AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

OK

8-9-82
Vol. 47 No. 153
Pages 34349-34508

Federal Register

Monday
August 9, 1982

Selected Subjects

Advisory Committees
Land Management Bureau

Airspace
Federal Aviation Administration

Animal Feeds
Commodity Credit Corporation

Aviation Safety
Federal Aviation Administration

Endangered and Threatened Wildlife
Fish and Wildlife Service

Fisheries
National Oceanic and Atmospheric Administration

Flood Insurance
Federal Emergency Management Agency

Grant Programs—Housing and Community Development
Housing and Urban Development Department

Hunting
Fish and Wildlife Service

Lawyers
Government National Mortgage Association

Marine Safety
Coast Guard

Marketing Agreements
Agricultural Marketing Service

National Gas
Federal Energy Regulatory Commission

CONTINUED INSIDE

Selected Subjects

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers, free of postage, for $300.00 per year, or $150.00 for six months, payable in advance. The charge for individual copies is $1.50 for each issue, or $1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the **Federal Register.**

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.

Organization and Functions (Government Agencies)
Federal Housing Commissioner—Office of Assistant Secretary for Housing

Poultry and Poultry Products
Food Safety and Inspection Service

Radio
Federal Communications Commission

Securities
Securities and Exchange Commission

Contents

Federal Register
Vol. 47, No. 153
Monday, August 9, 1982

The President
EXECUTIVE ORDERS
34349 Drunk Driving, Presidential Commission on (EO 12376)

Executive Agencies

Agricultural Marketing Service
RULES
34351 Marketing orders; expenses and rate of assessment
34351 Oranges, grapefruit, tangerines, and tangelos grown in Fla.; interim rule and request for comments
34353 Potatoes (Irish) grown in Idaho and Oreg.

Agriculture Department
See Agricultural Marketing Service; Commodity Credit Corporation; Food Safety and Inspection Service.

Civil Aeronautics Board
NOTICES
Hearings, etc.:
34438 Aeroamerica fitness investigation
34438 Arrow Airways, Inc.
34439 Maine Air fitness determination

Civil Rights Commission
NOTICES
Meetings; State advisory committees:
34439 North Carolina
34439 Utah

Coast Guard
RULES
Navigation safety regulations:
34388 Radar requirement for certain tankers
PROPOSED RULES
Ports and waterways safety:
34432 Shipping safety fairways

Commerce Department
See International Trade Administration; National Oceanic and Atmospheric Administration.

Commodity Credit Corporation
RULES
Loan and purchase programs:
34356 Emergency feed program; final rule
NOTICES
34483 Meetings; Sunshine Act

Commodity Futures Trading Commission
NOTICES
34483 Meetings; Sunshine Act

Customs Service
RULES
34368 Instruments and apparatus for educational and scientific institutions; correction
NOTICES
34482 Reimbursable services; excess cost of preclearance operations

Defense Department
See also Defense Mapping Agency.
NOTICES
34441 Privacy Act; systems of records

Defense Mapping Agency
NOTICES
Senior Executive Service:
34444 Performance Review Board; membership

Energy Department
See Energy Research Office; Federal Energy Regulatory Commission.

Energy Research Office
NOTICES
Meetings:
34445 Magnetic Fusion Advisory Committee

Federal Aviation Administration
RULES
Air traffic operating and flight rules:
34363 Air traffic control system; interim operations plan; transfers and exchanges of slots
Airworthiness directives:
34357 Bell
34359 Hughes
34358 Nomad
34360 Pratt & Whitney
34364 IFR altitudes
34362 Restricted areas
34361, 34362 Transition areas (2 documents)
PROPOSED RULES
Airworthiness directives:
34429 General Electric; extension of time
34430 Switlik Parachute Co., Inc.
34431 Transition areas
NOTICES
Meetings:
34480 Aeronautics Radio Technical Commission

Federal Communications Commission
RULES
Communications equipment:
34420 Auditory training devices; assistance services to handicapped
Frequency allocations and radio treaty matters:
34415 Non-government radiolocation, inland expansion; use of spread spectrum technology, etc.
Radio stations; table of assignments:
34423 Arizona (2 documents)
34424 Arkansas
34424 Colorado
34424 Mississippi
34425 Pennsylvania
34426 Texas
Television stations; table of assignments:
34425 Mississippi; correction
PROPOSED RULES
Radio stations; table of assignments:
34436 Colorado; withdrawn

NOTICES
34451 Agency forms submitted to OMB for review
34483 Meetings; Sunshine Act
34451 Rulemaking proceedings filed, grants, denied, etc.; petitions by various companies
World Administrative Radio Conference:
34451 Mobile telecommunications; 1983 agenda and U.S. proposals; inquiry; correction

Federal Election Commission
NOTICES
34483 Meetings; Sunshine Act

Federal Emergency Management Agency
RULES
Flood elevation determinations:
34397 Florida et al.
34399 Kansas
34399 South Carolina; correction
Flood insurance; communities eligible for sale:
34393 Connecticut et al.
34392, 34395 New York et al. (2 documents)
Flood insurance; special hazard areas:
34400 Arkansas et al.
34397 New York
Flood insurance; special hazard areas; map corrections:
34401 Arizona
34401 Arkansas
34389, 34390 Colorado (2 documents)
34402, 34403 Florida (3 documents)
34404 Georgia
34391 Michigan
34391 Nebraska
34404 New Jersey
34405 North Carolina
34406 North Dakota
34406–34409 Oklahoma (5 documents)
34409 Puerto Rico
34410 South Carolina
34410 Tennessee
34411–34414 Texas (7 documents)
34415 Vermont
34400 Wisconsin

Federal Energy Regulatory Commission
RULES
Natural Gas Policy Act:
34371 Ceiling prices for high cost natural gas produced from tight formations; various States (Kentucky)
34371, 34372 Ceiling prices for high cost natural gas produced from tight formations; various States (New Mexico) (2 documents)
34374 Ceiling prices for high cost natural gas produced from tight formations; various States (Texas)
34374 Ceiling prices for high cost natural gas produced from tight formations; various States (Wyoming)
NOTICES
Hearings, etc.:
34445 Algonquin Gas Transmission Co.
34446 Beyer, Roy M.
34446 Plaza Arco et al.
34448 Richvale Irrigation District
34449 South Jersey Exploration Co. et al.
34449 Southern California Edison Co.
34450 Transwestern Pipeline Co.
Natural gas companies:
34446 Certificates of public convenience and necessity; applications, abandonment of service and petitions to amend (Mobil Oil Corp. et al.)
34448 Small producer certificates, applications (Ocelot Oil Co. et al.)
Small power production and cogeneration facilities; qualifying status; certification applications, etc.:
34448 Siskiyou County Flood Control & Water Conservation District

Federal Home Loan Bank Board
NOTICES
34483, 34484 Meetings; Sunshine Act (2 documents)

Federal Housing Commissioner—Office of Assistant Secretary for Housing
RULES
34375 Substantial Compliance Committee; composition
NOTICES
Committees; establishment, renewals, terminations, etc.:
34454 Substantial Compliance Committee

Federal Reserve System
NOTICES
Applications, etc.:
34452 Citibank International
34453 Mountain View Bancorporation, Inc.
34453 Provident Bancorp, Inc., et al.
Bank holding companies; proposed de novo nonbank activities:
34451 Chase Manhattan Corp. et al.

Federal Trade Commission
NOTICES
Premerger notification waiting periods; early terminations:
34453 United Technologies Corp.

Fiscal Service
NOTICES
Surety companies acceptable on Federal bonds:
34482 Capitol Indemnity Corp.; correction

Fish and Wildlife Service
RULES
Migratory bird hunting:
34498 Seasons, limits, and shooting hours; establishment, etc.
PROPOSED RULES
Endangered and threatened species:
34436 Santa Barbara song sparrow
NOTICES
34454 Endangered and threatened species permit applications

Food Safety and Inspection Service
PROPOSED RULES
Meat and poultry inspection, mandatory:
34428 Poultry carcasses and parts condemned for disease; disposition

Foreign Claims Settlement Commission
NOTICES
34483 Meetings; Sunshine Act

Government National Mortgage Association
RULES
34376 Attorneys-in-fact list

Housing and Urban Development Department
See also Federal Housing Commissioner—Office of Assistant Secretary for Housing; Government National Mortgage Association.
RULES
Low income housing:
34376 Housing assistance payments (Section 8); moderate rehabilitation; interim rule and request for comments

Interior Department
See Fish and Wildlife Service; Land Management Bureau.

Internal Revenue Service
PROPOSED RULES
Income taxes:
34431 Individual estimated tax, deposits through Federal Tax Deposit (FTD) system; hearing

International Trade Administration
RULES
34368 Instruments and apparatus for educational and scientific institutions; correction

International Trade Commission
NOTICES
Import investigations:
34473 Molded-in sandwich panel inserts and installation methods

Interstate Commerce Commission
NOTICES
34454 Long and short haul applications for relief
Motor carriers:
34454, 34455, 34462, 34463 Permanent authority applications (4 documents)
34464 Permanent authority applications; operating rights republication
34459 Permanent authority applications; restriction removals
34464 Temporary authority applications
Rail carriers; contract tariff exemptions:
34471, 34472 Burlington Northern Railroad Co. (2 documents)
34472 Kansas City Southern Railway Co.
34472 Norfolk & Western Railway Co.
34473 Union Pacific Railroad Co.
Railroad services abandonment:
34472 Pittsburgh & Lake Erie Railroad Co. et al.

Justice Department
See also National Institute of Justice.
NOTICES
Pollution control; consent judgments:
34474 Continental Grain Co.
34474 Guardian Industries Corp.

Land Management Bureau
RULES
Program management:
34389 Advisory committees; membership; extension of terms
NOTICES
Withdrawal and reservation of lands, proposed, etc.:
34454 Oregon; correction

National Institute of Justice
NOTICES
Meetings:
34474 Advisory Board

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
34426 Ocean salmon off coasts of Calif., Oreg., and Wash.; closure
34426 Ocean salmon off coasts of Calif., Oreg., and Wash.; emergency interim rule; correction
PROPOSED RULES
Fishery conservation and management:
34437 Atlantic Billfishes and Sharks fisheries; meetings
NOTICES
Experimental fishing permit applications:
34439 Pacific Coast groundfish; inquiry

Nuclear Regulatory Commission
NOTICES
34476 Agency forms submitted to OMB for review
Applications, etc.:
34475 Duquesne Light Co. et al.
34476 Mississippi Power & Light Co. et al.
Meetings:
34474, 34475 Reactor Safeguards Advisory Committee (2 documents)

Pension Benefit Guaranty Corporation
NOTICES
Multiemployer pension plans; bond/escrow exemption requests:
34476 Leonard Silver Manufacturing Co., Inc.

Railroad Retirement Board
NOTICES
34478 Agency forms submitted to OMB for review

Securities and Exchange Commission
RULES
34368 Brokers and dealers, SECO; annual assessment form
NOTICES
Hearings, etc.:
34478 Goldfield Deep Mines of Nevada

State Department
NOTICES
34480 El Salvador; continuation of assistance
Meetings:
34479, 34480 International Telegraph and Telephone Consultative Committee (3 documents)
34479 Shipping Coordinating Committee (2 documents)

Transportation Department
See Coast Guard; Federal Aviation Administration; Urban Mass Transportation Administration.

Treasury Department
See also Customs Service; Fiscal Service, Internal Revenue Service.
NOTICES
Boycotts, international:
34482 Countries requiring cooperation; list

Urban Mass Transportation Administration
NOTICES
Environmental statements; availability, etc.:
34481 Queens/Long Island Corridor, N.Y.; Metropolitan Transportation Authority's subway facilities, modernization; scoping meeting
Grants; availability, etc.:
34480 Bus call; acquisition of standard size and articulated transit buses

White House Fellowships, President's Commission
NOTICES
34477 Privacy Act; systems of records

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR
Executive Orders:
12358 (Amended by EO 12376)....34349
12376....34349

7 CFR
905....34351
911....34351
915....34351
916....34351
917....34351
918....34351
919....34351
921....34351
922....34351
923....34351
924....34351
930....34351
945 (2 documents)....34351, 34353
946....34351
947....34351
948....34351
953....34351
958....34351
967....34351
985....34351
993....34351
1475....34356

9 CFR
Proposed Rules:
381....34428

14 CFR
39 (4 documents)....34357–34360
71 (2 documents)....34361–34362
73....34362
91....34363
95....34364
Proposed Rules:
39 (2 documents)....34429, 34430
71....34431

15 CFR
301....34368

17 CFR
249....34368

18 CFR
271 (5 documents)....34371–34374

24 CFR
200....34375
300....34376
882....34376

26 CFR
Proposed Rules:
1....34431

33 CFR
164....34388
Proposed Rules:
166....34432

43 CFR
1780....34389

44 CFR
64 (3 documents)....34392–34395
65 (2 documents)....34397, 34400
67 (3 documents)....34397, 34399
70 (30 documents)....34389–34391, 34400–34415

47 CFR
2....34415
15....34420
73 (8 documents)....34423–34426
90....34415
Proposed Rules:
73....34436

50 CFR
20....34498
661 (2 documents)....34426
Proposed Rules:
17....34436
285....34437

Federal Register
Vol. 47, No. 153
Monday, August 9, 1982

Presidential Documents

Title 3—

The President

Executive Order 12376 of August 5, 1982

Presidential Commission on Drunk Driving

By the authority vested in me as President by the Constitution of the United States of America, and in order to increase the membership of the Presidential Commission on Drunk Driving by two, it is hereby ordered that the second sentence of Section 1 of Executive Order No. 12358 of April 14, 1982, is amended to read as follows: "The Commission shall be composed of no more than 28 members appointed by the President.".

