segments or program series broadcast during the license period which were designed for children 12 years old and under. Indicate the source, time and day of broadcast, the frequency of broadcast and program type.

7. A. In the applicant's judgment, does the information supplied in the annual listings of typical and illustrative programs and program segments broadcast to help meet the significant problems and needs of the service area for the current period, and the information supplied in questions 4, 5 and 6

above, adequately reflect its programming during the current license period?

( ) Yes ( ) No

B. If the answer is No, the applicant may attach, as Exhibit III–7B such additional information, including the listing of entertainment programs the applicant considers to be of special merit, as may be necessary to describe accurately and present fairly its program service.

BILLING CODE 6712-01-M

Section III

PROGRAMMING

COMMERCIAL TV

Call letters_____

8. Indicate the minimum amount of time the applicant has devoted to the categories below during the composite week of the past license term. Commercial time should be excluded in all computations except for the entries in columns 2, 6 and 10 of the "TOTAL TIME OPERATING" line (line a).

WEEK DATA	FROM 6AM TO MIDNIGHT				FROM 6PM TO 11PM (5PM to 10PM CENTRAL AND MOUNTAIN TIME)				FROM MIDNIGHT TO 6AM			
	ALL PROGRAMS		LOCAL PROGRAMS ONLY		ALL PROGRAMS		LOCAL PROGRAMS ONLY		ALL PROGRAMS		LOCAL PROGRAMS ONLY	
	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING
(1)	(2)	(3) 2/	(4) 1/	(5) 2/	(6)	(7) 3/	(8) 1/	(9) 3/	(10)	(11) 4/	(12) 1/	(13) 4/
a. TOTAL TIME OPERATING		100%				100%				100%		
b. NEWS 1/												
c. PUBLIC AFFAIRS 1/												
d. ALL OTHERS (*Exclusive of entertainment and sports*) 1/												

1/ Excluding Commercials
2/ Percentages are of the total minutes of operation reported at the top of column 2.
3/ Percentages are of the total minutes of operation reported at the top of column 6.
4/ Percentages are of the total minutes of operation reported at the top of column 10.

8b. If the applicant's composite week programming varied substantially from the relevant programming representations made to the Commission, attach as Exhibit III-8b a statement explaining the variation(s) and reasons therefor.

Section III — STATEMENT OF TV PROGRAM SERVICE

9. Indicate the minimum amount of time the applicant proposes to devote normally each week to the categories below. Commercial time should be *excluded* in all computations except for the entries in columns 2, 6 and 10 of the total time operating line (line a).

ANTICIPATED TYPICAL WEEK DATA	FROM 6AM TO MIDNIGHT				FROM 6PM TO 11PM (5PM to 10PM CENTRAL AND MOUNTAIN TIME)				FROM MIDNIGHT TO 6AM			
	ALL PROGRAMS		LOCAL PROGRAMS ONLY		ALL PROGRAMS		LOCAL PROGRAMS ONLY		ALL PROGRAMS		LOCAL PROGRAMS ONLY	
	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING	MINUTES OF OPERATION	PERCENTAGE OF TOTAL TIME OPERATING
(1)	(2)	(3) 2/	(4) 1/	(5) 2/	(6)	(7) 3/	(8) 1/	(9) 3/	(10)	(11) 4/	(12) 1/	(13) 4/
a. TOTAL TIME OPERATING		100%				100%				100%		
b. NEWS 1/												
c. PUBLIC AFFAIRS 1/												
d. ALL OTHERS (*Exclusive of entertainment and sports*) 1/												

1/ Excluding Commercials
2/ Percentages are of the total minutes of operation reported at the top of column 2.
3/ Percentages are of the total minutes of operation reported at the top of column 6.
4/ Percentages are of the total minutes of operation reported at the top of column 10.

BILLING CODE 6712-01-C

Section III

Call letters _____

COMMERCIAL TV

10. A. Provide the applicant's proposals for a typical week of:

(a) the minimum number of public service announcements that the applicant proposes to broadcast .

(b) the number to be broadcast between 8 a.m.–11 p.m. .

B. Of the total number of public service announcements which the applicant proposes to broadcast in a typical week provide the number which will be primarily designed to promote programs, activities or services of organizations or organizational units located in the service area ; and outside the service area .

11. State the number of 60 minute segments during the composite week, beginning with the first full clock-hour and ending with the last full clock-hour of each broadcast day, containing the following amounts of commercial matter:

A. Up to and including 8 minutes: ;

B. Over 8 and up to and including 12 minutes: ;

C. Over 12 and up to and including 16 minutes: ;

D. Over 16 minutes: .

In Exhibit III–11, list each segment in category D above, specifying the amount of commercial time in the segments and the day and time of broadcast.

12. State the number of 60 minute segments in the 6 p.m.–11 p.m. (5 p.m.–10 p.m. Central and Mountain Time) period during the composite week containing the following amounts of commercial matter.

A. Up to and including 8 minutes: ;

B. Over 8 and up to and including 12 minutes: ;

C. Over 12 and up to and including 16 minutes: ;

D. Over 16 minutes: .

In Exhibit III–12, list each segment in category D above, specifying the amount of commercial time in the segment, and the day and time of broadcast.

13. A. In the applicant's judgment does the information supplied in questions 11 and 12 adequately reflect its commercial practices? ( ) Yes ( ) No

Section III

Programming

Commercial TV

B. If the answer is No, the applicant may attach as Exhibit III–13 additional material to adequately describe its commercial practices.

C. If the applicant's commercial practices for the period covered by Questions 11 and 12 varied from the representations made to the Commission, attach as Exhibit III–13C a statement explaining the variations and reasons therefor.

14. In Exhibit III–14, submit each 1 hour or ½ hour segment of programming designed for children 12 years old and under broadcast during the license period which contained commercial matter in excess of:

(a) 12 minutes per hour or 6 minutes per ½ hour, Monday through Friday; or

(b) 9½ minutes per hour or 4¾ minutes per hour Saturday and Sunday.

For each programming segment so listed, indicate the length of the segment (*i.e.*, one hour or ½ hour) and the amount of commercial matter contained therein.

15. What is the maximum amount of commercial matter in any 60-minute segment which the applicant proposes normally to allow?

If the applicant proposes to permit this amount to be exceeded at times, state in Exhibit No. III–15 under what circumstance and how often this is expected to occur, and the limits that would then apply.

16. What is the maximum amount of commercial matter in any 60-minute segment between the hours of 6 PM–11 PM (5 PM–10 PM Central and Mountain Time) which the applicant proposes normally to allow?

If the applicant proposes to permit this amount to be exceeded at times, state in Exhibit No. III–16 under what circumstances and how often this is expected to occur, and the limits that would then apply.

17. A. What is the maximum amount of commercial matter per hour the applicant proposes to allow in programs broadcast on weekdays (Monday through Friday) which are designed for children twelve years old and under?

If the applicant proposes to permit this amount to exceed 12 minutes, state in Exhibit No. III–17A under what circumstances and how often this is expected to occur, and the limits that would then apply.

B. What is the maximum amount of commercial matter per hour the applicant proposes to allow in programs broadcast on weekends (Saturday and Sunday) which are designed for children twelve years old and under?

If the applicant proposes to permit this amount to exceed 9½ minutes, state in Exhibit III–17B under what circumstances and how often this is expected to occur, and the limit that would then apply.

Note.—Unless otherwise indicated, it is assumed that proportional commercial time limits apply to ½ hour segments for the purposes of this question.

Section IV

Certification

Call letters _____

The Applicant hereby waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934.)

The Applicant acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and are incorporated herein.

This application must be signed in accordance with the requirements of § 73.3513, "Signing of Applications."

Willful False Statements Made on this Form Are Punishable by Fine and Imprisonment. U.S. Code, Title 18, Section 1001.

Certification

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this day of 19 .

Name of Applicant _____

Signature _____

Title _____

FCC Notice to Individuals Required by the Privacy Act

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information.

The Foregoing Notice is Required by the Privacy Act of 1974, Pub. L. 93–579, December 31, 1974, 5 U.S.C. 552(e)(3).

Appendix E

Federal Communications Commission
Washington, D.C. 20554
Renewal Application Audit Form
For Noncommercial Educational
AM, FM and TV Broadcast Stations

A. Your noncommercial station has been randomly selected to complete this Renewal Application Audit Form 303–NL instead of the Federal Communications Commission's ordinary Renewal Application. This renewal application consists of the following sections:

I. General Information
II. Legal
III. Statement of Program Service
IV. Certification

B. Prepare and file two copies of this form and all exhibits with the Secretary, Federal Communications Commission, Washington, D.C. 20554.

C. File this application no later than the first day of the fourth full calendar month prior to expiration of your license. An application is "filed" upon actual receipt in the Secretary's office.

D. In responding to the questions set forth in this form, the applicant may incorporate by reference information already on file with the FCC, provided that:

(1) The information is now on file in another application or FCC form filed by or on behalf of the applicant;

(2) The information is identified fully by reference to the file number, if any, the FCC form number and the filing date of the application or other form containing the information and the page or paragraph referred to; and

(3) After making the appropriate reference, the applicant states "No changes since date of filing."

Any such reference will be considered to incorporate into this application all information, confidential or otherwise, contained in the application or other forms referred to. The incorporated application or other form, thereafter, in its entirety, must be placed in the applicant's public inspection file.

E. Each exhibit submitted by applicant must be numbered to match the number of the question the exhibit is responsive to on the form. Date each exhibit. The date must be the same or preceding the date of the applicant's certification (Section IV) of this form. Each exhibit shall set forth the name and official title, if any, of the officer or employee by whom or under whose direction the exhibit was prepared.

F. The name of the applicant must be stated exactly as it appears on the current license.

G. A "typical week" is a week which an applicant projects as typical of its proposed weekly operation.

H. A legible copy of this completed application and all exhibits submitted herewith shall be kept on file, available for public inspection. It shall be maintained at the station's main studio or other accessible place such as a public registry for documents or attorney's office in the community in which the station is licensed. See Instruction D, above.

I. This application shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member who is an officer, if the applicant is an unincorporated association; by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction, if the applicant is an eligible government entity; or by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall, in the event he signs for the applicant, separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

J. Replies to questions contained in this form constitute representations on which the FCC will rely in considering an application for renewal. Thus, time and care should be devoted to the replies so that they will reflect accurately the applicant's responsible consideration of the questions asked. Be sure all necessary information is furnished and all paragraphs are fully answered. Defective or incomplete applications can result in deferral of renewal.