Ronald Reagan

THE WHITE HOUSE,
August 5, 1982.

[FR Doc. 82-21628
Filed 8-5-82; 4:12 pm]
Billing code 3195-01-M

Rules and Regulations

Federal Register
Vol. 47, No. 153
Monday, August 9, 1982

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 905

[Orange, Grapefruit, Tangerine and Tangelo Reg. 6, Amdt. 11]

Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Amendment of Tangerine Size Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim rule with request for comments.

SUMMARY: This regulation increases the minimum size requirement applicable to fresh shipments of Dancy variety tangerines from 2 4/16 inches to 2 5/16 inches in diameter during the period August 23, 1982, through October 17, 1982. Such action is necessary to promote orderly marketing of suitable sizes of tangerines.

DATES: August 23, 1982, through October 17, 1982; comments which are received by September 8, 1982 will be considered prior to issuance of a final rule to become effective October 18, 1982.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250; telephone (202) 447–5975.

SUPPLEMENTARY INFORMATION: This rule has been reviewed under USDA procedures and Executive Order 12291 and has been designated a "non-major" rule. 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. This action is designed to promote orderly marketing of the Florida Dancy tangerine crop for the benefit of producers, and will not substantially affect costs for the directly regulated handlers.

This amendment is issued under the marketing agreement and Order No. 905 (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines and tangelos grown in Florida. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendation and information submitted by the Citrus Administrative Committee, and upon other available information. It is hereby found that the regulation of Florida Dancy tangerines, as hereinafter provided, will tend to effectuate the declared policy of the Act.

This interim rule would be effective during the period August 23, 1982, through October 17, 1982. Interested persons are invited to comment through September 8, 1982 with regard to the interim rule and the proposed final regulation.

This amendment would increase limitations on the handling of Dancy tangerines by permitting each handler, during the period August 23, 1982, through October 17, 1982, to ship 176 size (2 5/16 inches) or larger Dancy tangerines. The committee indicates that the anticipated size composition of the crop of Dancy tangerines will be such that more than ample supplies of the more desirable larger sizes will be available to satisfy the demand in regulated channels. The committee reports that when more than ample supplies of larger sizes are available for shipment, disposition of the sizes eliminated by this regulation can be accomplished only at a substantial price discount and this tends to depress the market for all sizes. Dancy tangerines failing to meet the prescribed size requirements may be left on the trees to attain further growth or utilized in processing. In these circumstances, elimination of sizes smaller than those specified is appropriate in the interest of producers and consumers.

It is found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date of this interim rule until 30 days after publication in the **Federal Register** (5 U.S.C. 553), and good cause exists for making these regulatory provisions effective as specified in that (1) shipment of the 1982–83 Florida citrus crop will begin on or about the effective date; (2) the Dancy tangerine regulation was recommended by the committee following discussion at a public meeting; and (3) Florida citrus handlers have been apprised of these requirements for Dancy tangerines and the effective date.

List of Subjects in 7 CFR 905

Agricultural marketing service, Marketing agreements and orders, Florida, Grapefruit, Oranges, Tangelos, Tangerines.

PART 905—ORANGES, GRAPEFRUIT, TANGERINES AND TANGELOS GROWN IN FLORIDA

Accordingly, the provisions of § 905.306 (Orange, Grapefruit, Tangerine and Tangelo Regulation 6 (46 FR 60170; 60411; 61441; 47 FR 589; 5912; 5699; 6248; 7203; 10065; 21755; 25935) are amended by revising Table I paragraph (a) to read as follows:

§ 905.306 Orange, Grapefruit, Tangerine, and Tangelo Regulation 6.

(a) * * *

TABLE I

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
*	*	*	*
Tangerines:			
Dancy.....	8/23/82–10/17/82	U.S. No. 1.....	2 5/16
*	*	*	*

* * * * *

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

Dated: August 4, 1982.

Russell L. Hawes,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 82–21405 Filed 8–6–82; 8:45 am]

BILLING CODE 3410–02–M

7 CFR Parts 911, 915, 916, 917, 918, 919, 921, 922, 923, 924, 930, 945, 946, 947, 948, 953, 958, 967, 985, and 993

Expenses and Rates of Assessment for Specified Marketing Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses of the committees functioning under Marketing Orders 911, 915, 916, 917, 918, 919, 921, 922, 923, 924, 930, 945, 946, 947, 948, 953, 958, 967, 985, and 993. Funds to administer these programs are derived from assessments on handlers of the fruits, vegetables and specialty crops regulated under the orders.

EFFECTIVE DATES: March 1, 1982–February 28, 1983 (§§ 916.221, 917.232, 917.233, 917.234, 918.219); April 1, 1982–March 31, 1983 (§§ 911.221, 915.221, 921.221, 922.222, 923.222, 924.222); May 1, 1982–April 30, 1983 (§ 930.212); June 1, 1982–May 31, 1983 (§§ 953.219, 985.302); July 1, 1982–June 30, 1983 (§§ 919.221, 946.235, 947.235, 948.287, 948.288, 958.226); August 1, 1982–July 31, 1983 (§§ 945.235, 967.218, 993.333).

FOR FURTHER INFORMATION CONTACT: Charles W. Porter, Chief, Vegetable Branch, F&V, AMS, USDA, Washington, D.C. 20250, (202) 447–2615.

SUPPLEMENTARY INFORMATION: This rule has been reviewed under Secretary's Memorandum 1512–1 and Executive Order 12291 and has been designated a "nonmajor" rule. 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 not significantly affect costs for the directly regulated handlers.

These marketing orders are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). These actions are based upon the recommendations and information submitted by each committee, established under the respective marketing order, and upon other information. It is found that the expenses and rates of assessment, as hereinafter provided, will tend to effectuate the declared policy of the act.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rulemaking and good cause exists for not postponing the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553). Each order requires that the rate of assessment for a particular fiscal period shall apply to all assessable fruits, vegetables, and specialty crops handled from the beginning of such period. To enable the committees to meet current fiscal obligations, approval of the expenses is necessary without delay. It is necessary to effectuate the declared policy of the act to make these provisions effective as specified, and handlers have been apprised of such provisions, and the effective time.

List of Subjects in 7 CFR Parts 911–993

Marketing Agreements and Orders, Apricots, Avocados, Celery, Cherries, Limes, Nectarines, Onions, Peaches, Pears, Plums, Potatoes, Prunes, Spearmint Oil.

Sections 911.220 (M. O. 911), 915.220 (M. O. 915), 916.220 (M. O. 916), 917.229, 917.230, and 917.231 (M. O. 917), 918.218 (M. O. 918), 919.220 (M. O. 919), 921.220 (M. O. 921), 922.221 (M. O. 922), 923.221 (M. O. 923), 924.221 (M. O. 924), 930.211 (M. O. 930), 945.234 (M. O. 945), 946.234 (M. O. 946), 947.234 (M. O. 947), 948.285 and 948.286 (M. O. 948), 953.218 (M. O. 953), 958.225 (M. O. 958), 967.217 (M. O. 967), 985.301 (M. O. 985), and 993.332 (M. O. 993) are removed and new sections are added as follows: (the following sections prescribe annual expenses and assessment rates and will not be published in the Code of Federal Regulations).

PART 911—LIMES GROWN IN FLORIDA

§ 911.221 Expenses and assessment rate.

Expenses of $306,270 by the Florida Lime Administrative Committee are authorized and an assessment rate of $0.29 per bushel of limes is established for the fiscal year ending March 31, 1983.

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

§ 915.221 Expenses and assessment rate.

Expenses of $305,339 by the Avocado Administrative Committee are authorized, and an assessment rate of $0.28 per bushel of avocados is established for the fiscal year ending March 31, 1983.

PART 916—NECTARINES GROWN IN CALIFORNIA

§ 916.221 Expenses and assessment rate.

Expenses of $1,859,672 by the Nectarine Administrative Committee are authorized, and an assessment rate of $0.15 per No. 22D standard lug box of nectarines is established for the fiscal year ending February 28, 1983; and unexpended funds may be carried over from the fiscal year ending February 28, 1982.

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

§ 917.232 Expenses and assessment rate.

Expenses of $555,850 by the Pear Commodity Committee are authorized, and an assessment rate of $0.16 per No. 29B special lug box of pears is established for the fiscal year ending February 28, 1983.

§ 917.233 Expenses and assessment rate.

Expenses of $1,646,640 by the Plum Commodity Committee are authorized, and an assessment rate of $0.16 per No. 22D standard lug box of plums is established for the fiscal year ending February 28, 1983; and unexpended funds may be carried over from the fiscal year ending February 28, 1982.

§ 917.234 Expenses and assessment rate.

Expenses of $1,772,132 by the Peach Commodity Committee are authorized, and an assessment rate of $0.15 per No. 22D standard lug box of peaches is established for the fiscal year ending February 28, 1983; and unexpended funds may be carried over from the fiscal year ending February 28, 1982.

PART 918—FRESH PEACHES GROWN IN GEORGIA

§ 918.219 Expenses and assessment rate.

Expenses of $18,600 by the Industry Committee are authorized, and an assessment rate of $0.01 per bushel of peaches is established for the fiscal period ending February 28, 1983.

PART 919—PEACHES GROWN IN MESA COUNTY, COLORADO

§ 919.221 Expenses and assessment rate.

Expenses of $1,000 by the Administrative Committee are authorized, and an assessment rate of $0.01 per bushel of peaches is established for the fiscal year ending June 30, 1983.

PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTRIES IN WASHINGTON

§ 921.221 Expenses and assessment rate.

Expenses of $17,078.50 by the Washington Fresh Peach Marketing Committee are authorized, and an assessment rate of $2.00 per ton of peaches is established for the fiscal year ending March 31, 1983; and unexpended funds from the fiscal year ended March 31, 1982, shall be carried over as a reserve.

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

§ 922.222 Expenses and assessment rate.

Expenses of $4,185.50 by the Washington Apricot Marketing Committee are authorized and an assessment rate of $2.25 per ton of apricots is established for the fiscal year ending March 31, 1983; and unexpended funds from the fiscal year ended March

31, 1982, shall be carried over as a reserve.

PART 923—SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

§ 923.222 Expenses and assessment rate.

Expenses of $52,541.50 by the Washington Cherry Marketing Committee are authorized, and an assessment rate of $1.25 per ton of cherries is established for the fiscal year ending March 31, 1983; and unexpended funds may be carried over from the fiscal year ending March 31, 1982.

PART 924—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREGON

§ 924.222 Expenses and assessment rate.

Expenses of $30,549.50 by the Washington-Oregon Fresh Prune Marketing Committee are authorized, and an assessment rate of $1.50 per ton of prunes is established for the fiscal year ending March 31, 1983; and unexpended funds from the fiscal year ended March 31, 1982, shall be carried over as a reserve.

PART 930—CHERRIES GROWN IN MICHIGAN, NEW YORK, WISCONSIN, PENNSYLVANIA, OHIO, VIRGINIA, WEST VIRGINIA, AND MARYLAND

§ 930.212 Expenses and assessment rate.

Expenses of $125,670 by the Cherry Administrative Board are authorized, and an assessment rate of $1.05 per ton of cherries delivered for processing is established for the fiscal year ending April 30, 1983.

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREGON

§ 945.235 Expenses and assessment rate.

Expenses of $66,370 by the Idaho-Eastern Oregon Potato Committee are authorized, and an assessment rate of $0.0026 per hundredweight of potatoes is established for the fiscal period ending July 31, 1983. Unexpended funds shall be carried over as a reserve.