Section I

General Information

1. Name of Applicant _____
Street Address _____
City _____
State _____
Zip Code _____

2. Renewal requested for the following facilities:

AM

Call Letters _____
Frequency _____
Power in kilowatts: Night Day
Hours of operation ( ) Unlimited ( )
Daytime only ( ) Limited
Sharing with (specify stations) _____
Other (specify) _____
Station Location:
City _____
State _____

FM–TV

Call Letters Frequency (FM) Channel No. (TV) _____
Power in kilowatts FM TV Visual
Aural _____
Hours of operation per week _____
Sharing with (specify stations) _____

Section II

Legal

1. Since the filing of the applicant's last renewal application for this station or other major application, has an adverse finding been made, a consent decree been entered, or final action been approved by any court or administrative body with respect to the applicant or parties to the application concerning any civil or criminal suit, action, or proceeding, brought under the provisions of any federal, state, territorial or local law relating to the following: any felony; lotteries; unlawful restraints and monopolies; unlawful combinations, contracts or agreements in restraint of trade; the use of unfair methods of competition; fraud; unfair labor practices; or discrimination?

( ) Yes ( ) No If Yes, attach as exhibit II–1 a full description, including identification of the court or administrative body, proceeding by file number, the person and matters involved, and the disposition of the litigation.

2. Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to the interests of aliens and foreign governments?

( ) Yes ( ) No If No, attach as Exhibit II–2, full explanation.

3. Are there any documents, instruments, contracts or understandings relating to ownership, use of control of the station facilities, or any right or interest therein?

( ) Yes ( ) No If Yes, attach as Exhibit No. II–3 copies of all such documents, instruments or contracts and state the substance of oral contracts or understandings.

4. Is the applicant's Ownership Report (FCC Form 323E) filed with this application? (See § 73.3615 of the Commission's rules.)

( ) Yes ( ) No If No, give date of filing of the last Ownership Report and the station's call sign of the renewal application with which it was filed.

5. How is the operation of the station financed?

Section III

Programming

Definitions

The definitions set out below are to be followed in furnishing the information called for by the questions in this Section. The inclusion of various types and sources of programs in the paragraphs which follow is not intended to establish a formula for station operation, but is a method for analyzing and reporting station operation.

1. A. *Sources* of programs are defined as follows:

(i) A *Local Program* is any program originated or produced by the station, or for the production of which the station is substantially responsible, and which also employs live talent more than 50% of the time. Such a program, taped, recorded or filmed for later broadcast shall be classified as local. A local program fed to a network shall be classified by the originating station as local. All non-network and non-syndicated news programs may be classified as local. Programs primarily featuring syndicated or feature films, or other than non-locally recorded programs shall not be classified as local, even though a station personality appears in connection with such material. However, identifiable units of such programs which are live and separately logged as such may be classified as local (*e.g.*, if during the course of a feature film program a non-network 2-minute news report is given and logged as a news program, the report may be classified as local).

(ii) *A Network Program* is any program furnished to the station by a network (national, regional or special). Delayed broadcasts of programs originated by networks are classified as network.

(iii) *A Record Program* (Radio Only) is any program not falling within the definition of "local" above, which utilizes phonograph records, electrical transcriptions of taped music, with or without commentary by a local announcer or other station personnel.

(iv) *Other Programs* are any programs not defined above, including without limitation, syndicated film, taped or transcribed programs, and feature films.

B. *Types* of programs are defined as follows:

(i) *News Programs* include reports dealing with current local, national and international events, including weather and stock market reports; and commentary, analysis or sports news when it is an integral part of a news program.

(ii) *Public Affairs Programs* are programs dealing with local, state, regional, national or international issues or problems, including, but not limited to, talks, commentaries, discussions, speeches, political programs, documentaries, mini-documentaries, panels, round-tables and vignettes and extended coverage (whether live or recorded) of public events or proceedings, such as local council meetings, congressional hearings and the like.

(iii) *Instructional* includes all programs designed to be utilized by any level of educational institution in the regular instructional program of the institution. In-school, in-service for teachers and college

credit courses are examples of instructional programs.

(iv) *General Educational* is an educational program for which no formal credit is given.

(v) *Performing Arts* is a program in which the performing aspect predominates such as drama, concert, opera or dance.

(vi) *Light Entertainment* includes programs consisting of popular music or other light entertainment.

(vii) *All Others* includes all programs not falling within the definitions of types of programs defined above.

2. *A Program* is an identifiable unit of program material, logged as such, which is not an announcement as defined above (*e.g.*, if, within a 30-minute entertainment program, a station broadcasts a 1-minute news and/or weather report, this news and weather report may be separately logged and classified as a 1-minute news program and the entertainment portion as a 29-minute program).

3. *Network Programs.* Where information is called for herein with respect to program type classification in connection with network programs, the applicant may rely on information furnished by the network.

Section III

Programming

Call letters _____

1. Attach as Exhibit III–1 one exact copy of the program logs for a typical week used as a basis for responding to the questions herein. The typical week must be selected from the school term during which the application is filed, or if such term began less than 90 days before the date of filing the application, from the school term immediately preceding the school term during which the application is filed. Applicants using automatic program logging devices must comply with the provisions of § 73.1810(k)(3) of the Rules.

2. State, for the typical week, the sign-on and sign-off time and total time for weekdays, Saturday and Sunday.

	Weekdays	Saturday	Sunday
Sign-on			
Sign-off			
Total hours on air			
Total week			

3. State, for the typical week, the portion of the schedule obtained from the following sources (totals to equal 100%):

	Hours	Percentage
Local program		
Record program (radio only)		
Network program		
Other		

4. State, for the typical week, the amount of time devoted to the following types of programs (totals to equal 100%).

	Hours	Percentage
Instructional		
General educational		
Performing arts		
Public affairs		
Light entertainment		
News		
All other		

5. Does the applicant contemplate any material changes in future program service?
( ) Yes ( ) No

If Yes, submit as Exhibit III–5 a statement describing those changes.

6. Will the applicant present programs of one or more networks during the next license period?
( ) Yes ( ) No

If Yes, give the name(s) of the network(s) _____.

7. Is the station either:

(a) a Class "D" FM facility (10 watt) as defined in § 73.506(a)(2) of the Rules?
( ) Yes ( ) No

(b) a station whose programming is entirely instructional?
( ) Yes ( ) No

If Yes to either question, the applicant may omit questions 8 through 12, following.

8. Has the applicant placed in the public inspection file at the appropriate times the required documentation relating to its efforts to ascertain community problems, needs and interests?
( ) Yes ( ) No

If No, attach as Exhibit III–8 a complete statement of explanation.

9. Radio station applicants, attach as Exhibit III–9 the narrative description of these ascertainment efforts as required by § 73.3527 of the Rules.

10. TV station applicants, attach as Exhibit III–10 the narrative description of the public survey as required by § 73.3527 of the Rules.

11. TV station applicants, attach as Exhibit III–11 the community leader checklist for the preceding license term.

12. Has the applicant placed in its public inspection file at the appropriate times the annual lists of those problems, needs and interests which, in the applicant's judgment, warranted treatment by its station, and illustrative programs broadcast in response thereto?
( ) Yes ( ) No

A. If Yes, attach those lists as exhibit III–12A.

B. If No, attach as Exhibit III–12B a complete statement of explanation.

Section IV

Certification

Call letters _____

The applicant hereby waives any claim to the use of any particular frequency or of the either as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934.)

The applicant acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and are incorporated herein.

This application must be signed in accordance with the requirements of § 73.3513, "Signing of Applications."

Willful false statements made on this form are punishable by fine and imprisonment. U.S. Code, Title 18, Section 1001.

Certfication

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this _____ day of _____, 19—.

Name of Applicant _____
Signature _____
Title _____

FCC Notice to Individuals Required by the Privacy Act

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934 as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information.

The foregoing notice is required by the Privacy Act of 1974, P.L. 93–579, December 31, 1974, 5 U.S.C. 552(e)(3).

Appendix F

Public Inspection File Inventory—Noncommercial AM, FM and TV

This inventory list is to be used by Field Operations Bureau personnel to verify the contents of the public inspection files of noncommercial AM, FM or TV licensees.

Licensee: _____
City: _____
State: _____
Call letters: _____

The following documents were in the public inspection file:

	Yes	No
1. Application for construction permit or program test authority if such application was filed within the last 7 yr		
2. Ownership reports covering last 7 yr		
3. Annual employment reports for the last 7 yr		
4. 2 latest equal employment opportunity model programs		
5. The Public and Broadcasting—A Procedure Manual		
6. 2 latest renewal applications		
7. A file for requests for time by candidates for public office (may be empty)		
Ascertainment Documentation		
8. Annual problems programs lists for the last 7 yr		
9. Statement of sources consulted and ascertainment methology		
10. Leader interview documentation for the last 7 yrs		
11. 2 most recent community leader checklist		

	Yes	No
12. General public survey documentation for the last 7 yrs		
13. Community composition documentation		

Public Inspection File Inventory—Commercial TV

This inventory list is to be used by Field Operations Bureau personnel to verify the contents of the public inspection file of commercial televison licensees.

Licensee: _____

City: _____

State: _____

Call letters: _____

The following documents were in the public inspection file:

	Yes	No
1. Application for construction permit or program test authority if such application was filed within the last 7 yr		
2. 2 latest renewal applications		
3. Ownership reports covering last 7 yr		
4. Annual Employment reports for the last 7 yr		
5. 2 latest equal employment opportunity model programs		
6. The Public and Broadcasting—A Procedure Manual		
7. Letters received from members of the public for the last 3 yr		
8. Composite week logs for the last 7 yr		
9. Statement of TV program service		
10. A file for requests for time by candidates for public office (may be empty)		
Ascertainment Documentation		
11. Annual problems-programs lists for the last 7 yr		
12. Leader interview documentation for the last 7 yr		
13. 2 most recent community leader checklists		
14. General public survey		

Public Inspection File Inventory—Commercial Radio

This inventory list is to be used by Field Operations Bureau personnel to verify the contents of the public inspection files of noncommercial AM, FM or TV licensees.

Licensee: _____

City: _____

State: _____

Call letters: _____

The following documents were in the public inspection file:

	Yes	No
1. Application for construction permit or program test authority if such application was filed within the last 7 yr		
2. 2 latest renewal applications		
3. Ownership reports covering last 7 yr		
4. Annual employment reports for the last 7 yr		
5. 2 latest equal employment opportunity model programs		
6. The Public and Broadcasting—A Procedure Manual		
7. Letters received from members of the public for the last 3 yr		
8. A file for requests for time by candidates for public office (may be empty)		
9. Issues-programs lists		

Appendix G

Section 0.281 was amended in the Radio Deregulation proceeding (46 FR 13888; February 24, 1981). As amended it provides that the following applications for renewal be taken before the full Commission for consideration. The current text of § 0.281(a)(7)–(10) is not being changed and is reprinted below for the information of the reader.

§ 0.281 Authority delegated

(a)(7) Programming: Commercial matter.

(a)(7)(i) Commercial TV applicants for a new station, or assignment or transfer, or renewal of license, proposing to exceed 16 minutes of commercial matter per hour, or during periods of high demand for political advertising, providing for exceptions permitting in excess of 20 minutes of commercial matter per hour during 10% or more of the station's total weekly hours of operation.

(8) Programming: Program content and ascertainment of community needs.

(8)(i) Applications for new stations or assignments and transfers.

(8)(i)(A) Commercial AM and FM proposals of applicants for new stations and of assignees and transferees that have not submitted a narrative statement of their proposed programming, commercial TV proposals of applicants for new stations and of assignees and transferees (except those made by UHF stations not affiliated with major networks) which project for the hours 6:00 a.m. to 12:00 midnight less than the indicated percentages in one or more of the following categories: 5% total local programming; 5% information (news plus public affairs) programming; and 10% total nonentertainment programming.

(8)(i)(B) Commercial TV proposals of applicants for new stations and of assignees or transferees which contain substantial ascertainment defects which, for any reason, cannot be resolved by further staff inquiry or action. (See 1971 Ascertainment Primer: 27 F.C.C. 2d 650 (1971), 36 FR 4092).

(8)(ii) Applications for renewal.

(8)(ii)(A) Commercial TV proposals (except those made by UHF stations not affiliated with major networks) which project for the hours 6:00 a.m. to 12:00 midnight less than the indicated percentages in one or more of the following categories: 5% total local programming; 5% informational (news plus public affairs) programming; and 10% total nonentertainment programming.

(8)(ii)(B) Commercial TV proposals containing substantial ascertainment defects which, for any reason, cannot be resolved by further staff inquiry or action. (See 1976 Ascertainment Primer: 57 F.C.C. 2d 418 (1975), *recon. granted in part*, 61 F.C.C. 2d 1 (1976)).

(9) Programming: Substantial shifts in format. Commercial AM, FM, and TV applications disclosing substantial changes affecting either the entertainment or nonentertainment portions of existing formats which raise significant public interest questions, or which are opposed by the listening or viewing public.

(10) Programming: Promise versus performance.

(10)(i) Applications for assignments and transfers. TV applications for assignment or transfer which vary substantially from the assignor's or transferor's prior representations with respect to commercial practices (as set forth in paragraph (a)(7) of this section), or from the programming categories (as set forth in paragraph (a)(8) of this section), and for which variation there is lacking, in the judgment of Broadcast Bureau, adequate justification in the public interest.

(10)(ii) Applications for renewal. Commercial TV applications which vary substantially from prior representations with respect to commercial practices (as set forth in paragraph (a)(7) of this section), or from the programming categories set forth in paragraph (a)(8) of this Section, and for which variation there is lacking, in the judgment of the Broadcast Bureau, adequate justification in the public interest.

[FR Doc. 81-14065 Filed 5-8-81; 8:45 am]

BILLING CODE 6712-01-M

federal register

Monday
May 11, 1981

Part IV

Consumer Product Safety Commission

Chain Saws and Their Components and Replacement Parts; Proceeding To Develop a Consumer Product Safety Standard

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Chain Saws and Their Components and Replacement Parts; Proceeding To Develop a Consumer Product Safety Standard

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of proceeding to develop a proposed consumer product safety standard.

SUMMARY: The Commission begins the development of a proposed consumer product safety standard for chain saws, and their components and replacement parts, that would reduce the risk of injury to consumers caused by kickback. Kickback occurs when the moving chain at the tip of the guide bar contacts an object or when the moving chain is pinched in the cut. The Commission has determined that it is more expeditious for the Commission to develop this proposed standard itself than for interested parties outside the Commission to develop the proposed standard and solicits comment on this issue for a second time. The Commission also solicits participation in the standard development proceeding by interested persons outside the Commission, and will contribute to the costs of participation for some persons who qualify for funding.

DATES: Persons who wish to comment on the Commission's determination to develop the standard itself should submit their comments by June 10, 1981.

Any person who wishes to submit an existing standard or part of an existing standard to the Commission for consideration for proposal as the consumer product safety standard should submit the existing standard by June 10, 1981.

Persons interested in participating in the development of the standard should notify the Commission's Office of the Secretary, preferably by June 30, 1981. Persons who wish to request funding to enable them to participate are requested to submit the information to support their request by June 3, 1981, so that the requests may be considered before the first meeting of the public participants. Although requests for funding may be submitted at any time during the development process, will not be approved for participation that takes place before the Commission considers the funding request.

Persons who have information that would be helpful to the Commission in the development of the standard are also requested to submit the information to the Commission by June 30, 1981. Information that is submitted after that time will also be considered if practicable.

The Commission has specified that the development period, which is the period of time that the Commission allots to develop the provisons of a proposed standard and to prepare the standard for publication as a proposed standard, shall be until July 31, 1982. The Commission may extend the development period by publishing a notice in the **Federal Register** providing reasons for the extension. If the Commission does not publish a proposed standard within 45 days after the end of the development period, it will publish a notice in the **Federal Register** specifying the time period within which either (1) the proposed standard will be published or (2) the proceeding will be terminated.

ADDRESSES: Submissions should be addressed to the Secretary, Consumer Product Safety Commission, 3rd Floor, 1111 18th Street, N.W., Washington, D.C. 20207. Copies of all materials which the Commission has concerning this proceeding may be obtained from the Office of the Secretary.

FOR FURTHER INFORMATION CONTACT: For information on the standard development proceeding, contact Carl Blechschmidt, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207 phone (301) 492–6557. For information on funding, contact Barbara Rosenfeld, Office of Public Participation, Office of the Secretary, Consumer Product Safety Commission, Washington, D.C., 20207 phone (202) 634–7700.

SUPPLEMENTARY INFORMATION:

A. The Risk of Injury

In 1978, approximately 100,000 persons required medical attention after they were injured by chain saws. An estimated 23,000 of these injuries occurred when the user experienced a phenomenon known as "kickback", which is a sudden and potentially violent rearward and/or upward movement of the chain saw that can be caused by interference with the movement of the chain. This sudden and often unexpected kickback can propel the moving saw chain into contact with the operator, often with serious results.

The Commission estimates that the actual cost of kickback injuries in 1979, not including any value of pain and suffering, was $24 million.

A chain saw is a familiar tool in which a number of cutting elements are linked into a chain that is driven around the outer edge of a guide bar by a powerhead that incorporates a gasoline engine or electric motor.

The Commission staff estimates that of the chain saws in use, 15 percent are electrically powered, and the remainder are gasoline powered. Forty-five percent of all chain saws have engine displacements of 2.5 cubic inches or less, 25 percent have displacements over 2.5 but not over 3.5 cubic inches, 10 percent have displacements over 3.5 but not over 4.2 cubic inches, and the remaining 5 percent of saws have displacements over 4.2 cubic inches.

The number of saws in use is estimated to have been about 15 million in 1978, and it is estimated that the number of saws in use will expand to about 18 million in 1982. The Commission's staff estimates the chain saw market is approaching saturation and that increases after 1982 will be perhaps 2 to 4 percent each year. The average life of chain saws in consumer use is believed to be about 6 years, and 10 to 15 percent of the saws sold may be used for commercial purposes. However, at least for saws under 3.8 cubic inch displacement, consumer use predominates in any particular category of saws. A major saw chain manufacturer estimates that one in every 5.5 U.S. households owns a chain saw.

The staff's data indicate that 3.7 million chain saws were shipped by manufacturers in the United States in 1979, compared to 2.3 million in 1970.

The Commission's staff estimates that there are about a dozen chain saw manufacturers with manufacturing facilities in the United States and a similar number of manufacturers who import saws manufactured outside the U.S. The 5 largest manufacturers of gasoline powered saws account for over 80 percent of the gasoline saws sold, while the top 3 manufacturers of electric saws in 1977 accounted for over 80 percent of unit sales.

As noted above, kickback is the sudden and potentially violent rearward and/or upward movement of the chain saw that can be caused by sudden interference with the movement of the chain. This interference can be caused by the chain striking the wood or other object on the top quadrant of the tip of the chain guide bar (nose tip kickback) or by the chain on the top of the bar binding in the cut or hitting an unusually hard portion of the wood or other obstruction (pinch kickback). This interference with the movement of the chain transfers the energy that is driving the chain into a movement of the entire saw, causing the bar tip to move back

and/or up so fast that the operator may be struck by the moving chain, frequently in the face, neck, or throat area. The great majority of kickback accidents are believed to be caused by the chain striking the wood or another object in the upper quadrant at the tip of the bar. This type of kickback is caused by a tendency for parts of the chain to catch or dig into the wood as the links travel around the radius at the end of the bar.

The Commission conducted a special survey of chain saw kickback injuries reported through the National Electronic Injury Surveillance System (NEISS) during 1977 and 1978. The survey revealed that approximately 5 percent of the kickback injuries were associated with electric-powered chain saws, 85 percent were associated with gasoline-powered chain saws having displacements of 4.2 cubic inches or less, and 10 percent were associated with other chain saws.

From investigations of a sample of injuries from chain saws, the Commission's staff estimates that 39 percent of kickback injuries are caused by gasoline powered saws having a cubic inch displacement (CID) of 2.5 or less, 31 percent by saws having a CID of 2.6 to 3.5, 15 percent by saws having a CID of 3.6 to 4.2, and 3 percent by saws having a CID over 4.2. Bow-type saws account for 7 percent of the reported kickback injuries.

B. What Can Be Done About Kickback

A number of devices have been developed in attempts to reduce the risk of kickback occurring or to reduce the likelihood of injury if it occurs. For example, one way to help prevent nose tip kickback is to provide a guard to cover the chain at the upper quadrant of the tip of the blade, thereby protecting the chain from contact in this area. The Commission's staff estimates that providing a nose tip guard would add about $1.00 to the retail price of a saw.

Another mechanism that the data indicate may provide protection is a chain brake intended to stop the chain when kickback occurs. The chain brake is generally actuated by contact of the operator's hand with a hand guard as the saw moves back, although some types of chain brakes are actuated automatically by an inertial sensing device. Some chain brakes are designed to stop the chain in 0.1 seconds or less. In addition, operation of the chain brake is believed to reduce the effect on the saw of the energy developed during kickback. Providing a chain brake could add $8.00 to the retail price of a saw.

A hand guard alone can also provide significant protection against hand injuries associated with kickback and other types of accidents. A hand guard could add $1 to $2 to the retail price of a saw.

There are also features that can be provided in the design of the saw chain or guide bar that will reduce the energy developed during kickback if it occurs.