PART 946—IRISH POTATOES GROWN IN WASHINGTON

§ 946.235 Expenses and assessment rate.

Expenses of $24,750 by the State of Washington Potato Committee are authorized, and an assessment rate of $0.003 per hundredweight of potatoes is established for the fiscal period ending June 30, 1983. Unexpended funds shall be carried over as a reserve.

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES, CALIFORNIA, AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

§ 947.235 Expenses and assessment rate.

Expenses of $37,895 by the Oregon-Northern California Potato Committee are authorized, and an assessment rate of $0.004 per hundredweight of potatoes is established for the fiscal period ending June 30, 1983. Unexpended funds shall be carried over as a reserve.

PART 948—IRISH POTATOES GROWN IN COLORADO

§ 948.287 Expenses and assessment rate.

Expenses of $1,375 by the Colorado Area 3 Potato Committee are authorized, and an assessment rate of $0.0025 per hundredweight of potatoes is established for the fiscal period ending June 30, 1983. Unexpended funds shall be carried over as a reserve.

§ 948.288 Expenses and assessment rate.

Expenses of $28,981 by the Colorado Area 2 Potato Committee are authorized, and an assessment rate of $0.00257 per hundredweight of potatoes is established for the fiscal period ending June 30, 1983. Unexpended funds shall be carried over as a reserve.

PART 953—IRISH POTATOES GROWN IN SOUTHEASTERN STATES

§ 953.219 Expenses and assessment rate.

Expenses of $11,725 by the Southeastern Potato Committee are authorized, and an assessment rate of $0.005 per hundredweight of potatoes is established for the fiscal period ending May 31, 1983. Unexpended funds may be carried over as a reserve.

PART 958—ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREGON

§ 958.226 Expenses and assessment rate.

Expenses of $447,000 by the Idaho-Eastern Oregon Onion Committee are authorized, and an assessment rate of $0.0725 per hundredweight of onions is established for the fiscal period ending June 30, 1983. Unexpended may shall be carried over as a reserve.

PART 967—CELERY GROWN IN FLORIDA

§ 967.218 Expenses and assessment rate.

Expenses of $164,000 by the Florida Celery Committee are authorized, and an assessment rate of $0.025 per crate of celery is established for the fiscal year ending July 31, 1983. Unexpended funds shall be carried over as a reserve.

PART 985—SPEARMINT OIL PRODUCED IN THE FAR WEST

§ 985.302 Expenses, and assessment rate, and operating reserve.

Expenses of $135,000 by the Spearmint Oil Administrative Committee are authorized, and an assessment rate payable by each handler in accordance with § 985.41 is fixed at 10 cents per pound for salable spearmint oil for the 1982–83 marketing year ending May 31, 1983. Unexpended funds may be carried over as a reserve in the maximum amount permitted pursuant to § 985.42.

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

§ 993.333 Expenses and assessment rate.

Expenses of $270,400 by the Prune Marketing Committee are authorized and an assessment rate payable by each handler in accordance with § 993.81 is fixed at $2.08 per ton for salable dried prunes for the 1982–83 crop year ending July 31, 1983.

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

Dated: August 3, 1982.

Russell L. Hawes,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 82-21407 Filed 8-6-82; 8:45 am]

BILLING CODE 3410-02-M

---

7 CFR Part 945

Irish Potatoes Grown in Certain Designated Counties in Idaho and Malheur County, Oregon; Handling Regulation

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This continuing regulation requires fresh market shipments of potatoes grown in certain counties in Idaho and Malheur County, Oregon, to be inspected and meet minimum grade, size, cleanness, maturity and pack requirements. The regulation will promote orderly marketing of such potatoes and keep less desirable sizes and qualities from being shipped to consumers.

EFFECTIVE DATE: August 16, 1982.

FOR FURTHER INFORMATION CONTACT: Charles W. Porter, Chief, Vegetable Branch, F&V, AMS, USDA, Washington, D.C. 20250 (202) 447–2615. The Final Impact Analysis relating to this final

rule is available on request from Mr. Porter.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

Information collection requirements contained in this regulation (7 CFR Part 945) have been approved by the Office of Management and Budget under the provisions of 44 U.S.C. Chapter 35 and have been assigned (OMB # 0581–0069.

This rule has been reviewed under Secretary's Memorandum 1512–1 and Executive Order 12291 and has been designated a "nonmajor" rule. 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 not significantly affect costs for the directly regulated handlers.

Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR 945), regulate the handling of potatoes grown in designated counties in Idaho and Malheur County, Oregon. It is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The Idaho-Eastern Oregon Potato Committee, established under the order, is responsible for its local administration.

Notice of rulemaking was published in the July 8, 1982, Federal Register (47 FR 29683). The notice afforded interested persons through July 23, 1982, to file comments on the proposal. None was filed.

This continuing regulation is based upon recommendations made by the committee at its public meeting in Idaho Falls, Idaho, on June 2, 1982.

The regulation is similar to those issued during past seasons. The grade, size, cleanness, maturity, pack and inspection requirements recommended herein are necessary to prevent potatoes of low quality or undesirable sizes from being distributed to fresh market outlets. The specific proposed requirements will benefit consumers and producers by standardizing and improving the quality of the potatoes shipped from the production area, thereby promoting orderly maketing, and will tend to effectuate the declared policy of the act.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements are inappropriate or unreasonable.

A specified quantity of potatoes is exempt from maturity requirements in order to (1) permit growers to make test diggings without loss of the potatoes so harvested or (2) to allow a lot to be shipped which, after regrading, meets the grade and size requirements but then fails to meet the maturity requirements, possibly due to further "skinning" as a result of running the potatoes over the grader again.

Shipments are permitted to certain special purpose outlets without regard to minimum grade, size, cleanness, maturity and pack requirements, provided that safeguards are met to prevent such potatoes from reaching unauthorized outlets. Since no purpose would be served by regulating potatoes used for charity purposes, such shipments are exempt. Certified seed is exempt, because requirements for this outlet differ greatly from those for fresh market.

Potatoes used for experimentation have special requirements and do not normally enter commercial channels of trade. Potatoes for most processing uses are exempt under the legislative authority for this part.

Requirements for export shipments differ from those for domestic markets. While the standard quality requirements are desired in foreign markets, smaller sizes are more acceptable. In commercial prepeeling, operators can use potatoes with surface defects which would be undesirable for the tablestock market, and smaller sizes are acceptable. Therefore, requirements are different for export and prepeeling shipments.

These standardization and marketing efficiency types of regulation will have no measurable effect on the quantity of potatoes shipped from the production area, nor will there be discernible effect on U.S. retail potato prices. This regulation should enable the Idaho-Eastern Oregon Potato industry to better compete with other major fall crop potato producing areas by ensuring the use of grades, sizes and maturities acceptable to buyers.

Requirements contained in this handling regulation, effective August 16, 1982, will continue in effect from marketing season to marketing season indefinitely unless modified, suspended, or terminated by the Secretary upon recommendation and information submitted by the committee or other information available to the Secretary. Heretofore, regulations issued under the marketing order were made effective for a single marketing season. However, virtually the same requirements have been imposed each season since 1970. The change to issue regulations which continue in effect from marketing season to marketing season reflects the fact that regulations will probably continue to change infrequently from season to season and it is believed unnecessary to issue them for only a single season. In addition, the change could result in a reduction in operational costs to the committee and the government. Although the final regulation will be effective for an indefinite period, the committee will continue to meet prior to or during each season to consider recommendations for modification, suspension, or termination of the regulation. Prior to making any such recommendations, the committee will submit to the Secretary a marketing policy for the season in accordance with § 945.50 of the order, including an analysis of supply and demand factors having a bearing on the marketing of the crop. Committee meetings are open to the public and interested persons may express their views at these meetings or may file comments with the Fruit and Vegetable Division before July 1 each year. The Department will evaluate committee recommendations and information submitted by the committee, comments filed, and other available information, and determine whether modification, suspension, or termination of the regulation on shipments of potatoes from the production area will tend to effectuate the declared policy of the act.

Findings

After consideration of all relevant matters, including the proposal set forth in the notice, it is hereby found that the handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

It is further found that good cause exists for not postponing the effective date of this regulation until 30 days after publication in the Federal Register (5 U.S.C. 553) in that (1) shipments of potatoes grown in the production area will begin on or about the effective date specified herein, (2) to maximize benefits to producers, this regulation should apply to as many shipments as possible during the marketing season, and (3) compliance with this regulation, which is similar to regulations issued during previous seasons, requires no special preparation by handlers subject to it which cannot be completed by the effective date.

List of Subjects in 7 CFR Part 945

Marketing agreements and orders, Potatoes, Idaho, Oregon.

PART 945—IRISH POTATOES GROWN IN CERTAIN COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Section 945.340 (46 FR 32010) is hereby removed and § 945.341 added to read as follows:

§ 945.341 Handling regulation.

On and after August 16, 1982, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) through (d) of this section, or unless such potatoes are handled in accordance with paragraphs (e) and (f), or (g) of this section.

(a) *Minimum quality requirements.*—(1) *Grade—All varieties*—U.S. No. 2 or better grade.

(2) *Size.*—(i) *Round red varieties*—1⅞ inches minimum diameter.

(ii) *All other varieties*—2 inches minimum diameter, or 4 ounces minimum weight.

(iii) *All varieties*—Size B if U.S. No. 1 grade.

(3) *Cleanness. All varieties*—"fairly clean."

(b) *Minimum maturity requirements.*—(1) *White Rose and red skin varieties:* Each year from August 1 through December 31, "moderately skinned"; during other periods no maturity requirements.

(2) *Norgold varieties:* Each year from August 1 through August 15, "moderately skinned"; during other periods "slightly skinned."

(3) *All other varieties:* "Slightly skinned."

(4) *Exceptions:* (i) Subject to compliance with paragraph (b)(4)(iii) of this section, any lot of potatoes not exceeding a total of 50 hundredweight of each variety may be handled for any producer without regard to the foregoing maturity requirements.

(ii) If an officially inspected lot of potatoes meets the foregoing maturity requirements, but fails to meet the grade and size requirements, the lot may be regraded. If, after regrading, such lot then meets the grade and size requirements but fails to meet the maturity requirements, as indicated by the applicable Federal-State inspection certificate, such lot if not exceeding 100 hundredweight shall be exempt from the foregoing maturity requirements if the handler complies with paragraph (b)(4)(iii) of this section.

(iii) Prior to each shipment of potatoes exempt from the foregoing maturity requirements, the handler thereof shall report to the committee the name and address of the producer of such potatoes, and each such shipment shall be handled as an identifiable entity.

(c) *Pack.* (1) When 50-pound containers (except master containers) of long varieties of potatoes are marked with a count, size or similar designation they must meet the count, average count and weight ranges for the count designation listed below.

Size	Range		
	Count	Average count [1]	Weight
Larger than 50	[2]	[2]	[4]
50	45–55	48–53	12–19
60	54–66	57–63	10–16
70	63–77	67–74	9–15
80	72–88	76–84	8–13
90	81–99	86–95	7–12
100	90–110	95–105	6–10
110	99–121	105–116	5–9
120	108–132	114–126	4–8
130	117–143	124–137	4–8
140	126–154	133–147	4–8
Smaller than 140	[3]	[3]	4–8

[1] Applicable to lots.
[2] 10 percent over or under.
[3] 5 percent over or under.
[4] 15 ounces or larger.

The following tolerances by weight, are provided for potatoes in any lot which fail to meet the weight range for the designated count:

(i) Not to exceed 5 percent for undersize; and

(ii) Not to exceed 10 percent for oversize.

(2) Potatoes packed in 50-pound cartons (except when used as a master container) shall be U.S. No. 1 or better grade. However, potatoes of U.S. Extra No. 1 grade shall be no smaller than 110 size nor larger than 60 size.

(d) *Inspection.* Except when relieved of such requirement pursuant to paragraphs (e) and (f), or (g) of this section,

(1) No handler shall handle potatoes unless such potatoes are inspected by either the Idaho Federal-State Inspection Service or Oregon Federal-State Inspection Service and are covered by a valid inspection certificate, and

(2) Each lot moving by truck shall be accompanied by a copy of a valid inspection certificate.

(e) *Special purpose shipments.* (1) The minimum grade, size, cleanness, maturity and pack requirements set forth in paragraphs (a), (b) and (c) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

(i) Charity;

(ii) Certified seed;

(iii) Experimentation; and

(iv) Canning, freezing and "other processing" as hereinafter defined. Also, shipments of potatoes for the purpose specified in this subdivision (iv) shall be exempt from inspection requirements specified in § 945.65 and paragraph (d) of this section and from assessment requirements specified in § 945.42.