There are a number of chain designs intended to reduce the degree of kickback that can occur when contact takes place at the tip of the bar. The cutting link usually includes a "depth gauge" which partially shields the cutting element so it will not dig in too deeply. Chain designs used to minimize kickback include (1) guard links to partially shield the depth gauge and cutting element, (2) modification of the shape or contour of the depth gauge, (3) modification of the overall shape and dimensioning of the cutter, and (4) combinations of the above. Use of these low-kick chain designs should add little, if anything, to the price of a saw.

It has also been found that reducing the radius of curvature at the end of the guide bar will reduce the energy developed during kickback as the chain travels around the nose of the guide bar. Two basic approaches can be used to produce a low kick guide bar by reducing the radius of curvature at the nose. One is to reduce the total width of the guide bar, at least as it approaches the nose. This produces either a narrower overall guide bar or a tapered guide bar. In either case, both symmetry and a smaller nose radius are obtained. Symmetry is significant since guide bar service life can be extended by turning the guide bar when the guide bar rails show uneven wear. A second approach is to reduce the radius of the upper half of the guide bar nose. This creates an asymmetrical or "banana nose" guide bar. Asymmetrical guide bars are currently available and/or supplied as original equipment with some chain saws. Use of these low-kick reduced radius bar designs could add $1 to the price of a saw.

Preliminary data show that combinations of low-kick chains and low-kick guide bars provide greater reductions in the amount of kickback energy produced than either feature alone.

C. Background to the Proceeding

By a letter dated March 21, 1977, John Purtle, Esq., of Batesville, Arkansas, petitioned the Commission (Petition CP 77–10) to begin proceedings under section 7 of the Consumer Product Safety Act (CPSA) to develop a mandatory consumer product safety standard to "minimize and prevent chain saw kickback." Mr. Purtle suggested that every chain saw incorporate "a chain saw brake, a nose-tip guard, a kill switch or other safety device."

While the Commission's staff was evaluating this petition, the Chain Saw Manufacturers Association (CSMA) recommended that the petition be denied on the ground that a mandatory standard was not needed because the industry was taking significant voluntary steps to address the chain saw kickback hazard. CSMA estimated that 50 to 60 percent of the saws being sold at that time already contained some type of kickback protection. The industry expected the American National Standards Institute (ANSI) to approve an interim design standard by February, 1978. The interim voluntary standard (ANSI B 175.1), which was published in April, 1980, would require gasoline chain saws to incorporate such protection as a nose-tip guard, a chain brake, a low-kick chain, or a low-kick guide bar. CSMA said that the technology to define kickback in terms of a performance standard did not exist, but CSMA estimated that a test method could be developed and performance requirements drafted in approximately 2½ years.

In December, 1977, CSMA proposed a joint 18 month effort with the Commission to develop a voluntary performance standard. The Commission directed the staff to study the proposal to determine whether it appeared to provide the most expeditious and cost effective strategy for reducing chain saw kickback injuries.

Subsequently, the Commission denied the petition (43 FR 26103, June 16, 1978) and, later the same month, formally agreed to participate with CSMA in a joint effort to develop a voluntary performance standard to reduce chain saw kickback injuries. The joint process involved the active participation of consumer, industry, and government representatives in the development of testing equipment and procedures, study of operator interaction with the saw, and analysis of injury data. As part of the process, a Standards Review Board was charged with supervising the effort and formulating a standard. The written agreement specified that work on the standard was to be completed by December 31, 1979.

Much sound engineering and analytical work was accomplished prior to the December 31, 1979, expiration date of the process. However, no requirements were drafted by any of the committees operating under the terms of the agreement. On December 11, 1979, at the final Standards Review Board

meeting, CSMA presented the Standards Review Board with a document CSMA characterized as a "discussion draft" consisting of performance requirements for chain saws and backup documentation. The Board did not consider the draft because it did not believe that sufficient information to write a standard had been developed. The Board recommended that CSMA ask the Commission for an extension of the project. In a letter to the Commission, CSMA declined to request an extension because CSMA believed that sufficient information was available to write a standard and supporting rationale.

On December 21, 1979, CSMA submitted the same draft to the Commission. The accompanying correspondence from CSMA represented the draft as being both "a final standard and rationale" and a draft with sufficient information to write a supportable proposal, although "additional work on correlation would be desirable."

The draft standard submitted by CSMA calls for using a specified test apparatus to measure the maximum energy generated at the tip of the chain bar at the initial moment of kickback. A computer model then translates the maximum energy measurement into the angle that the saw would rotate toward an operator. In making this translation, the model uses (1) the energy measurement, (2) information describing key characteristics of the saw being tested, (3) an equation for converting the measured total energy into horizontal, vertical, and rotational energy, and (4) formulas intended to describe the influence of the operator's hands on the handle during kickback. The result is a "Derived Angle of Rotation," which is compared to acceptance criteria to determine whether the saw meets or fails the requirements.

The acceptance criteria provided that a saw was acceptable (1) if the Derived Angle of Rotation (DAR) is 20 degrees or less, (2) if a hand guard is provided and the DAR is less than 50 degrees, or (3) if the chain stops before the DAR reaches 50 degrees and the ultimate DAR is 60 degrees or less.

The Commission's evaluation of CSMA's draft standard and rationale has left serious doubts that the standard as submitted would adequately reduce injuries associated with chain saws. The following specific deficiencies were identified.

1. The portion of the computer model that attempts to account for the action of the operator's hands on the saw is based on an unproven assumption. CSMA attempted to prove the assumption by correlating the results from the computer model to actual tests of hand-held saws during kickback situations. However, at the time CSMA submitted their draft standard to the Commission, the data intended to show correlation consisted of tests with only 3 test operators and 2 chain saws, and this is not sufficient to show that the computer model is applicable to all saws. Furthermore, it was not established that the hand-held tests that were performed related to the situation where kickback occurs with an unsuspecting user.

2. The lack of a method to determine the angle at which the chain would stop, and the inability of the model to predict the angle at which the chain stops, prevent use of the acceptance criteria applicable to chain brakes.

3. There was no analysis of the sensitivity of the computer model to variations in input data. The model cannot be considered valid without investigating the effect on the derived angle of rotation of variations in the data used to compute this angle.

4. The draft standard would apply only to electric saws rated at 12 amperes or less and gasoline saws of 3 cubic inch displacement (CID) and less, whereas the Commission has data indicating that saws up to at least 4.2 CID are used regularly by consumers and are involved in kickback injuries.

These deficiencies caused the Commission to conclude preliminarily that the Commission cannot rely solely on the voluntary process being conducted by CSMA to offer adequate protection for the public from the risk of injury associated with the kickback of chain saws. Furthermore, since numerous serious injuries continue to occur from kickback, and since it appears that the technology to substantially reduce these injuries can be incorporated in chain saws at a reasonable cost, the Commission preliminarily concluded that the risk of kickback injuries associated with chain saws is unreasonable and that a consumer product safety standard is necessary to reduce or eliminate this unreasonable risk. (See 45 FR 62392; September 19, 1980.) However, if a valid voluntary standard applicable to a sufficient number of consumer saws is developed and implemented in the future, the need to complete the development of a mandatory standard could be reconsidered at that time.

A packet of information concerning (1) the specific nature of the risk of injury associated with chain saw kickbacks, (2) the basis for the Commission's determination concerning the need for a mandatory standard, and (3) additional information relating to the development of the proposed standard by the Commission which may be helpful to potential participants or other interested persons may be obtained from the Office of the Secretary.

D. Development of the Proposed Standard by the Commission

Under section 7 of the Consumer Product Safety Act, 15 U.S.C. 2056, a proposed consumer product safety standard may generally be developed in the following ways:

1. The Commission may solicit offers from persons or organizations outside the Commission to develop a recommended standard. Persons submitting such offers are referred to as "offerors," and the development of recommended standards in this manner is called the "offeror process."

2. The Commission may invite persons or organizations outside the Commission to submit to the Commission an existing standard which could be proposed as a consumer product safety standard.

3. The Commission may publish an existing standard or combination of existing standards as a proposed consumer product safety standard.

4. The Commission may develop the proposed standard itself if the Commission determines that it is "more expeditious" than development by the offeror process.

In the case of the kickback hazard associated with chain saws, the Commission is not aware of any standard issued, adopted, or proposed by any Federal department or agency or by any other qualified agency, organization, or institution that would adequately reduce the risk and could be published as a proposed standard by the Commission. However, any person (including any standards-writing organization, trade association, consumer organization, technical or professional society, testing laboratory, university or college department, wholesale or retail organization, Federal, State, or local government, engineering or research and development establishment, ad hoc association, or any company or person) is invited to submit to the Commission by June 10, 1981, an existing standard or combination of existing standards for consideration as the proposed consumer product safety standard. The existing standards the Commission knows about are discussed in more detail in section G of this notice.

In determining whether a standard should be developed by the Commission itself rather than through the offeror process, the Commission is required by section 7(b)(2) of the Consumer Product

Safety Act, 15 U.S.C. 2056(b)(2), to consider the following factors.

1. The nature of the risk of injury associated with the product.

2. The expertise of the Commission with respect to the risk of injury.

3. The expertise of the Commission in developing consumer product safety standards.

4. The resources available to the Commission and the priorities established by the Commission.

After considering these factors, the Commission determined that it would be more expeditious for the Commission to develop this standard itself rather than by the offeror process. A notice of this determination was published in the Federal Register on September 18, 1980 (45 FR 62392). How the Commission determined that each of these factors applies to the development of a mandatory safety standard for chain saw kickback is discussed separately below:

1. *The nature of the risk of injury associated with the product.* As discussed above, the risk of injury to be addressed by the standard is contact between the saw and the user resulting from the rapid upward and/or backward movement of the chain saw when there is sufficient interference with the movement of the chain. This risk of injury was studied by the Commission's staff during the development effort that was conducted in conjunction with CSMA. The staff has analyzed the incidents that have been reported to the Commission and is fully familiar with the details of these incidents. Therefore, the Commission's staff is at least as qualified as any offeror to analyze and identify the nature of the risk of injury associated with kickback from chain saws.

2. *The expertise of the Commission with respect to the risk of injury.* As a result of its previous analysis of this hazard and its participation in the previous voluntary effort to develop a standard, the Commission's staff is fully aware of all aspects of the risk of injury and of the techniques which are likely to be successful in reducing the risk. Many of the groups that could be considered potential offerors would have to duplicate much of what the Commission's staff has already done before they could proceed with the development of a standard. Accordingly, the Commission believes that the fact that the Commission already has a high degree of expertise with respect to the risk of injury would tend to make it more expeditious for the standard to be developed by the Commission rather than by the offeror.

3. *The expertise of the Commission in developing consumer product safety standards.* The Commission has issued four consumer product safety standards that were developed under section 7 of the act. As a result of developing mandatory safety standards under the CPSA, as well as developing standards under the other statutes administered by the Commission, the Commission's staff has acquired considerable expertise in the development of safety standards.

Furthermore, in relation to the development of this particular standard, the Commission already has a CSMA test device for measuring kickback energy installed in its laboratory and is installing another device that has been developed to measure chain saw kickback angles. These devices are needed to perform testing to obtain data for the development of a standard.

In addition to the development of the standard itself, before a standard can be promulgated by the Commission, the Commission must make the extensive findings required by section 9 of the act relating to the need for, and impact of, the standard and must provide substantial evidence showing why the requirements of the standard are reasonably necessary to reduce or eliminate an unreasonable risk of injury associated with the products. Although an offeror could draw on the experience of the Commission in formulating section 9 findings, an offeror cannot be expected to be as familiar with this aspect of the development of mandatory safety standards as is the Commission's staff.

In view of the fact that an offeror would have to become familiar with the existing information relevant to development of a standard addressing chain saw kickback and to the formulation of section 9 findings, and because an offeror would also have to obtain and calibrate test devices for measuring kickback energy and/or angles, the Commission estimates that it would take an offeror 12 to 18 months longer than the Commission to develop a recommended standard. This estimate is based on the assumption that it will not be necessary to do extensive rewriting or technical work on any standard developed by an offeror.

Because of the severe risk associated with this product, the Commission believes that it is essential that a standard be developed in the shortest possible time and with the maximum likelihood that the standard that is developed will be suitable for promulgation as a consumer product safety standard. In view of the expertise of the staff in the development of such standards and on the issue of chain saw kickback, the Commission concludes that the best way to ensure that these goals are achieved is for the Commission to develop the standard itself rather than by using the offeror process.

4. *The resources available to the Commission and the priorities established by the Commission.* In the case of a chain saw standard development proceeding, it is likely that an offeror would require compensation from the Commission for performing the work needed to develop a standard. Therefore, the Commission cannot conclude that the offeror process would be less burdensome to Commission resources than would development by the Commission. This is especially true since an offeror would have to perform extra work in becoming familiar with background materials and in acquiring suitable test equipment.

In addition, as explained above, an offeror is likely to take 12 to 18 months longer to develop a standard than would the Commission.

After considering the factors discussed above, the Commission determined that it will be more expeditious for the Commission to develop a consumer product safety standard for chain saws itself than for it to develop the standard by an offeror process.

The decision for the Commission to develop this standard itself does not mean that the Commission will not use the offeror process when appropriate in the development of future consumer product safety standards. The offeror process can be a useful way to develop standards with the expenditure of a minimum of staff time. In this case, however, the need to have a standard in place as soon as possible must take precedence.

The Commission's regulations governing the development of consumer product safety standards by the Commission are found at 16 CFR Part 1105, Subpart C.

E. Response to Comments

In the Federal Register of September 18, 1980 (45 FR 62392), the Commission published a notice announcing its determination to develop a standard itself and requesting public comment on the determination. In response to this Federal Register notice, the Commission received 36 comments. Although the Commission is not required by the Consumer Product Safety Act to reply to these comments, an explanation of the comments and the Commission's response to them are give below.

Two of these comments specifically supported the Commission's determination to develop the standard itself. Consumers Union (CU), publisher of *Consumer Reports*, agreed with the Commission's determination, citing the Commission's expertise regarding the hazard of chain saw kickback and the Commission's experience with the development of consumer product safety standards. CU also stated that, in view of the high priority that should be placed on the development of this standard, it was appropriate to use Commission staff resources to develop this standard.

A consumer who had been a participant in the Chain Saw Manufacturers Association's and CPSC's effort to develop a voluntary standard addressing chain saw kickback also supported the Commission's determination that it would be more expeditious for the Commission to develop the standard itself.

The most lengthy comments were supplied by CSMA. In the portion of its comments related to the Commission's determination to develop a standard itself, CSMA states that the fact that the Commission has the most experience in developing mandatory standards under the Consumer Product Safety Act and has the only experience in formulating the findings required by section 9 of the Act should "carry no weight in the determination of whether the agency should develop consumer product safety standards without resort to the offeror process." CSMA contends that these factors would apply to any proceeding and their "ritual invocation" would violate an alleged Congressional intent that the offeror process should normally be preferred.

This argument by CSMA overlooks the fact that in the statute Congress specifically provided that the Commission must consider its expertise in developing consumer product safety standards in deciding whether a standard should be developed by the Commission itself or through the offeror process. 15 U.S.C. 2056(b)(2). However, this is only one of the factors that must be considered. In this case, the Commission's considerable expertise concerning this risk of injury and the very high priority it has given to the development of a chain saw standard combine with the general expertise of the Commission concerning mandatory standards to lead to the conclusion that the Commission should develop this standard itself.

CSMA also argues that the Commission's development effort will duplicate work already done by the industry during the "joint" development effort that was unsuccessfully concluded. CSMA suggests that the Commission should seek offers from other parties in the hope that such offers may "suggest some other fruitful approach to the problem than simply to parallel the industry's effort." However, the Commission cannot justify adding to the delay in developing a standard that has already been occasioned by reliance on the industry's assurances concerning the development of a voluntary standard. The unspecified and speculative possibility of approaches that have not occurred either to the industry or the Commission can hardly warrant the time-consuming process of soliciting offers and evaluating them before the Commission begins to develop a standard itself. As noted below, the public is invited to participate with the Commission in developing the standard, and any suggestions that such participants make on how to approach the hazard of kickback will be fully considered.

CSMA's other comments did not address the merits of whether a standard should be developed by the Commission rather than by the offeror process. However, the additional CSMA comments are discussed briefly later.

Two CSMA members filed separate comments endorsing the CSMA comments that were submitted.

One individual commenter questioned whether the Commission had sufficient expertise to develop a standard that would not unduly restrict consumer choice of chain saw features. However, as explained above, the Commission believes its staff is as qualified as any likely offeror to make these determinations. Furthermore, the expertise of industry, consumer groups, and other interested persons will be solicated during the development of the standard.

Another individual commented, disagreeing with the "presumption" that the staff had greater expertise than "others who have dealt with this problem." However, the previous notice did not state that there were not persons more knowledgeable than the Commission's staff about various aspects of the kickback problem. What the earlier notice concluded was that it would be more expeditious for the Commission to develop a standard itself than for an offeror to do so. The expertise of interested persons outside the Commission can be drawn on through the public participation procedures outlined in section I of this notice.

The other comments that were received did not address the merits of the Commission's determination to develop a standard itself rather than to rely on the offeror process.

These comments need not be specifically addressed at this time since these issues will be considered in the future during the development of the standard. These comments included the following:

1. One commenter wrote to inform the Commission that he had developed certain unspecified inventions addressing kickback and possibly other hazards.

2. Another commenter noted that only about 25 percent of accidents associated with chain saws are reported to involve kickback and suggested that other areas also be addressed, such as fuel, engine exhaust, ventilation, flammable and inhaled dust, flying particles, falling objects, working at elevated positions, and noise. (The Commission notes, however, that kickback is the largest single identified cause of chain saw injuries.)

3. One commenter suggested that use of a particular newly developed chain would help to solve the kickback problem.

4. Another commenter expressed the fear that a standard would increase the weight and cost of chain saws and expressed the belief that people will continue to hurt themselves regardless of whether safety features to protect them are incorporated into the product.

5. CSMA urged the Commission to ensure that any standard it might issue shall be a performance standard if feasible, and to avoid design requirements.

6. CSMA noted several alleged procedural deficiencies with the **Federal Register** notice published on September 18, 1980. CSMA implies that the Commission has not consulted "with such interested parties as the Commission shall deem necessary" before developing a standard itself. However, the Commission's ongoing communications with representatives of CSMA, chain saw and saw chain manufacturers, and other interested parties have provided the Commission with the diversity of opinion that it needed to consider in deciding whether to develop the standard itself.

CSMA also notes that the **Federal Register** notice of September 18, 1980, did not state the time by which the Commission expected to develop a standard. That notice was intended to give interested parties as much notice as possible of the Commission's determination to develop a standard. At the time that notice was issued, the staff had not formulated a detailed estimate of the work needed for the development.

The staff now estimates that a standard can be developed and a proposal prepared by July 31, 1982. The Commission agrees that this information could affect the comments interested persons might like to submit concerning the Commission's determination to develop a standard. Therefore, until June 10, 1981, the Commission will accept comments on this or any other aspect of the Commission's determination to develop a standard itself. However, there is no need for previous commenters to repeat their earlier comments.

7. Several comments were received that were either generally in favor of the standard or in favor of a standard for saws of less than 3 cubic inch displacement.

8. Several comments were received either opposing a standard or opposing a standard applicable to "larger saws" or to saws over 3, 3.5, or 3.7 cubic inch displacement or that would affect the saws used by professional saw users.

9. One comment suggested that chain saw injuries were related to the consumption of alcohol.

10. Several commenters, including the Managing Editor of *Chain Saw Age Magazine*, suggested that kickback injuries should be addressed primarily by the education and training of users.

11. One commenter stated that users of chain saws should be licensed.

12. One commenter advocated the use of ballistic nylon pads and steel-toed shoes worn by chain saw users to protect against contact with the saw chain.

13. Several commenters stated that use of underpowered saws or saws with bars that are too short contributes to kickback injuries.

14. Several commenters stated that industry was already working on the kickback problem and that safety features are being voluntarily adopted as soon as they become available. One commenter contends that because of this, injury reduction estimates based on data gathered during 1977 and 1978 would be invalid.

15. One commenter implies that the number of hospitals reporting to the National Electronic Injury Surveillance System is insufficient to provide reliable statistical sample.

16. One commenter opposed a requirement for an interlock to require two-handed operation as being expensive, requiring a nonessential maintenance burden, and being capable of being intentionally disabled by consumers who find it inconvenient.

17. CSMA also filed extensive comments contending that it was not appropriate to initiate a mandatory standard development at this time. The Commission's response to these arguments is given below.

CSMA expressed its disagreement with the Commission's conclusion that the results from the earlier joint effort to develop a voluntary standard had been unsatisfactory. Although CSMA admits that additional work is still needed on a standard that was originally scheduled to have been developed over a year ago, and that will not be ready to propose as a voluntary standard until later this year, CSMA contends that it fulfilled its agreement with the Commission to develop a voluntary standard. Although the Commission would agree that the joint development effort was only intended to develop a standard that could then be formally introduced into the voluntary ANSI adoption process, CSMA has yet to reach this stage in the standard's development. (The Commission staff's specific criticisms of the standard developed by CSMA are explained in section C of this notice.)