(2) The minimum grade, size, cleanness, maturity and pack requirements set forth in paragraphs (a), (b), (c) and (d) of this section shall be applicable to shipments of potatoes for each of the following purposes:

(i) *Export:* Except potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than U.S. No. 2; and

(ii) *Prepeeling:* Except potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than Idaho Utility or Oregon Utility grade.

(f) *Safeguards.* (1) Each handler making shipments of potatoes for charity, experimentation, export, or for prepeeling pursuant to paragraph (e) of this section shall:

(i) First, apply to the committee for and obtain a Certificate of Privilege to make shipments for each purpose;

(ii) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(iii) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter, furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in the application and that such receiver will complete and return to the committee such periodic receiver's reports that the committee may require.

(iv) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment, unless other arrangements are made with the committee office;

(v) Bill each shipment directly to the applicable receiver.

(2) Each handler making shipments of potatoes for canning, freezing, or "other processing" pursuant to paragraph (e) of this section shall:

(i) First apply to the committee for and obtain a Certificate of Privilege to make shipments for processing;

(ii) Make shipments only to those firms whose names appear on the committee's current list of manufacturers of potato products;

(iii) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(iv) Mail to the committee's office a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment, unless other arrangements are made with the committee office;

(v) Bill each shipment directly to the applicable processor.

(3) Each receiver of potatoes for processing pursuant to paragraph (e) of this section shall:

(i) Complete and return an application form for listing as a manufacturer of potato products;

(ii) Certify to the committee and to the Secretary that potatoes received from the production area for processing will be used for such purposes and will not be placed in fresh market channels;

(iii) Report on shipments received as the committee may require and the Secretary approve.

(4) Each handler making shipments of certified seed potatoes pursuant to paragraph (e) of this section shall furnish, at the request of the committee, reports on the total volume of seed potatoes handled.

(g) *Minimum quantity exemption.* Each handler may ship up to, but not to exceed, five hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any shipment that exceeds five hundredweight of potatoes.

(h) *Definitions.* The terms "U.S. Extra No. 1," "U.S. No. 1," "U.S. No. 2," "Size B," "fairly clean," "moderately skinned," and "slightly skinned," shall have the same meaning as when used in the United States Standards for Potatoes (7 CFR 51.1540–51.1566), including the tolerances set forth therein. The term "prepeeling" means the commercial preparation in a prepeeling plant of clean, sound, fresh potatoes by washing, peeling or otherwise removing the outer skin, trimming, sorting, and properly treating to prevent discoloration preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 of the United States Standards for Peeled Potatoes (7 CFR 52.2421–52.2433). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, dicing, or applying material to prevent oxidation does not constitute "other processing." The terms "Idaho Utility" grade and "Oregon Utility" grade shall have the same meaning as when used in the standards for potatoes for the respective State. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and Order No. 945, both as amended.

(i) *Applicability to imports.* Pursuant to § 8e of the act and § 980.1 "Import regulations" (7 CFR 980.1), Irish potatoes of the long varieties imported during the effective period of this section shall meet the grade, size, quality and maturity requirements specified in paragraphs (a) and (b) of this section.

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

Dated August 3, 1982, to become effective August 16, 1982.

Russell L. Hawes,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 82–21404 Filed 8–6–82; 8:45 am]

BILLING CODE 3410–02–M

Commodity Credit Corporation

7 CFR Part 1475

Emergency Feed Program

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: The interim rule published in the **Federal Register** (47 FR 9981) on March 9, 1982, is adopted as a final rule. That rule provided that applications for assistance under the Emergency Feed Program would no longer be accepted after April 8, 1982, and that cost share assistance with respect to applications filed after March 9, 1982, and not later than April 8, 1982, would be limited to cost share assistance for livestock feed purchased not later than March 9, 1982.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Clarence Domire, Emergency Operations and Livestock Programs Division, USDA, ASCS, P.O. Box 2415, Room 4095, South Building, Washington, D.C. 20013, (202) 447–7997. A Final Regulatory Impact Statement describing the impact of terminating this program is available from the above-named individual.

SUPPLEMENTARY INFORMATION: This interim rule has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Secretary's Memorandum 1512–1 and has been classified as "not major."

This final rule has been classified as "not major" since it will not result in: (1) An annual effect on the economy of $100 million or more; (2) a major increase in cost or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal assistance program that this Final Rule applies to are: Title—Emergency Feed Program; Number—10.066 as found in the catalog of Federal Domestic Assistance Programs.

This action will not have a significant impact specifically on area and community development. Therefore, review as established by OMB Circular A–95 was not used to assure that units of local Government are informed of this action.

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since the Commodity Credit Corporation is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

The Emergency Feed Program is authorized by section 1105 of the Food and Agriculture Act of 1977, as amended. The program is designed to assist in the preservation and maintenance of livestock in any area of the United States including Puerto Rico, Guam, and the Virgin Islands where because of flood, drought, fire, hurricane, earthquake, storm, or other natural disaster, the Secretary determines that an emergency exists. In order to receive assistance under the program, a livestock owner must: (1) Have suffered a substantial loss in the livestock feed normally produced on the farm for such owner's livestock, (2) not have sufficient feed for such owner's livestock for the estimated period of the emergency, and (3) make feed purchases during the period of the emergency in quantities larger than such owner would normally make.

On March 9, 1982, an interim rule was published in the **Federal Register** (47 FR 9981) amending the regulations set forth at 7 CFR Part 1475 which govern the operation of the Emergency Feed Program. The interim rule provided that no applications for assistance under the Emergency Feed Program would be accepted after April 8, 1982, by the Agricultural Stabilization and Conservation Service, the agency within the Department which administers the program. Cost share assistance on applications filed after March 9, 1982, and not later than April 8, 1982, would be limited to cost share assistance for livestock feed purchased not later than March 9, 1982. The effect of the interim rule was to terminate this discretionary program with a corresponding reduction in Federal expenditures.

Comments were solicited for a period of 60 days after publication of the interim rule. Only ten comments were

received during the comment period. Of the ten, six favored continuation of the program and four were in favor of terminating the program. One comment favored continuation of the program because the current high interest rates have affected the ability of producers to obtain other financial assistance for feed purchases. Other comments stated that the program was needed to protect foundation herds and also because farmers are in dire economic straits as the result of low commodity prices. Comments favoring termination included the need to reduce government subsidies and Federal spending. Although some comments favored continuation of the program, the Department believes that the need to reduce Federal spending outweighs the present need for assistance to livestock producers. Since the program is discretionary, however, the Secretary may implement this program again should it be determined that an emergency situation exists with respect to a shortage of livestock feed which warrants such implementation.

List of Subjects in 7 CFR Part 1475

Animal feeds, Disaster assistance, Grant program, Agriculture, Livestock, Reporting and recordkeeping requirements.

Final Rule

Accordingly, it has been determined that the interim rule published at 47 FR 9981, March 9, 1982, amending 7 CFR 1475.53 is hereby adopted as a final rule without change.

(Sec. 1105 of the Food and Agriculture Act of 1977, 91 Stat. 955, as amended (7 U.S.C. 2267))

Signed at Washington, D.C., on August 3, 1982.

John R. Block,

Secretary of Agriculture.

[FR Doc. 82-21506 Filed 8-6-82; 8:45 am]

BILLING CODE 3410-05-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Airworthiness Docket No. 82-ASW-24; Amdt. 39-4434]

Airworthiness Directives; Bell Model 222 Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment makes effective for all persons an airworthiness directive (AD) that was previously made effective for all known United States owners and operators of Bell Model 222 helicopters by telegraphic AD. This amendment adopts a new AD which requires immediate replacement of the main rotor swashplate drive links on Bell Model 222 helicopters. This AD is needed to prevent possible in-flight failure of the drive links which could result in loss of helicopter control.

DATE: Effective August 19, 1982.

Compliance required before further flight, unless already accomplished.

ADDRESSES: The applicable service information may be obtained from Product Support Department, Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101.

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

FOR FURTHER INFORMATION CONTACT: H. A. Armstrong, Helicopter Branch, Aircraft Certification Division, ASW-100, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas, 76101, telephone number (817) 624-4911, extension 521.

SUPPLEMENTARY INFORMATION: Telegraphic AD T82-09-52 was issued on April 23, 1982, requiring inspection of Bell Model 222 helicopter swashplate drive links for cracks and excessive bearing wear, with subsequent replacement of the drive links with an improved design part within 30 days. AD T82-09-52 was superseded and canceled by Telegraphic AD T82-09-53, which was issued on April 27, 1982. AD T82-09-53 required immediate replacement of the older style aluminum swashplate drive links with the improved design steel swashplate drive links. These AD's were issued as a result of a reported fatigue fracture found in a swashplate drive link of a Model 222 involved in an accident. Failure of a drive link may result in loss of main rotor control. Immediate corrective action was required. Notice and public procedure thereon was considered impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately to all known U.S. owners and operators of Bell Model 222 helicopters by individual telegrams dated April 23, 1982, and April 27, 1982. These conditions still exist and the AD is hereby published in the **Federal Register** as an amendment to Section 39.13 of Part 39 of the Federal Aviation Regulations to make it effective to all persons.

List of Subjects in 14 CFR, Part 39

Air transportation, Aircraft, Aviation safety, and Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Section 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, Inc.: Applies to Model 222 helicopters certified in all categories that are equipped with swashplate drive links, Part No. 222-010-460-101. (Airworthiness Docket No. 82-ASW-24.)

Compliance required as indicated, unless already accomplished.

To prevent possible link failure due to excessive bearing wear in the main rotor swashplate drive links and possible link cracks, accomplish the following installation.

Before further flight, after the effective date of this AD, install swashplate drive links, Part No. 222-011-416 or 222-018-034 in place of swashplate drive links 222-010-460-101 as prescribed in Bell Helicopter Textron, Inc. Technical Bulletin 222-81-41, dated September 1, 1981, or by an equivalent procedure approved by Chief, Aircraft Certification Division, Federal Aviation Administration, Southwest Region.

This amendment becomes effective August 19, 1982, to all persons except those to whom it was made immediately effective by telegraphic AD T82-09-53 issued April 27, 1982, which contained this amendment.

(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 or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified 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 various 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 July 26, 1982.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 82-21382 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 82-CEF-3-AD; Amdt. 39-4435]

Airworthiness Directives; Government Aircraft Factories (GAF) NOMAD Model N22B Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) which requires modification to the horizontal stabilizer control system on Government Aircraft Factories (GAF) Nomad N22B model airplanes. The AD will improve response of the airplane to pilot control input in the pitch axis when the airplane is loaded near the aft C.G. limit. This action will make the airplane easier to control when operating in severe turbulence and minimize the possibility of loss of airplane control under these conditions.

EFFECTIVE DATE: August 12, 1982.

Compliance: Within the next 100 hours time-in-service after the effective date of this AD unless already accomplished.

ADDRESSES: Government Aircraft Factories (GAF) Service Bulletins applicable to this AD may be obtained from Government Aircraft Factories, 226 Lorimer Street, Port Melbourne, 3207 Victoria, Australia. These documents may be examined at the Northwest Mountain Region, Honolulu Aircraft Certification Field Office, Room 7108, Prince Kuhio Federal Bldg., 300 Ala Moana Blvd., Honolulu, HI 96850. Copies of the Service Bulletins are also contained in the Rules Docket, Office of the Regional Counsel, FAA, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Gary K. Nakagawa, Chief, Aircraft Certification Field Office, ANM-170H, Federal Aviation Administration, P.O. Box 50246, Honolulu, Hawaii 96850, Telephone: (808) 546-8650.

SUPPLEMENTARY INFORMATION: The manufacturer has received reports of difficulty in maintaining pitch control on GAF Nomad Model N22B airplanes that incorporate the horizontal stabilizer mass balance trim tabs (ref: Nomad Modification N439). Only these airplanes in the land plane configuration that do not incorporate GAF Modification N211 (Horizontal Stabilizer Revised Control Geometry) and N63 (Horizontal Stabilizer Control Pulley Realignment) are affected. This condition has been associated with the aircraft operating in severe turbulence with its center of gravity near the aft limit. Reduction in airplane controllability increases the pilot workload and has a negative influence on the overall level of safety in the operation of the airplane. Incorporation of GAF Nomad Service Bulletin NMD-27-9 Revision 1 dated April 30, 1982, which revises the control geometry (ref: GAF Modification N211) and Service Bulletin NMD-27-15 dated December 23, 1981, pertaining to realignment of the horizontal stabilizer control pulley (ref: GAF Modification N63) will alleviate this problem. Since the condition described herein is likely to exist or develop in other airplanes of the same type design, this AD is being issued which makes the requirements of these Service Bulletins mandatory on GAF Nomad N22B Model airplanes which incorporate the horizontal stabilizer mass balance trim tabs. Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure thereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aircraft, Aviation safety.