CSMA states that it has performed additional testing and that an individual "has begun" analyzing data from 100 of these tests to confirm the validity of the standard developed by CSMA. CSMA implies that it is close to completing this project and that it is duplicative and wasteful for the Commission to begin to develop its own standard. *Chain Saw Age Magazine* and the National Arborist Association also advanced this contention. The Commission disagrees.

First, the description provided by CSMA of the additional work it has performed is general and of little use in attempting to evaluate the present status of their project. Additionally, much of the work which the Commission will do in the early stages of its standard development proceeding would also be necessary to obtain the data needed to determine the adequacy of the standard being developed by CSMA. Therefore, the work to be done by the Commission will be needed regardless of whether CSMA develops and implements its own standard.

CSMA also contends that the hand-held tests of chain saw kickback that it has conducted can be related to use of the saws by an unsuspecting user because a kickback takes place before the operator can react to the motion of the saw. This contention ignores the ability of an operator who is expecting a kickback to occur to brace himself in anticipation of the impending kickback. Only be careful controls on the test operators and by using low energy kickbacks that do not unduly threaten the operator can reliable results be obtained from hand-held tests. CSMA has not shown that its tests are sufficient in these regards.

After considering the comments received on the determination to develop a standard itself, the Commission reaffirms that determination, for the reasons given previously.

F. Technical Issues

As explained above, the injuries associated with kickback occur primarily when the saw chain and guide bar are propelled upward and/or backward and contact the operator. If the magnitude of the angle through which the saw moves when kickback occurs can be limited sufficiently, these injuries can be reduced. Another possible approach is to provide a chain brake that will stop will stop the movement of the saw chain before the chain contacts the user.

With regard to limiting the angle of kickback, the Commission has conducted 89 in-depth investigations of chain saw kickback accidents, and in 82 of these it was possible to estimate the angular position that the saw had achieved during kickback when it made contact with the operator. Therefore, if a performance requirement is feasible that would result in limiting the angle that a saw would travel if kickback occurs when the operator is not expecting it, the percentage of presently occurring injuries that take place outside that limit would be eliminated and the severity of some of the injuries that occur within that limit may be reduced. The way in which the Commission staff believes it is feasible to develop a standard limiting kickback angles is explained below.

In a nose tip kickback situation, a particular chain saw (including the particular powerhead, saw chain, and guide bar combination) is capable of developing a certain maximum energy at the tip of the guide bar under "worst case" conditions that depend on such factors as speed of the saw chain, the particular portion of the tip of the bar that is contacted, and the velocity at which contact occurs. CSMA has developed a kickback machine (KBM) that can measure the energy produced in kickback tests under controlled conditions. This machine can be used to determine the worst case conditions for a particular saw and the maximum kickback energy that the saw will produce.

In the development of the proposed standard, the Commission staff will use the KBM to test a number of chain saws and a newly developed low kickback energy chain to determine the kickback energies that can be achieved with

existing technology under a variety of conditions, including "worst case" conditions. These saws will also be tested while being held by hand under similar conditions. By analyzing the results of these tests, the staff expects to be able to establish categories of saws so that by establishing a maximum allowable kickback energy under specified conditions for each category, the saws will not exceed a predetermined angle in a kickback situation. Some of the factors that may be considered in devising the appropriate categories for the saws are engine displacement, weight, handle spacing, and guide bar length.

Other areas that will be investigated during the standard's development will be the extent to which actuation of a chain brake during kickback may affect the amount of kickback produced and the degree to which it is feasible to establish criteria to insure that a chain brake will actuate and stop the chain in time to prevent contact between the operator and a moving chain. Also, the severity potential for injury from kickback when the chain stops moving but still contacts the operator will be examined.

If the Commission learns that for some categories of saws the achievable kickback energy levels produce angles of kickback in hand-held tests that are too high, it may be necessary to require specific additional safety devices, such as chain brakes or nose tip guards, either with or without a limitation on maximum kickback energy, to protect consumers.

Data available to the Commission also indicate that a hand guard is a valuable safety feature in reducing injuries to the hands and fingers occuring during both nose and pinch type kickback and other chain saw accidents. Thus, any draft proposed standard that is developed could contain a requirement for a hand guard.

Furthermore, one-handed use of saws was reported in one-fourth of the kickback incidents, the majority of which involved gasoline saws with a displacement of 2.5 cubic inches or less. Thus, a requirement for an interlock or other feature to prevent one-handed operation will be considered for at least some categories of saws.

The Commission will also consider other approaches to reducing this unreasonable risk of injury that may be suggested during the development period. Persons who believe that other performance-oriented approaches are preferable, or who wish to suggest specific design-oriented alternatives for a standard, should either participate with the Commission in developing the standard as explained in section I of this notice or submit their ideas to the Commission's staff for its consideration during the development.

Chain saws are used in both consumer and professional applications. As defined in section 3(a)(1) of the Consumer Product Safety Act, 15 U.S.C. 2052(a)(1), "consumer products" subject to the act do not include products that are not used more than occasionally by consumers. The Commission does not intend to regulate saws that are used rarely by consumers but are intended for use in logging operations or other professional applications. Thus, consideration will be given during development of the standard to whether it is feasible to define the chain saws subject to the standard in terms of characteristics that are found in consumer saws but are not found in saws intended for professional use. Such characteristics might include engine displacement, guide bar length, weight, provision of consumer-oriented features, or combinations of these features. Alternatively, the standard could apply only to those chain saws that are "consumer products" as defined in the act, in which case the manufacturer would have to evaluate their sales and distribution patterns to determine if a particular model was sold more than occasionally to consumers and was thus subject to the standard.

It may also be possible to identify certain marketing channels available to professional users but rarely used by consumers. If so, it may be feasible to exempt chain saws that are sold in these channels from the scope of the standard, in order to reduce any unintended impact of the standard on professional users.

Another issue that will be addressed during the development proceeding is whether the standard should apply only to the assembled chain saw, only to components of the saw such as saw chain, or both, or whether replacement parts such as saw chain should also be subject to requirements of the standard. As to component parts, it may be that a particular requirement should apply to the manufacturer of a particular component, such as saw chain or guide bars, rather than only to the manufacturer of the assembled chain saw. Furthermore, if a manufacturer decided to meet a performance standard by providing certain features in a component such as the saw chain supplied with the saw, the replacement of that chain, after it became worn, with a different chain could mean that the protection intended by the performance standard would no longer be provided. For these reasons, therefore, where the term "chain saw" is used in this notice, it also refers to the components and replacement parts of chain saws so that the initial scope of the proceeding is defined broadly enough that components and replacement parts may be addressed in the final standard, if appropriate.

Other technical and factual issues that will be addressed during the development of the proposed standard are listed below.

1. The degree and nature of the risk of injury the standard is designed to eliminate or reduce.

2. The appropriate number of consumer products, or types of classes thereof, subject to the standard.

3. The need of the public for the consumer products subject to the standard, and the probable effect of the standard upon the utility, cost, or availability of the products to meet such need.

4. The special needs of elderly and handicapped persons and the extent to which such persons may be adversely affected by the standard.

5. The proper period of time between the issuance of a standard and the time that manufacturers would be required to comply with it.

6. Whether a standard written in performance terms is feasible, or whether the standard should specify design requirements such as chain brakes and/or saw chain or guide bar designs.

7. The potential environmental effects of a standard.

8. An estimation of the injury reduction that will be provided by the standard.

9. Appropriate requirements in connection with the possible need for a mandatory testing program and the certificates of compliance required by section 14 of the CPSA.

10. Other means of achieving the objective of the standard while minimizing adverse effects on competition or disruption or dislocation of manufacturing and other commercial practices consistent with public health and safety.

11. A description of and, if feasible, an estimate of the number of small businesses and other small entities to which a proposed standard will apply, together with a description of the compliance burden on these entities, as required by the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* (Pub. L. 96-354, Sept. 19, 1980; 94 Stat. 1164). In addition, that act requires consideration of alternatives to accomplish the rule's objectives while minimizing any

significant economic impact of the proposed rule on small entities.

12. Whether a "stockpiling" rule is needed to prevent excessive production of chain saws that do not comply with the final standard between the issuance of the standard and its effective date.

Persons who may have information relating to these and any other issues involved in the development of a standard to address the kickback hazard associated with chains saws are requested to submit such information at any time during the development, preferably by June 30, 1981, so that the Commission may consider the information during the development of the standard. Persons aware of any existing standards that may be relevant to this proceeding to develop a standard to address the kickback hazard associated with chain saws are also requested to notify the Commission.

The Commission's staff estimates that testing to obtain the data needed to write a recommended proposed standard and supporting rationale will be completed within a year. Additional time will be needed to thoroughly evaluate alternative requirements for a standard and to write the standard and supporting documents. The staff estimates that a recommended proposed standard can be presented for a Commission decision by July, 1982.

G. Existing Standards

The standards containing requirements addressing kickback that are known to the Commission to be in existence or under development are described below.

1. *United States standards.* The American National Standards Institute (ANSI) Safety Specification for Gasoline Powered Chain Saws, ANSI B–175.1, a voluntary standard, contains provisions addressing kickback and states that all gasoline chain saws "shall be equipped with a device intended to reduce the hazards associated with kickback." It also contains requirements for chain tensioning, since it is thought that a chain with a loose tension has a greater kickback tendency. Also, if a chain brake is provided, the standard has requirements for chain brake actuation devices and for chain stopping times. A similar standard is being developed for electic chain saws.

The Chain Saw Manufacturers Association standard, begun jointly with CPSC and still under development by CSMA, is described above in section C of this notice.

In addition, at least one state has proposed requirements that would be applicable to chain saws used commercially within that state. Washington State's proposed standard would essentially require chain brakes or tip guards or establish maximum allowable energy levels of kickback for different categories of saws. These categories are based on engine displacement, guide bar length, guide bar profile, and/or chain design. It is entirely possible that there would be major similarities between this standard and the standard that will be developed by the Commission. However, no rationale sufficient to support issuance of these requirements as a consumer product safety standard is known to exist.

2. *Foreign standards.* The information available to the Commission indicates that anti-kickback requirements have been issued or are being developed in Sweden, Finland, France, the Canadian Provinces, England, Australia, Germany, and Japan. In addition to requirements similar to those contained in the United States standards described above, these standards contain or are considering requirements or recommendations for chain brake actuation force, limitations on the kickback angle of a chain and bar combination (tested separately from the powerhead), and specific chain designs. Some countries require hand guards, chain brakes, and/or low kick chains. Several Canadian provinces also require hand guards and chain brakes.

The International Standards Organization is developing a standard for chain saws. A draft of this standard that was circulated for comment by the member nations contains requirements for chain brake performance, hand guards, and saw chain. To date, the Commission has not been provided with a detailed rationale for these draft requirements. The Commission will monitor the progress of the development of this standard in order to evaluate whether any of its kickback requirements are suitable for incorporation in a consumer product safety standard.

3. *Suitability of existing standards.* Although some of the requirements contained in existing standards show merit or promise, there are insufficient data available at this time to warrant adoption of any of these standards as a consumer product safety standard. In the first place, these standards generally do not provide any rationale to support the particular requirements. For example, there are no explanations of why chain brake actuation requirements are sufficient to ensure that, in use, a chain brake would actuate in time to prevent or reduce injury from kickback. Also, requirements for chain brake stopping times are not accompanied with data showing that these times will ensure that the chain stops before it contacts an operator in a kickback situation. Also, even a stopped chain that is propelled into an operator with some force may present an unreasonable risk of injury. These questions remain unresolved. Although injury data available to the Commission indicate that chain brakes can be helpful in reducing injuries, the Commission has not yet determined the extent to which chain brakes alone can provide protection or should be replaced by, or combined with, other protective features such as low kick chains and bars. Also, even where it might be appropriate to mandate a chain brake, the rationale for the particular requirements chosen must be developed.

Injury data from Sweden indicate that a hand guard can reduce the number of injuries to the hand and forearm. Therefore, the Commission may include requirements for a hand guard in any standard it develops.

As noted above, some foreign standards include performance requirements to limit the amount of kickback that a chain and guide bar will produce. The Swedish standard recommends as a goal a 120-degree limit on the angle produced by the chain and bar, when tested without the powerhead. This 120-degree goal is an indicator of kickback energy, but it does not predict the path of the saw during kickback. A French standard under development is also considering an angle limitation; however, the test method is not specified. Both of these would establish limitations on the energy which a particular saw could produce in kickback. However, as noted above in the explanation of how the Commission intends to develop a standard, kickback energy is only one of the factors that determine the degree of movement that will occur with different saws in a kickback situation. If it is feasible to do so, the Commission believes that it is desirable to develop requirements that are more closely related to the desired performance of the entire saw.

On the other hand, the approach to developing a standard being used by CSMA has not been sufficiently supported to serve as the approach to developing a mandatory standard. For example, the equations developed by CSMA to represent the forces applied to the saw by the operator's hands are based on assumptions that can only be validated by extensive testing with a variety of saws. If this testing does not confirm the original assumptions, different assumptions must then be

checked by further testing, or an entirely new approach would be necessary. The Commission has no assurance that it is possible to develop a standard along the lines being pursued by CSMA with a reasonable expenditure of resources within a reasonable time.

For these reasons, the Commission preliminarily concludes that the known existing standards are not suitable for proposal as a consumer product safety standard.

However, the Commission invites any standards-writing organization, trade association, consumer organization, technical or professional society, testing laboratory, university or college department, wholesale or retail organization, Federal, State, or local government agency, engineering or research and development establishment, ad hoc association, or any company or person to submit to the Commission an existing standard as the proposed consumer product safety standard by June 10, 1981.

H. Organization of the Development Effort

The Commission itself will ultimately approve the form and content of any standard for chain saw kickback that may be proposed. The staff will develop the data necessary to support the proposed standard and will prepare a draft proposed standard. The staff will forward the supporting data, the draft proposed standard, and the staff's recommendations and analysis to the Commission for its consideration.

The Commission's Program Manager for the Powered Equipment Hazard Program, Carl Blechschmidt, will be responsible for the compilation of data and development of the draft proposed standard as well as a draft proposed certification rule and possible testing program under section 14 of the CPSA, 15 U.S.C. 2063. He is also responsible for maintaining liaison with the public participants. (Unless otherwise noted, a reference in this notice to the "standard" also refers to the certification rule and possible testing program.) He will be assisted by the Powered Equipment Team Assistant Program Manager, Melvin Spencer, the Powered Equipment Team, which is composed of representatives from various Commission Directorates, and other staff of the Commission needed to develop and support the standard. (The Powered Equipment Team is a permanently established group in the Commission whose function is to investigate and make recommendations concerning regulatory and other actions relating to hazards associated with powered equipment.)

Within the legal guidelines furnished by the Office of General Counsel (OGC), and subject to the instructions of the Executive Director, the Powered Equipment Program Manager will make the final determinations of the substance of the staff recommendations for requirements of the standard, the test procedures, any mandatory testing program, and any certification rule and will make the other determinations required for the development of these items. Where development of the standard requires a balancing of competing interests (such as degree of protection vs. economic impact), he will make such determinations as are necessary to the expeditious development of the draft proposed standard, and will provide the Commission with an analysis of the pros and cons of the major alternatives encountered during the development of the standard. He will ensure that the technical and economic data required for the technical rationale and findings required by section 9 of the CPSA are developed by the staff. He will direct the scope of the staff's effort and, where appropriate, will determine which of various alternative approaches to risk reduction shall be investigated further. He will use his judgment in obtaining guidance on these determinations from the Commission's Associate Executive Directors, Director of the Office of Program Management, the Commission's Executive Director, or the Office of General Counsel. Where appropriate, the Executive Director may seek additional guidance from the Commissioners. The Program Manager will be responsible for presenting to the Commission the staff's recommendations, with a full discussion of the alternatives in major areas of controversy and reasons for and against selecting each alternative.

One or more persons from the Commission's staff will be assigned to assist the Program Manager in each of the following areas:

1. *Standard requirements.* A staff member will direct the group that will do the engineering work necessary for the development of the requirements of the recommended standard.

2. *Certification and Compliance strategy.* Staff members will work with the Office of General Counsel in preparing the draft proposed and final testing program, certification rule, and compliance strategy.

3. *Human factors.* A staff member will provide information on all aspects of human behavior associated with use and testing of chain saws.

4. *Economic impact.* A staff member will be responsible for analyzing the potential economic impact of the draft recommended standards and certification rules. This person will investigate the potential cost and other effects associated with testing and modifying saws to meet a variety of alternatives.

5. *Hazard analysis.* A staff member will provide the hazard analyses required to evaluate various standard provisions under consideration and to support the findings required by section 9 of the CPSA.

The development effort will also be aided by interested persons from outside the Commission (participants) in the manner described in section I below.

The Office of Public Participation (OPP) will handle the administrative responsibilities associated with recruitment of the participants, the selection of participants who may receive funding, and the payment of any Commission contribution to the cost of participants. If requests for contribution to the cost of participants are received, a Financial Compensation Selection Committee consisting of the General Counsel, Executive Director, and Secretary of the Commission, or their designees, will decide which requests for compensation will be granted. The Commission's procedures applicable to requests for funding are governed by the Commission's regulations at 16 CFR 1105.19 and are explained in section I of this notice.

The Directorate for Engineering Science (ES) will be responsible for the technical engineering aspects of the development of the standard, including:

a. Providing the staff members to do the engineering work needed to develop the requirements of the recommended proposed standard.

b. Coordinating engineering research and developing test methodology and analysis required for the standard.

c. Developing the criteria for the possible testing program and certification rule, in cooperation with the Office of General Counsel and the Powered Equipment Team member from the Directorate for Compliance and Administrative Litigation.

d. Informing participants of the technical engineering issues involved in the development of the standard.

The Division of Economic Program Analysis will analyze the economic aspects of the various alternatives offered and prepare economic impact statements. The Directorate for Hazard Identification and Analysis will be responsible for the collection and analysis of data to demonstrate the need for and effectiveness of various provisions of the standard, especially as

required by section 9(c) of the CPSA; and will provide information on all aspects of human behavior associated with the use and testing of chain saws.

The Directorate for Compliance and Administrative Litigation will develop the compliance strategy for enforcing the standard and, in cooperation with ES, will work with the Office of General Counsel in the development of a certification rule and possible testing program under section 14 of the CPSA. It is expected that a draft proposed and final certification rule and testing program, if appropriate, will be prepared along with a draft proposed and final standard. The staff believes that the simultaneous development of the draft certification rule and draft standard will reduce the total development time.

The Office of General Counsel (OGC) will provide guidance to the staff concerning the legal sufficiency of the information needed to support the issuance of a standard, including technical and economic supporting data. This shall include guidance at the stage when the need for contracts is being considered or questionnaires or surveys are being formulated, as well as review of draft documents. OGC shall ensure that the criteria in section 9 of the CPSA and the requirements of the National Environmental Policy Act (NEPA), the Regulatory Flexibility Act, and all other applicable statutes are considered and addressed during the development effort. OGC shall prepare the required **Federal Register** documents, including format and editorial aspects of the standard and certification rule, in consultation with the staff. An OGC representative shall attend team meetings as necessary. OGC shall assist in resolving official comments, **Federal Register** notices and determine the legal sufficiency of the responses to comments.

The Directorate for Communications will be responsible for:

a. Coordinating and disseminating information materials for the general public concerning the standard development proceeding.

b. Providing recommendations for any section of the standard dealing with instructions to the consumer.

The Commission shall maintain complete written records of the development of the proposed standard as provided in 16 CFR 1105.18(f). The Commission will make these records available for public inspection and will supply copies upon request, subject to the provisions of its statutes and regulations relating to the availability of Commission records, including 16 CFR Part 1015. Participants who request a financial contribution for the costs of their participation must keep complete records of the costs incurred (see section I below).

The Office of the Comptroller General of the United States or any of its duly authorized representatives shall have access, for the purpose of audit and examination, to any books, documents, papers, and records relevant to the development of the proposed standard or to the expenditure of any contribution of the Commission for the development of such proposed standard.

I. Public Participation

The Commission invites interested persons (including individual consumers, consumer organizations, manufacturers, distributors, retailers, importers, trade associations, professional and technical societies, testing laboratories, Federal and State agencies, and educational institutions) to participate with the Commission in the development of the standard in the manner described below.

Section 7(d)(4) of the Act requires that the Commission issue regulations governing the Commission's development of proposed consumer product safety rules by the Commission.

These regulations must include requirements for notice and opportunity for interested persons (including representatives of consumers and consumer organizations) to participate in the development of such standard. The Commission has issued regulations for the Commission development of proposed standards (16 CFR Part 1105, Subpart C; 44 FR 48618; August 17, 1979), and these regulations will be followed in this proceeding.

Public participation is provided in this proceeding by a series of public meetings, by individual task assignments, by written comments on the final draft, and by participation by phone and by mail during the development process. Funding is available for a limited number of participants, as described below. Participants may begin or end their participation in the proceeding at any time and may participate in any or all of the ways discussed below.