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 AD:

Government Aircraft Factories (GAF). Applies to Nomad Model N22B land planes only (S/Ns N22B-5 thru N22B-101 having horizontal stabilizer mass balance trim tabs except as noted in paragraphs A)(1) and A)(2) of this AD) certificated in any category.

Note.—Installation of horizontal stabilizer mass balance trim tabs in accordance with GAF Factory Modification No. N439 can be determined by visual inspection and verification that trim tab balance weights are installed on the inboard and outboard ends of each trim tab.

Compliance: Required as indicated unless previously accomplished.

(A) To improve airplane controllability in severe turbulence when loaded near the aft C.G. limit, within the next 100 hours time-in-service after the effective date of this AD, accomplish the following:

(1) Assemble and install a new horizontal stabilizer control rod and modified torque shaft in accordance with the instructions contained in GAF Nomad Service Bulletin NMD 27-9 Revision 1 dated April 30, 1982. GAF Modification N211 is the same as this Service Bulletin. It has been incorporated by the manufacturer on S/Ns 26, 55, 90, 93, 95, 102 and subsequent and modification of these S/Ns to this paragraph is not required.

(2) Remove the pulley mounting bracket at Station 399 and replace with redesigned bracketry to obtain direct cable/pulley alignment in accordance with GAF Nomad Service Bulletin NMD-27-15 dated December 23, 1981. GAF Modification N63 is the same as this Service Bulletin. It has been incorporated by the manufacturer on S/Ns 82 and subsequent and modification of those S/Ns to this paragraph is not required.

(3) Remark the horizontal stabilizer trim indicator drum assembly by attaching a new label per the procedure as outlined in paragraph 2.Q. of GAF Nomad Service Bulletin NMD-27-9 dated March 10, 1982.

(4) With the modification incorporated, verify that the horizontal stabilizer rigging angle has changed from 3½ degrees ±½ degree stabilizer (not aircraft) nosedown to 3 degrees ±½ degree nosedown. For rigging instructions, see Maintenance Manual (MM) 27-40-00. (Service Bulletin NMD 27-9 Rev. 1 dated April 30, 1982, provides an alternate procedure).

Note.—On completion of rigging, check controls for correct sense (direction) or operation and for full and free movement under all trim conditions. In particular, ensure that positive clearance exists between the tab and the horizontal stabilizer trailing edge structure through full range of stabilizer travel with full noseup (aircraft) trim selected.

(B) A special flight permit may be issued in accordance with FAR 21.197 to allow flight of the airplane to a location where this AD may be accomplished provided the aft C.G. does not exceed 35 percent MAC.

(C) An alternate means of compliance with this AD may be used if approved by the Chief, Honolulu Aircraft Certification Field Office, Northwest Mountain Region, Federal Aviation Administration, 300 Ala Moana Boulevard, Honolulu, Hawaii 96850.

This amendment becomes effective on August 12, 1982.

(Secs. 313(a), 601, and 603 of the 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)); Section 11.89 of the Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this regulation involves an emergency 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), and certifies that the rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves inspection and modification of only a few aircraft owned by small entities. 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, when filed, may be obtained by contacting the Rules Docket at the location identified under the caption "ADDRESSES."

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

Issued in Kansas City, Missouri, on July 26, 1982.

Murray E. Smith,

Director, Central Region.

[FR Doc. 82-21258 filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 39

[Airworthiness Docket No. 82-ASW-43; Amdt. 39-4433]

Airworthiness Directives; Hughes Helicopters, Inc., 500D Model 369D Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) that requires an ultrasonic inspection of the electron beam (EB) weld on the output gearshaft assembly in the main transmission of the Hughes Model 369D helicopter. Interim repetitive visual inspections are required until the ultrasonic inspection is accomplished. The AD is needed to prevent failure of this weld which could allow the disk to separate from the flange with eventual loss of power to the main rotor or possible jamming of the transmission. Loss of control of the helicopter could result.

DATE: Effective August 23, 1982.

Compliance required as prescribed in the AD.

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

These documents may be examined at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas 76106, or Rules Docket in Room 916, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: Hal Ferris, Aerospace Engineer, Propulsion Section, ANM-174W, Western Aircraft Certification Field Office, Northwest Mountain Region, Federal Aviation Administration, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009, telephone (213) 536-6381.

SUPPLEMENTARY INFORMATION: There have been eight cases of electron beam (EB) weld failures at the junction of the lower disk and the output shaft assembly of the Model 369D main transmission. Three were found at overhaul and five were found during flight by means of chip detector lights, noise, or vibration. Some of the cracks had progressed almost 360 degrees around the disk which resulted in all the load being transmitted through the unsupported gearshaft flange. It is not known how long this load path can be maintained, but without the supporting disk, the transmission cannot be considered airworthy. The currently acceptable nondestructive test method for verifying the integrity of this weld is an ultrasonic inspection using adequate known defect samples for comparison with the item being inspected.

A repetitive visual inspection is required as an interim safety measure to maintain airworthiness until this ultrasonic inspection can be accomplished. The visual inspection may or may not require a partial transmission teardown depending on the technique used to conduct the inspection. The AD allows the operator the option of conducting the inspection using a borescope or by a visual inspection requiring a partial teardown of the transmission.

Since this condition is likely to exist or develop on other helicopters of the same type design, an airworthiness directive is being issued which requires repetitive visual inspection and a terminating ultrasonic inspection of the EB weld on the output gearshaft assembly in the main transmission in the Hughes 369D helicopters.

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.

Approximately 1,000 aircraft could be affected by the requirements of this AD for an estimated impact of $200,000 or $200 per aircraft for the ultrasonic inspection. New part (if required) cost per aircraft is $6,916.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, and Safety.

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:

Hughes Helicopters, Inc.: Applies to Model 369D helicopters certificated in all categories, equipped with main transmission part number 369D25100—basic configuration.

Compliance is required as indicated, unless already accomplished.

To prevent failure of the output gearshaft assembly, P/N 369D25132, accomplish the following:

(A) Within 100 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 300 hours' time in service, until such time as the ultrasonic inspection of paragraph (B) of this AD is accomplished, conduct a visual inspection for cracks in the transmission output shaft in accordance with instructions in Part I entitled "Periodic Visual Inspection" of Hughes Service Information Notice No. DN-105 dated May 25, 1982, (hereafter referred to as DN-105), or FAA approved equivalent.

(B) The visual inspections required by paragraph (A) of this AD may be discontinued by conducting a one-time ultrasonic inspection of the electron beam weld area of the transmission output shaft in accordance with the instructions of Part II entitled "Ultrasonic Inspection" of DN-105, or FAA approved equivalent. This inspection must be accomplished no later than the next overhaul or major disassembly of the transmission.

(C) If cracks are found as a result of the visual inspections required by paragraph (A) of this AD or an unacceptable electron beam weld is found as a result of ultrasonic inspection of paragraph (B) of this AD, before further flight replace the output gearshaft assembly with a like assembly which has been inspected and found to be acceptable in the electron beam weld area in accordance with the ultrasonic inspection technique described herein.

(D) Output gearshaft assemblies ultrasonically inspected and found to have acceptable electron beam welds in the transmission output shaft are to be identified in accordance with Figure 2 of DN-105, or FAA approved equivalent.

(E) Special flight permits may be issued in accordance with Parts 21.197 and 21.199 to operate aircraft to a base for the accomplishment of inspections required by this AD.

(F) Alternative inspections, modifications, or other actions which provide an equivalent level of safety may be used when approved by the Chief, Western Aircraft Certification Field Office, FAA, Northwest Mountain Region, Hawthorne, California.

This amendment becomes effective August 23, 1982.

(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 document involves a regulation that is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final regulatory evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified under the caption "**FOR FURTHER INFORMATION CONTACT.**"

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

Issued in Forth Worth, Texas, on July 26, 1982.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 82-21383 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 39

[Docket No. 81-ANE-03; Amdt. 39-4432]

Airworthiness Directives; Pratt & Whitney Aircraft Models JT8D-1, -1A, -7, -7A, -7B, -9, -9A, -11, -15, -17, and -17R Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment revises the 10th stage disk compliance schedule for reinspection intervals for JT8D-9, -9A, -11, -15, -17, and -17R models and requires that at least one of the two independent uninstalled inspection procedures be eddy current. Included in this amendment are a reduced reinspection interval for the installed on-wing ultrasonic inspection for the 10th stage disk and a modified inspection schedule for the 9th stage disks from heat code WEPN. The revised reinspection intervals for stage 10 disks are necessary to account for inspection reliability being lower than expected. The modified inspection and reinspection intervals for stage 9 disks from heat code WEPN are necessary to account for an inordinate number of stage 9 disks from heat code WEPN which have exhibited premature cracking.

DATES:

Effective August 15, 1982.

Comments on the rule must be received on or before October 15, 1982.

Compliance schedule/applicability dates—As prescribed in the text of the airworthiness directive (AD).

ADDRESS: All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to: Pratt & Whitney Aircraft, Commercial Products Division, 400 Main Street, East Hartford, Connecticut 06108.

Send comments on the rule to: Federal Aviation Administration, Office of the Regional Counsel, New England Region, Attention: Rules Docket No. 81-ANE-03, 12 New England Executive Park, Burlington, Massachusetts 01803.

Comments may be examined in the Rules Docket weekdays, except Federal holidays, between 8:00 a.m. and 4:30 p.m.

Copies of the service bulletin [1] are contained in the Rules Docket, 81-NE-03, Federal Aviation Administration, Office of the Regional Counsel, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT:

W. Locke Easton, Transport Engine Section (ANE-141), Engine Certification Branch, Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7347.

SUPPLEMENTARY INFORMATION:

Prior Regulatory History

The FAA has determined that cracks have occurred in tierod holes in high pressure compressor disks, stages 9 through 12, of JT8D engines, which, in four instances on three model JT8D-17 engines and a model JT8D-9 engine, progressed and caused disk ruptures resulting in engine failures. AD 78-10-05 was issued in June 1978, mandating inspection of high pressure compressor disks, stages 9 through 12, for tierod hole cracking on JT8D-15, -17, and -17R models. The AD 78-10-05, was superseded by AD 81-08-02 in April 1981. This AD specifies adjustment to the first inspection and reinspection interval limits of the JT8D-15, -17, and -17R engine models, expansion in applicability to include JT8D-9, -9A, and -11 engine models, and addition of certain stage 10 disks of the JT8D-1, -1A, -1B, -7, -7A, and -7B engine models. Current field inspection data indicate the inspection reliability is lower than expected. Therefore, revised reinspection interval limits are required for the 10th stage disks. Field inspection data for the 9th stage disk indicate that heat code WEPN has exhibited premature cracking and requires revised inspection and reinspection intervals. The amendment specifies a revised 10th stage disk compliance schedule for reinspection intervals for JT8D-9, -9A, -11, -15, -17, and -17R models and requires that at least one of the two independent uninstalled inspection procedures be eddy current. Included in this amendment is a reduced reinspection interval for the installed ultrasonic inspection for the 10th stage disk and a modified inspection schedule for the 9th stage disks from heat code WEPN. Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedures hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

[1] Filed with the original.

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves requirements affecting immediate flight safety and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule.

List of Subjects in 14 CFR Part 39

Engine, Aircraft, Air transportation, Aviation safety, and Safety.

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 AD:

Pratt & Whitney Aircraft: Applies to Pratt & Whitney Aircraft Models JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -17, and -17R turbofan engines.

Compliance required as indicated, unless already accomplished in accordance with Pratt & Whitney Aircraft Alert Service Bulletin Number 4723, Revision 7, dated February 16, 1981. Inspection methods and intervals subsequent to the effective date of this AD must be in accordance with Revision 8 of the above Alert Service Bulletin.

To prevent crack propagation and possible disk failure, inspect stages 9 through 12 high pressure compressor disks at the tierod holes in accordance with Pratt & Whitney Aircraft Alert Service Bulletin Number 4723, Revision 8, dated July 9, 1982, or later revision or equivalent means approved by the Chief, Engine Certification Branch, New England Region.