1. *Public meetings.* There will be 3 public meetings to be scheduled in Washington, D.C. at appropriate times during the development of the standard. The first meeting will be scheduled after selection of the funded participants. Prior to each scheduled meeting, the public participants will be provided with the material they will need to keep abreast of the progress of the development of the standard.

These public meeting will be for the purpose of briefing the public on major milestones in the development of the standard, and for receiving data and comments from the public participants.

At the public meetings, the participants may submit such information and make such comments as they see fit. However, the presiding officer of the meeting may require the participants to limit or combine their presentations if time limitations must be imposed. Participants may, however, make written comments to the Powered Equipment Hazard Program Manager at any time.

The public meetings will be announced in advance in the Commission's Public Calendar, which is a weekly publication distributed without charge. Any interested person may be placed on the mailing list for the Public Calendar by contacting the Office of the Secretary. In addition, persons who have notified the Office of the Secretary that they wish to participate in this proceeding will be directly notified of the time, place, and agenda of these meetings. These meetings will be open to any interested member of the public, space permitting. The Commission expects that any person who wishes to contribute information or comments at these meetings will have an opportunity to do so. However, if an exceptionally large number of persons desire to participate, space or time limitations may make it necessary to restrict the number of participants.

The first public meeting will be for the purpose of familiarizing the public participants with the information possessed by the Commission and obtaining initial input from the participants. If necessary, the meeting may extend for a second day.

Those persons who wish to participate in the development of the standard by attending meetings should notify the Commission's Office of Public Participation so that they may be provided with the appropriate background materials prior to each meeting.

In addition to participation by attendance at the public meetings described above, individual public participants may be given an opportunity to work on particular tasks during the standard development in conjunction with the appropriate staff team members. Such assignments must be approved by the Powered Equipment Program Manager and agreed to by the public participant involved. It is anticipated that these assignments would primarily involve participants with an applicable technical background. Participants who would be interested in participating in a task

assignment are encouraged to notify the Powered Equipment Program Manager. Among the technical backgrounds that would be relevant to this proceeding are expertise in the following areas:

a. Analyzing technical data from various types of high speed data gathering techniques.

b. Computer analysis techniques applied to the transfer of mechanical energy or force between a machine and its operator.

c. Testing and analysis of high speed portable equipment.

2. *Comment on final draft.* When the final staff draft of the recommended proposed standard has been prepared, a copy will be sent to all persons who have notified the Office of the Secretary of their interest in participating in the development of the recommended proposed standard as well as to other interested persons. These persons may submit written comments concerning the draft, which could include agreeing or disagreeing with any aspect of the draft. Where applicable, statements of disagreement should include alternate language suggested for the standard and the reasons, as specific and detailed as possible, for the alternate position. After making any changes to the draft resulting from consideration of the comments and statements of disagreement, the staff shall prepare a briefing package for the Commission, which will include an analysis of the comments and statements. Any statements of disagreement that are still applicable will be forwarded to the Commission with the briefing package and recommended proposed standard.

The actual decisions required for the development of the draft proposed standard will be made by the Commission's staff in the manner described in Section I above, and consensus or majority vote procedures will not be used in the development of the standard.

The staff shall keep minutes of all public meetings. These minutes will discuss the issues deliberated, the various positions discussed, alternatives offered, and assignments made. The will also highlight the advantages and disadvantages of various test procedures and the agenda of the next scheduled meeting. The minutes will discuss specific technical differences encountered during the meeting. Copies of the minutes will be sent to all persons who have contacted the Commission indicating that they wish to participate. In addition, the staff will forward to the Commission and the participants periodic reports on the progress of the development of the standard.

3. *Mail and/or phone.* For participants who wish to participate in ways in addition to those described above, or who cannot attend the public meetings, provision has been made for participation by mail or phone.

Participants periodically will be sent copies of meeting minutes, documents, drafts, etc., relating to the development of the standard. These persons may submit any comments or information by mail or phone to Carl Blechschmidt, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207, phone (301) 492–6557.

In addition, interested members of the public may submit oral or written comments to the Commission during a designated comment period after a standard has been proposed. In issuing any final standard, the Commission will publish its responses to all such comments in the **Federal Register.**

Funding for public participants. The Commission's regulations provide that the Commission may agree to contribute to the cost of persons who participate with the Commission in developing a proposed standard if the Commission determines:

(1) That a contribution is likely to result in a more satisfactory standard that would be developed without a contribution; and

(2) That the participant to whom a contribution is made is financially responsible.

The Commission has only limited funds available for contribution to public participants. In this proceeding the Commission initially has allocated $27,000 for this purpose and estimates that this could provide funding for up to 6 public participants for attendance at the public meetings and for limited task assignments. After considering the requests for funding, however, the Commission may decide to provide a different amount of funding for public participation.

The Commission expects that at least half of the funded participants would have an applicable area of technical expertise. However, funding for persons whose interests are those of general consumers will also be fully considered.

The Commission expects that persons applying for funding in response to this notice would be willing to participate during the entire development period. However, participants may apply for a contribution at any time and for all or part of the remaining development proceeding.

The Commission may compensate participants for any or all of the following costs:

(1) Salaries for participants, or employees of participants;

(2) Fees for consultants, experts, contractual services, and attorneys that are incurred by participants;

(3) Transportation costs;

(4) Travel-related costs such as lodging, meals, tipping, telephone calls; and

(5) All other reasonable costs incurred, such as document reproduction, postage, baby-sitting, and the like.

(6) Long-distance telephone calls to Commission staff.

Examples of the types of funding that would be considered by the Commission would include (1) transportation costs to the public meeting, (2) expenses of up to $75 per day for meals, lodging, and miscellaneous expenses for participants from outside the Washington, D.C. area and (3) compensation for time spent attending public meetings or in preparing for the meetings.

In considering whether a contribution is likely to result in a more satisfactory standard, the Financial Compensation Selection Committee shall consider (i) the need for representation of one or more particular interests, areas of expertise, or points of view in the development proceeding and (ii) the extent to which particular interests, points of view, or expertise can reasonably be expected to be represented if the Commission does not provide any financial contribution.

In order to be eligible to receive a financial contribution, a participant must request in advance a specific type of contribution with an explanation as to why the contribution is likely to result in a more satisfactory standard than would be developed without a contribution (see the preceding paragraph). The request for a contribution shall contain, to the fullest extent possible and appropriate, the following information:

(1) A description of the point of view, interest and/or expertise that the participant intends to bring to the proceeding;

(2) The reason(s) that representation of the participant's interest, point of view, or expertise can reasonably be expected to contribute substantially to a full and fair determination for the issues involved in the proceeding;

(3) An explanation of the economic interest, if any, that the participant has (or individuals or groups comprising the participant have) in any Commission determination related to the proceeding;

(4) A discussion, with supporting documentation, of the reason(s) a participant is unable to participate

effectively in the proceeding without a financial contribution;

(5) A description of the participant's employment or organization, as appropriate; and

(6) A specific and itemized estimate of the costs for which the contribution is sought.

Application forms or requests for contributions may be obtained from the Office of Public Participation, Office of the Secretary, 1111 18th Street, N.W., Washington, D.C. 20207. Requests should be submitted by June 30, 1981, or if later, at least 45 days before the person wishes to begin participation.

The Commission may authorize a financial contribution only for participants who meet all of the following criteria:

(1) The participant represents a particular interest, expertise, or point of view that can reasonably be expected to contribute substantially to a full and fair determination of the issues involved in the proceeding;

(2) The economic interest of the participant in any Commission determination related to the proceeding is small in comparison to the participant's costs of effective participation in the proceeding (if the participant consists of more than one individual or group, the economic interest of each of the individuals or groups comprising the participant shall also be considered, if practicable and appropriate); and

(3) The participant does not have sufficient financial resources available for effective participation in the proceeding in the absence of a financial contribution.

The Commission shall compensate participants only for costs that have been previously authorized and only for such costs actually incurred for participation in a proceeding.

The participant shall be paid upon submission of an itemized voucher listing each item of expense. Each item of expense exceeding $15 must be substantiated by a copy of a receipt invoice, or appropriate document evidencing the fact that the cost was incurred.

The Commission shall compensate participants only for costs that it determines are reasonable. As guidelines in these determinations, the Commission shall consider market rates and rates normally paid by the Commission for camparable goods and services, as appropriate.

Except for the provision of expenses such as airline, train, or bus tickets for authorized travel, compensation is usually reimbursed to participants and not paid in advance. However, the Commission may make any contribution in advance upon specific request, and the contribution may be made without regard to 31 U.S.C. 529, which prohibits advance payments in cases of contracts for the performance of services.

The items of cost toward which the Commission will not contribute include:

(1) Costs for the acquisition of any interest in land or buildings;

(2) Costs for the payment of items in excess of the participant's actual costs; and

(3) Costs determined not to be allowable under generally accepted accounting principles and practices or Part 1–15, Federal Procurement Regiulations (41 CFR Part 1–15).

J. Public Information of Chain Saw Safety

As noted above, the Commission expects that it will be over a year from now before a proposed safety standard for chain saw kickback can be published. In the meantime, the Commission has considered how it could best give information to consumers concerning available chain saw features that could reduce the hazard of kickback. The Commission's staff has developed the following statement that could be used in Commission materials on chain saw safety and in response to consumer inquiries. Persons who wish to comment on this statement may do so during the 30-day comment period provided in this notice.

Kickback: is the sudden movement of the saw toward the operator and is usually caused when the upper part of the tip of the guide bar touches wood or some other object. Reduce the chance that you will suffer a serious kickback injury from chain saws. Before you buy, rent, or borrow a saw, consider safety features such as these:

Hand guard: provides a protective barrier between your hand and the moving chain.

Nose guard: when in place, covers the chain where it passes around the tip of the guide bar, thus preventing kickback.

Low-kick chain: reduces the energy of the most common type of kickback.

Low-kick bar: reduces the energy of the most common type of kickback.

Chain brake: can stop the chain after kickback starts.

K. Public Comment on the Determination for the Commission To Develop the Standard

As noted above, the Commission has already received comment on its determination to develop the standard itself. However, interested persons who wish to submit additional coments on this issue may submit written comments by June 10, 1981, to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207

L. Conclusion

Therefore, under section 7 of the Consumer Product Safety Act, 15 U.S.C. 2056, and after considering the factors specifed in section 7(b)(2) of the act, by publication of this notice in the **Federal Register** the Commission begins the development of a proposed consumer product safety standard addressing chain saw kickback.

Dated: May 5, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 81-14137 Filed 5-8-81; 8:45 am]

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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 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
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Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.
Comments on this program are still invited.
Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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 April 17, 1980

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WHEN: May 15 and June 12, 1981, at 9 a.m. (identical sessions).

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