Accomplish first inspection and reinspection at the intervals specified by stage and engine model in Tables I through V and Table VIII of above Alert Service Bulletin. Disks inspected prior to the first inspection limit must be reinspected before reaching the specified reinspection interval, or reaching the first inspection limit, whichever is later. In no case shall the established life limits of the disk be exceeded.

Remove cracked disks from service prior to further flight. They may be returned to service if repaired in accordance with Paragraph 6 of the above Alert Service Bulletin.

Upon request of the operator, an FAA airworthiness inspector, subject to prior approval of the Chief, Engine Certification Branch, FAA, New England Region, may adjust the inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

The manufacturer's service bulletins, maintenance manuals, and overhaul manuals identified and described in this directive may be obtained upon request to Pratt & Whitney Aircraft, Commercial Products Division, 400 Main Street, East Hartford, Connecticut 06108. These documents may also be examined at Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803. A historical file on this AD is maintained by the FAA at the New England Region.

This amendment becomes effective August 15, 1982.

(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)

This amendment revises amendment 39-4083 (AD 81-08-02), effective April 7, 1981.

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 action 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 under the caption **"FOR FURTHER INFORMATION CONTACT."**

Issued in Burlington, Massachusetts, on July 22, 1982.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 82-21394 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 71

[Airspace Docket No. 82-ANM-12]

Revise Transition Area, Eugene, Oregon

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The nature of this action is to redescribe the Eugene Transition Area. The intended effect of this action is to reduce the size of controlled airspace designated in the Willamette Valley (West Central Oregon) to ease the burden imposed by controlled airspace to visual flight rule (VFR) operations.

EFFECTIVE DATE: October 28, 1982. Comments must be received on or before September 15, 1982.

ADDRESSES: Send comments on the rule to: Chief, Airspace and Procedures Branch Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. The official docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 17900 Pacific Highway South, C-68966, Seattle, Washington, 98168. An informal docket will also be available for examination during normal business hours in the Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, 17900 Pacific Highway South, C-68966, Seattle, Washington, 98168.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, Airspace & Procedures Specialist (ANM-534), Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington, 98168; telephone (206) 433-1640.

History

The action which established the present Eugene Transition Area was subject of a Notice of Proposed Rulemaking action on February 6, 1981. No objections were received to the proposal and final rulemaking action was made effective July 9, 1981. This action was necessitated by the commissioning of radar approach control services at Eugene, Oregon, June 11, 1981. The 700 foot transition area allows for minimum radar vector altitudes of 1000 feet in the vicinity of Eugene and Corvallis, Oregon. This action then aligned the airspace to allow aircraft to operate on direct routes or on radar vectors at altitudes lower than the previous floor of controlled airspace.

An additional consideration in the establishment of lower controlled airspace in Western Oregon was a proposed second terminal radar system for Portland, Oregon approach control which would allow tower enroute control between the major hub airports throughout the Willamette Valley. This capability would provide enhanced service to the major airports, and to those uncontrolled airports that generate IFR traffic.

As a result of numerous objections by the users of airspace in the Willamette Valley to the previous action, a review of current airspace needs was conducted with the intent of reducing the size of the transition area. The review for currency suggested that the 700 foot transition area for Eugene could be rewritten to better define and match airspace requirements for the major hub airports and reduce the burden to VFR operations in the remainder of the Willamette Valley. Aeronautical maps and charts will reflect the defined areas, which will enable aircraft to circumnavigate the major airports in order to comply with applicable visual flight rule requirements.

Since this revised description reduces the burden on the public, it is relieving in nature and notice and public procedure therein are unnecessary.

Index Terms

Part 71: Transition Areas/Aviation Safety.

Request for Comments on the Rule

Although this action is in the form of a final rule, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if FAA finds that changes are appropriate, it will initiate rulemaking proceeding to amend the regulation.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14

CFR Part 71) is amended, effective 0901 G.m.t., October 28, 1982, as follows:

Salem, Oregon

That airspace extending upward from 700 feet above the surface within a 7-mile radius of McNary Field, Salem, Oregon (latitude 44°54'36" N., longitude 123°00'05" W.); within 2 miles each side of a 196° bearing from the Salem ILS LOM, extending from the 7-mile radius area to 8 miles S of the LOM and within 2 miles each side of the Salem ILS localizer SE course, extending from the 7-mile radius area to 6 miles SE of the LOM; that airspace extending upward from 1,200 feet above the surface within 6 miles SW and 7 miles NE of the 150° and 330° bearings from the Salem ILS LOM, extending from V-448 to V-495.

Eugene, Oregon

That airspace extending upward from 700 feet above the surface within a 23-mile radius of the Mahlon Sweet Municipal Airport, Eugene, Oregon (latitude 44°07'19" N., longitude 123°13'03" W.); within a 7-mile radius of Corvallis Municipal Airport (latitude 44°29'56" N., longitude 123°17'19" W.) beginning at (latitude 44°25'30" N., longitude 123°24'00" W.) clockwise to (latitude 44°26'50" N., longitude 123°09'05" W.) within 4.5 miles each side of the Corvallis VOR 029° radial, extending from the 7-mile radius area to 14 miles northeast of the VOR, within 5 miles west of the Corvallis VOR 014° radial, extending from the 7-mile radius area to 15 miles north of the VOR; that airspace extending upward from 1,200 feet above the surface within a 34.5 mile radius of the Mahlon Sweet Municipal Airport (latitude 44°07'19" N., longitude 123°13'03" W.) beginning at (latitude 44°36'30" N., longitude 123°06'00" W.) clockwise to (latitude 44°37'00" N., longitude 123°21'00" W.)

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

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); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Seattle, Washington, July 28, 1982.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 82-21392 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ASW-29]

Designation of Transition Area, Kirbyville, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will designate a transition area at Kirbyville, TX. The intended effect of the amendment is to provide controlled airspace for aircraft executing a new instrument approach procedure to the Kirbyville Airport. This amendment is necessary since there is a proposed standard instrument approach procedure (SIAP) to the Kirbyville Airport using a new non-Federal nondirectional radio beacon (NDB). Coincident with this action, the airport is changed from visual flight rules (VFR) to instrument flight rules (IFR).

EFFECTIVE DATE: October 28, 1982.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch (ASW-535), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, telephone (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION:

History

On June 10, 1982, a notice of proposed rulemaking was published in the Federal Register (47 FR 25156) stating that the Federal Aviation Administration proposed to designate the Kirbyville, TX, transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received without objections. Except for editorial changes, this amendment is that proposed in the notice.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, Subpart G of Part 71, § 71.181, of the Federal Aviation Regulations (14 CFR Part 71) as republished in Advisory Circular AC 70-3 dated January 29, 1982, is amended, effective 0901 GMT, October 28, 1982, as follows:

Kirbyville, TX New

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the airport (latitude 30°38'50"N., longitude 93°54'54"W.) and within 3 miles each side of the 310° bearing of the NDB (latitude 30°39'44"N., longitude 93°56'05"W.), extending from the 5-mile radius area to 8.5 miles northwest of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.61(c))

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 1103; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. It is certified that the rule will not have a significant economic impact on a substantial number of small entities as the anticipated impact is minimal.

Issued in Fort Worth, TX, on July 28, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-21380 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 82-AWA-10]

Establishment of Temporary Restricted Area R-6303, Matagorda Island, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes temporary restricted area R-6303 in the vicinity of Matagorda Island, TX, to contain the testing of a suborbital rocket by Space Services Incorporated of America (SSI). This action will provide an adequate level of safety by prohibiting unauthorized flight by nonparticipating aircraft within the restricted area during the time the area is in use.

DATES: Effective date September 2, 1982..

ADDRESS: The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Robert Maxey, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence

Avenue, SW., Washington, D.C. 20591; telephone (202) 426–8783.

SUPPLEMENTARY INFORMATION:

History

On April 15, 1982, a Petition for Exemption by Space Services Inc. of America was published in the **Federal Register** (47 FR 16243) requesting relief from the prohibition of rocket launches within 5 miles of an airport boundary. The activity for which relief is requested involves the launch of a conestoga rocket from Matagorda Island, TX, in a suborbital flight of 167 miles high and 279 miles down range extending over the Gulf of Mexico, and the pre-launch firing of other small test rockets.

The FAA has determined that this activity can be conducted only within restricted airspace which will provide an adequate level of safety to nonparticipating aircraft. Since existing restricted airspace is not available for this commercial activity a temporary restricted area is appropriate.

This action establishes a temporary restricted area within a 5-mile radius of the launch site extending from the surface to unlimited for the period September 2–30, 1982. Activation of the area shall be by NOTAM at least 12 hours in advance. The primary launch date is September 8 or 9 but may be adjusted to accommodate weather or technical delays. When activated this area is expected to be in use less than 3 hours per day. The Federal Aviation Administration, Houston Air Route Traffic Control Center (ARTCC) is designated controlling and using agency and when not needed for rocket firing, the area will be available for normal use.

Because of time constraints, the temporary restricted area will not be depicted on aeronautical charts. However, Class II Graphic NOTAMS describing the restricted area will be issued assuring wide dissemination of this information to all aeronautical interests.

The Rule

The purpose of this amendment to § 73.63 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) is to establish a temporary restricted area in the vicinity of Matagorda Island, TX, to provide protected airspace from nonparticipating aircraft during the test launch of a suborbital rocket by Space Services Inc. of America. The area will encompass a 5-nautical mile radius of the launch site, excluding that area extending outside the territorial limits of the U.S. from the surface to unlimited for the period September 2–30, 1982. The restricted area shall be activated by NOTAM at least 12 hours in advance. Section 73.63 of Part 73 of the Federal Aviation Regulations was republished in Advisory Circular AC 70–3 dated January 29, 1982.

Under the circumstances presented, the FAA concludes that there is an immediate need for a regulation to establish a temporary restricted area at Matagorda Island, TX. Therefore, I find that notice or public procedure under 5 U.S.C. 553(b) is contrary to the public interest and that good cause exists for making this amendment effective in less than 30 days after its publication in the **Federal Register.**

List of Subjects in 14 CFR Part 73

Restricted areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me § 73.63 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) is amended, effective 0901 G.m.t., September 2, 1982, as follows:

R–6303 Matagorda Island, TX [NEW]

Boundaries. A circular area within a 5-nautical mile radius centered on lat. 28°05'06" N., long. 96°49'49" W., excluding that portion outside the territorial limits of the U.S.

Designated altitudes. Surface to unlimited.

Times of use. Sunrise to sunset, September 2–30, 1982, as activated by NOTAM 12 hours in advance.

Using agency. Federal Aviation Administration, Houston ARTC Center.

Controlling agency. Federal Aviation Administration, Houston ARTC Center.

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

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); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on July 23, 1982.

John W. Baier,

Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 82–21308 Filed 8–6–82; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 91

[Docket No. 22050; SFAR No. 44–3]

Air Traffic Control System; Interim Operations Plan; Transfers and Exchanges of Slots

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of policy.

SUMMARY: On July 6, 1982, the FAA stated it would evaluate the slot transfer policy. In order to provide the airlines with more flexibility in scheduling, the FAA is changing its policy on slot transfers to allow for additional types of trades.

FOR FURTHER INFORMATION CONTACT:

J. E. Murdock III, Chief Counsel, 202–426–3773; or

Harvey B. Safeer, Director, Office of Aviation Policy and Plans, 202–426–3331, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591.

SUPPLEMENTAL INFORMATION:

Background and Discussion

The actions of certain air traffic controllers in August of 1981 reduced the number of controllers available to operate the Air Traffic Control (ATC) system. In order to assure the safe and efficient use of the navigable airspace, the FAA has been obliged to ration the limited ATC system capacity among users. It has done so by assigning "slots" (authority to land) under a series of emergency regulations (SFAR No. 44 (46 FR 30606; August 4, 1981); SFAR No. 44–1 (46 FR 44424; September 4, 1981); SFAR No. 44–2 (46 FR 48906, October 5, 1981); and SFAR No. 44–3 (47 FR 7816, February 22, 1982)).

Airlines began the period of restricted operations with a "base" number of slots at the Nation's 22 busiest airports (controlled airports) derived from their pre-strike planned operations. As the capacity of the ATC system has increased, additional slots have been awarded in response to requests by the carriers under procedures prescribed in SFARs 44–1, 44–2, and 44–3. These regulations also provide that air carriers must use slots awarded to them or lose them from their operating bases.

Because SFAR No. 44–3 provided for limited adjustments in slot assignments, the FAA has been receptive to efforts to add flexibility to the slot allocation system. On July 6, 1982 (47 FR 29814; July 8, 1982) the FAA stated it would evaluate the slot transfer policy. New

computer programs have been completed which provide FAA much greater capability to evaluate air operations using the Air Traffic Control System. The FAA has completed the planned review. The restraints that were placed upon transfers based upon administrative considerations will no longer be appropriate after adoption of a new allocation system.

Therefore, the agency is removing most restrictions on slot trades. The following trades will be permitted:

1. Slots at controlled airports may be traded for slots at other controlled airports or for any airport at the same center.

2. Center slots may be traded for slots in other centers.

3. Slots in a carrier's current base or slots which have been awarded to a carrier for a future period may be traded for other slots.

4. Slots previously awarded as Braniff slots (designated by DS) may be traded for non-Braniff slots. The former Braniff slots must contain the designation "DS." Carriers which obtain slots designated by "DS" are reminded that these slots are temporary slots and may be withdrawn. In an application involving a "DS" slot, the carrier receiving the Brainff slot must specifically acknowledge the carrier will relinquish the slot in the event it is recalled as specified in SFAR 44–4.

5. Carriers may trade slots in any numbers, not necessarily on slot-for-slot basis. However, a trade must involve at least one slot from each carrier participating in a trade.

In order to receive approval for any trade, requests for approvals must be submitted in accordance with the following:

a. All requests for approval must be submitted in writing to the Associate Administrator for Policy and International Aviation, API–1, 800 Independence Avenue, SW., Washington, D.C. 20591, in the same format as slot requests submitted under SFAR No. 44–3. Exchange requests combined with other requests under the SFAR (such as slides) will not be accepted. If the slot to be traded is not in the carrier's current operating schedule, written evidence that the FAA has allocated the slot to the carrier must be included.

b. Written evidence of both carriers' consent to the exchange must be provided.

c. A record of the exchange will be made available to the public.

d. Exchanges of slots necessary for the provision of essential air service within the meaning of section 419 of the Federal Aviation Act of 1958, as amended, U.S.C. 1389, will not be approved.

e. All requests for approval of a trade of "Braniff" slots must contain a statement from the carrier obtaining the slot that it understands the slot is temporary and may be withdrawn.

Carriers are reminded that certain ARTCCs are operating at their current capacity levels. Requests for approval of trades which will increase workloads at those centers above a level which can be safely handled by the work force, as determined by the Administrator, may be denied. The centers that are currently working at or near capacity are Chicago, Cleveland, Indianapolis, and New York. This list may change as staffing changes. The list will be modified as necessary. This restriction does not mean that all trades of slots within those centers will be disapproved. It means, however, that new arrivals or departures within certain sectors may not be approved. If a request for approval cannot be approved for this reason, the carriers involved will be given an opportunity to amend their submittal.

All carriers are asked to minimize new operations within these centers. The FAA is making every attempt to improve staffing at these locations. Until that occurs, however, the users' efforts to avoid these centers will be appreciated.

Written approval must be obtained from the FAA before slots may be used. The FAA anticipates that properly documented exchange requests will be approved within 2 weeks of the receipt of a request.

The FAA will continue to evaluate the slot transfer policy to determine whether changes are warranted before July 1, 1983. Any further comments on the matter should be directed to Docket No. 22050.

Finally, all interested parties are again reminded that a slot is a temporary creation of FAA emergency regulations, and does not confer on any carrier a long-term right. Slots can be taken from any carrier in accordance with the terms of the existing SFAR or any amendments to it. Moreover, the FAA does not guarantee that slots will be required at any airport for any particular period of time. As soon as possible, the FAA intends to relieve the carriers from the requirement of obtaining slots.

Operation of Braniff Slots

On July 14, 1982, a lottery was held to distribute slots previously allocated to Braniff Airways, Inc. ("Braniff slots"), which were previously distributed on an emergency basis and those slots which were previously distributed and were not utilized. A number of carriers have stated that since the normal Fall schedule changes are implemented on September 9, 1982, they would prefer that the Braniff slots also become effective on that date. In order to accommodate the normal scheduling process, the date of cancellation of these slots is extended. Carriers losing Braniff emergency slots as a result of the lottery held July 14, 1982, can terminate their use of such slots any time after August 28, but no later than 2359, Local, September 9, 1982. Carriers gaining slots can initiate service any time after August 28, but must start service by 2359, Local, September 9, 1982, or return the slots to the FAA for reallocation.

(49 U.S.C. 1301 *et seq.* and 49 U.S.C. 1651 *et seq.*)

Issued in Washington, D.C., on August 5, 1982.

J. Lynn Helms,

Administrator.

[FR Doc. 82–21623 Filed 8–5–82; 3:30 pm]

BILLING CODE 4910–13–M

---

14 CFR Part 95

[Docket No. 23238; Amdt. No. 95–306]

IFR Altitudes

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: September 2, 1982.

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.

List of Subjects in 14 CFR Part 95

Aircraft, Airspace.

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 G.m.t. September 2, 1982.

(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); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. The FAA certifies that this amendment 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 August 2, 1982.

John M. Howard,

Acting Chief, Aircraft Programs Division.

BILLING CODE 4910-13-M

§ 95.1001 DIRECT ROUTES—U.S.

Added to Read:

FROM	TO	MEA
Concord, CA VOR	Colli. INT, CA	4000
El Toro, CA VORTAC	Fyter INT/DME, CA	3500
Los Angeles, CA VORTAC	Silex INT, CA	4000
Seal Beach, CA VORTAC	INT 333 M rad SLI VOR 096 M rad VNY VOR	3000
Seal Beach, CA VORTAC *5000-MCA Elmoo INT	*Elmoo INT, CA	3100
Ventura, CA VORTAC	V326 Via VTU R 046	4800

§ 95.1001 DIRECT ROUTES—U.S.

Amended by Adding:

FROM	TO	MEA
BR 7V:		
Nassau, BH NDB *1400-MOCA	Hiroc INT, BH	*2000
Hiroc INT, BH	Grand Bahama, BH NDB	2000

§ 95.1001 FEDERAL AIRWAY

Added to read:

FROM	TO	MEA
BR 53V:		
INT BSY 094 & ZBV III *1300-MOCA	Prune INT, BH	*2000
BR 55V:		
Bimini, BH VOR *1300-MOCA	INT BSY 094 & ZBV III	*2000
INT BSY 094 & ZBV III *1300-MOCA	Prune INT, BH	*2000
BR 56V:		
Nassau, BH VOR *1400-MOCA	Bayru INT, BH	*3500
BR 63V:		
Bayru INT, BH *1400-MOCA	Nassau, BH VOR	*3500

§ 95.1001 DIRECT ROUTES—U.S.

Amended by Adding:

FROM	TO	MEA
A 17:		
Bimini, BH NDB *1300-MOCA	Resin INT, BH	*2000
Resin INT, BH *1300-MOCA	Indee INT, BH	*2000

§ 95.1001 FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
A 39:		
Minow INT, FL *1200-MOCA	Epson INT, FL	*7000
Epson INT, FL *1200-MOCA	Salto INT, FL	*4000
Salto INT, FL *1200-MOCA	Marci INT, FL	*2300
Marci INT, FL *1500-MOCA	Cook, FL NDB	*2000
Cook, FL NDB	Ursus INT, FL	3000

§ 95.1001 FEDERAL AIRWAY

Amended by Adding:

FROM	TO	MEA
A 700:		
Trout INT, BH	Adoor INT, FL	FL250
Adoor INT, FL	Hobee INT, FL	FL250

§ 95.6002 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-2:		
Bismarck, ND VOR *5300-MRA	*Osert INT, ND	3900
Dickinson, ND VOR Via N Alter	Bismarck, ND VOR Via N Alter	4300

§ 95.6012 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-12:		
Clipp INT, CA *5300-MOCA	Needles, CA VOR	*8000
Winslow, AZ VORTAC *8700-MOCA	Zuni, NM VORTAC	*9000

§ 95.6015 VOR FEDERAL AIRWAY

Amended to read:

FROM	TO	MEA
V-15		
Aberdeen, SD VORTAC *3500-MOCA	Bismarck, ND VOR	*4700

§ 95.6018 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-18		
Atlanta, GA VOR *2400-MOCA	Conni Int, GA	*3000

§ 95.6032 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-32		
Elko, NV VOR Via N Alter *11800-MCA Wells VOR SW bound **12700-MOCA	*Wells, NV VOR Via N Alter	**13000

§ 95.6055 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-55		
Grand Forks, ND VOR *4100-MRA **3400-MOCA	*Lakes INT, ND	**8000
Lakes INT, ND	Bismarck, ND VOR	3900

§ 95.6071 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-71		
Pierre, SD VORTAC	Lintn DME FIX, ND	*5500
*3600-MOCA		
Lintn DME FIX, ND	Bismarck, ND VOR	
	S-bound	5500
	N-bound	3600
Bismarck, ND VOR	Centr INT, ND	
	W-bound	5600
	E-bound	3500
Centr INT, ND	Williston, ND VOR	*5600
*3900-MOCA		

§ 95.6128 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-128		
Ruley INT, WV	Charleston, WV VOR	3500

§ 95.6169 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-169		
Dupree, SD VOR	Bismarck, ND VOR	4700

§ 95.6267 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-267		
Jacksonville, FL VOR	Kicks INT, GA	*2000
*1400-MOCA		
Kicks INT, GA	Tarbs INT, GA	*4000
*1400-MOCA		

§ 95.6402 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-2		
South Kavai, HI VOR	Kamilo, HI VOR	5000
Kamilo, HI VOR	Morey INT, HI	
	SE-bound	3000
	NW-bound	4000

§ 95.6413 VOR FEDERAL AIRWAY

Amended to Delete:

FROM	TO	MEA
V-13		
Lihue, HI VOR	Hello INT, HI	4000

§ 95.6413 VOR FEDERAL AIRWAY

Amended by adding:

FROM	TO	MEA
V-13		
Kamilo, HI VOR/DME	Hello INT, HI	4000

§ 95.6420 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-20		
Peble INT, HI	Ferra INT, HI	4000
Ferra INT, HI	Typho INT, HI	8000

§ 95.6465 VOR FEDERAL AIRWAY

Amended to read in part:

FROM	TO	MEA
V-465		
Elko, NV VOR	*Wells, NV VOR	**1300
*11800-MCA Wells VOR SW-bound		
**12700-MOCA		

§ 95.5000 HIGH ALTITUDE RNAV ROUTES

J814R is added to read:

FROM/TO	TOTAL DISTANCE	CHANGEOVER POINT Distance	CHANGEOVER POINT From	GEOGRAPHIC LOCATION	TRACK ANGLE	MEA	MAA
Pantt, AK W/P	169.3				043/223 to Felaw	28000	45000
Felaw, AK W/P							
Felaw, AK W/P	212.4	120	Felaw		043/223 to Cop	28000	45000
Jensu, AK W/P					044/224 to Jensu		
Jensu, AK W/P	223.3	102	Jensu		044/224 to Cop	28000	45000
Fairbanks, AK VORTAC					047/227 to Fairbanks		

2. By amending Sub-part D as follows:

§ 95.8003 VOR FEDERAL AIRWAY CHANGEOVER POINTS

Added to read:

FROM	TO	CHANGEOVER POINT DISTANCE FROM
V-32N		
Elko, NV VORTAC	Wells, NV VORTAC	25 Elko

§ 95.8003 VOR FEDERAL AIRWAY CHANGEOVER POINTS

Added to read:

FROM	TO	CHANGEOVER POINT DISTANCE FROM
V-465		
Elko, NV VORTAC	Wells, NV VORTAC	25 Elko

[FR Doc. 82-21385 Filed 8-6-82; 8:45 am]
BILLING CODE 4910-13-C

DEPARTMENT OF COMMERCE

International Trade Administration

DEPARTMENT OF THE TREASURY

Customs Service

15 CFR Part 301

Instruments and Apparatus for Educational and Scientific Institutions

Correction

In FR Doc. 82–20404 appearing at page 32515 in the issue for Wednesday, July 28, 1982, please make the following corrections:

(1) On page 32516, in the first column, in the third complete paragraph, in the third line, the word "advise" should be "advice".

(2) On page 32517, in the third column, under *"Conclusions"*, in the eleventh line, "§§ 301.5(d)(i)(iii)" should have been "§§ 301.5(d)(1)(iii)".

(3) On page 32518, in the first column, in paragraph (3) (§ 301.1(b)(3)), in the twenty-third line, the word "or" should have been "of".

(4) On page 32519, in the middle column, in paragraph (r) (§ 301.2(r)), in the 12th line, "angstrom" should have been "angstroms".

(5) On page 32519, in the third column, in paragraph (s) (§ 301.2(s)), in the fifth line from the end of the paragraph, please insert a comma (,) immediately before "ease".

(6) On page 32520, in the middle column, in paragraph (b) (§ 301.4(b)), in the fourth line, "sope" should have been "scope".

(7) On page 32523, in the first column, in paragraph (3) (§ 301.5(e)3)), in the sixth line, the last word should have been "application".

(8) On page 32524, in the third column, in § 301.10(a), in the last line, "851.060" should have been "851.60".

BILLING CODE 1505-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 249

[Release No. 34-18926]

Annual Assessment Form for SECO Brokers and Dealers

AGENCY: Securities and Exchange Commission.

ACTION: Adoption of form.

SUMMARY: The Securities Exchange Act of 1934 authorizes the Commission to collect reasonable fees and charges as may be necessary to defray the costs of additional regulatory duties required to be performed with respect to broker-dealers who are not members of a registered securities association. This Form sets forth the annual schedule under which such broker-dealers are to be assessed for fiscal year 1982.

DATES: Adoption of the Form is effective August 9, 1982. The Form is required to be filed on or before September 1, 1982.

FOR FURTHER INFORMATION CONTACT: Katherine England, Esq., Attorney-Adviser, Division of Market Regulation, Securities and Exchange Commission, Washington, D.C. 20549; (202) 272–2410.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission announced today that it has adopted Form SECO–4–82 which sets forth the annual assessment to the Commission for fiscal year 1982 by registered broker-dealers who are not members of a registered securities association ("non-member or SECO broker-dealers").

Rule 15b9–2 of the Securities Exchange Act of 1934 ("Act") requires that non-member broker-dealers file a Form SECO–4 for each fiscal year and pay the assessment specified by September 1 of each year. In addition, the Rule provides that, unless the Commission takes action to change them, the levels or rates of fees and assessments imposed on SECO broker-dealers will be set each year at the same levels or rates as the corresponding fees and assessments imposed by the National Association of Securities Dealers, Inc. on its members. Accordingly, in adopting Form SECO–4–82, the Commission has determined to maintain the basic membership fee of $300. In addition, the Commission has maintained the gross municipal securities income assessment at .21% and the gross securities income assessment (exclusive of municipal securities) at .25%.

Pursuant to Rule 15b9–2 under the Act, Form SECO–4–82 shall be filed by every registered non-member broker and dealer on or before September 1, 1982, accompanied by the annual assessment fee required thereunder and specified in the form. It should be noted, however, that those broker-dealers who are exempt from the payment of any assessment or fee pursuant to the provisions of paragraph (e) of rule 15b9–2, must still file the Form.

The Commission finds, in accordance with the Administrative Procedure Act (5 U.S.C. 553(b)(3)(B)), that Rule 15b9–2 of the Act and Securities Exchange Act Release No. 16143 (August 28, 1979) (44 FR 52773 (September 10, 1979)) provided sufficient notice of the basis for and amount of these fees and assessments and that further notice is unnecessary as a prerequisite to the adoption of the Form. The Commission also finds that any burden imposed upon competition by the Form is necessary and appropriate in furtherance of the purposes of the Act, particularly the implementation of the Commission's continuing mandate, under Section 15(b)(8) of the Act, to collect such reasonable fees and charges as may be necessary to defray the costs of the specified regulatory duties required to be performed with respect to SECO broker-dealers.

List of Subjects in 17 CFR 249

Reporting requirements, Securities.

Statutory Basis and Text of the Form

The Commission hereby adopts Form SECO–4–82 (17 CFR 249.504p) pursuant to its authority under the Act, (15 U.S.C. 78a *et seq.*, as amended by Pub. L. No. 94–29 (June 4, 1975)) and particularly Sections 15(b)(7), 15(b)(8), and 23(a).

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Accordingly, Part 249 of Title 17 of the Code of Federal Regulations is amended by adding § 249.504p as follows: (Form SECO–4–82 does not appear in the Code of Federal Regulations.)

§ 249.504p Form SECO–4–82, 1982 assessment and information form for registered brokers and dealers not members of a registered securities association.

This form shall be filed on or before September 1, 1982, pursuant to Rule 15b9–2 (§ 240.15b9–2 of this chapter), accompanied by the annual assessment fee required thereunder and specified in the form, by every registered broker and dealer not a member of a registered securities association. Those broker-dealers which are exempt from the payment of any assessment or fee pursuant to the provisions of § 240.15b9–2(e) must still file the form. Copies of the form are available on request from the Commission.

BILLING CODE 8010-01-M

OMB Approval
OMB #: 3235-0139
Expires November 31, 1984

This Box For SEC Use Only
PAYMENT RECEIVED
Date
Receipt No.
Bank No.
Check No.
Date of Check

FORM SECO-4-82
To Be Filed On or Before September 1, 1982

U.S. SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

1982 ASSESSMENT AND INFORMATION FORM FOR REGISTERED BROKERS AND DEALERS NOT MEMBERS OF A REGISTERED SECURITIES ASSOCIATION

(submit original and three copies)(see instructions on reverse side of form)

1. Name of Broker or Dealer *(If an individual, give last, first, middle name):*

2. IRS Employer Ident. No.

3. Address of Principal Place of Business:
NO. AND STREET CITY STATE ZIP CODE
(Submit addresses of all other offices on separate sheet)

4. SEC File No.:

5. Assessment to defray costs of regulation pursuant to Section 15(b)(8) of the Securities Exchange Act for the fiscal year ending September 30, 1982.

(a) Basic assessment of $300 (or 150*) . . . . . $

(b) Plus assessments for associated persons, including sole proprietors, partners and corporate officers, engaged directly or indirectly in securities activities during the fiscal year at any time in which the broker or dealer was a nonmember broker or dealer:

Number of persons @ $5 ($2.50*) each _____ Amount $

(c) Gross Income Assessment – *(see instruction 7 on reverse side)*

1) Gross securities income *(except municipals)* - 1981 _____ @.25%

2) Gross municipal securities income - 1981 _____ @.21% Amount $

* *See instruction 2 on reverse side* TOTAL ASSESSMENT TO BE PAID [(a)+(b)+(c)] $

6. Membership of Broker or Dealer in United States and Foreign Securities Exchanges *(List regular memberships only):*

If an exchange member, do you claim exemption from the fee provisions of Rule 15b9-2(e)(1) and (2) ☐ YES ☐ NO

7. Principal Type of Securities Business Engaged in by Broker or Dealer *(Check ONE):*

- ☐ Exchange member primarily engaged in exchange commission business
- ☐ Exchange member primarily engaged in floor activities
- ☐ Broker or dealer in general securities business
- ☐ Mutual fund underwriter
- ☐ Mutual fund distributor
- ☐ Broker or dealer selling variable annuity contracts
- ☐ Solicitor of savings and loan accounts
- ☐ Real estate syndicator and mortgage broker and banker
- ☐ Real estate condominium interests
- ☐ Limited partnership interests
- ☐ Broker or dealer selling oil and gas interests
- ☐ Put and call broker or dealer or option writer *(non-exchange options)*
- ☐ Broker or dealer selling securities of only one issuer or associated issuers *(other than mutual funds)*
- ☐ Broker or dealer selling church securities
- ☐ Government bond dealer *(other than municipal)*
- ☐ Broker or dealer in municipal bonds
- ☐ Broker or dealer in other securities business *(Specify)*
- ☐ No securities business *(Specify your type of business)*

TABLE A

	Amt. of 1981 Gross Income ($ THOUSANDS)		Amt. of 1981 Gross Income ($ THOUSANDS)
1. Underwriting and trading activities 1/			
(a) Gross income, fees, concessions, etc., from underwriting and selling group activities	$	7. Underwriting or sponsoring of variable contracts	$
(b) Principal trading of securities over the counter 2/	$	8. Transactions in securities of non-profit organizations	$
(c) Total of (a) and (b), if loss enter "NONE"	$	9. Distribution of tax sheltered investments	$
2. Agency transactions and those retail principal transactions not reported in 1(b)–*(include gross income from clearance and introduced accounts)* 1/	$	10. Writing, endorsing and selling options over the counter	$
3. Private placements	$	11. Mergers and acquisitions	$
4. Sales of mutual funds and contractual plans to the public *(include "trail" commissions)*	$	12. Gross income and fees from other investment banking services	$
5. Underwriting or sponsoring of investment company securities and contractual plans	$	13. Other over-the-counter transactions *(Specify)*	$
6. Sales of variable contracts to the public	$	14. Municipal securities gross income *(including trading & underwriting)*	$
		15. Total 1(c) through 14.	$

1/ *Other than those amounts to be reported in other categories*

2/ *Include profits or losses from valuation of trading inventory only if included in prior years. If unrealized gains and losses were not reported in prior years, they are to be excluded from this report.*

Dated the _____ day of _____, 19__

_____
(Name of corporation, partnership, sole proprietorship or other organization)

_____
(Manual signature of duly authorized principal officer, general partner, sole proprietor or managing agent)

_____
(Title)

over

SEC 110 (6-82)

FORM SECO-4-82
INSTRUCTIONS

1. Brokers or dealers registered with the Commission as of August 15, 1982, who were nonmember brokers or dealers for at least 45 days immediately prior to that date or who were nonmember brokers or dealers for at least 90 days during the period beginning Oct. 1, 1981, and ending August 15, 1982, shall, on or before September 1,1982, file Form SECO-4-82 and pay to the Commission a fee pursuant to Section 15(b)(8) of the Securities Exchange Act of 1934 [the "Act"] to defray certain costs of regulation for the fiscal year ending September 30, 1982. The term "nonmember broker or dealer" is defined in paragraph (f)(2) of Rule 15b9-2.

2. Rule 15b9-2 provides that brokers or dealers who were nonmember brokers or dealers for less than 180 days during the period beginning Oct. 1, 1981 and ending August 15, 1982 shall pay one-half the fees otherwise payable pursuant to Section 15(b)(8) for the fiscal year 1982.

3. Checks should be made payable to the "Securities and Exchange Commission" and mailed to the Office of the Comptroller, Securities and Exchange Commission, Washington, D.C. 20549.

4. If the space provided for any answer is insufficient, the complete answer should be prepared on a separate sheet which should be attached to the form and identified as "Answer to Item_____."

5. Failure to include or file information required to be reported or the making of any false statements may result in the institution of administrative or civil proceedings. Moreover, intentional misstatements or omissions of material facts constitute federal criminal violations punishable by up to five years imprisonment and fines up to $10,000 for each offense. (See 18 U.S.C. 1001 and Section 32(a) of the Act.)

6. Willful nonpayment of fees prescribed by the Commission pursuant to its authority under Section 15(b)(8) may result in the institution of disciplinary proceedings under Sections 15(b)(4) and 15(b)(5) of the Act.

7. Each SECO broker-dealer subject to Rule 15b9-2 is to report gross income from over-the-counter transactions in corporate, state, municipal and other securities for the preceding calendar year. Please refer to Table A or your firm's FOCUS REPORT (4th Quarter) for 1981 for assistance in computing such gross income. Gross income includes profits, commissions, surcharges, concessions, fees, allowances, discounts and reimbursements for expenses before the deduction of any expenses other than any commissions, concessions or other allowances paid to another member in connection with the execution or clearance of any transactions. Gross income does not include interest and dividends, transaction fees, commissions derived from transactions executed on a national securities exchange or a foreign securities exchange and fees received solely for investment advisory services. Also excluded are profits and losses derived from (1) transactions in which both the purchase and sale are executed outside the territorial limits of the United States, (2) transactions in exempted securities as defined in Section 3(a)(12) of the Act, (3) transactions in commercial bank time certificates of deposit and commercial paper, which is defined to include drafts, bills of exchange, and bankers acceptances having maturities at the time of issuance of not exceeding one year, and (4) transactions in securities which are clearly identified by the firm to be held specifically for investment purposes as described in Section 1236 of the Internal Revenue Code.

BILLING CODE 8010-01-C

By the Commission.

Dated: July 28, 1982.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 82-21395 Filed 8-6-82; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM79-76-113 (Kentucky—1) Order No. 243]

High-Cost Gas Produced From Tight Formations; Kentucky

Issued: August 4, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This final order adopts the recommendation of the Kentucky Public Service Commission that the Berea Sandstone be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: This rule is effective August 4, 1982.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357-8511 or John Roy Johnson, (202) 357-8731.

Issued: August 4, 1982.

In the matter of high-cost gas produced from tight formations, Docket No. RM79-76-113 (Kentucky—1) Order No. 243.

The Commission hereby amends § 271.703(d) of its regulations to include the Berea Sandstone as a designated tight formation eligible for incentive pricing under § 271.703. This amendment was proposed in a Notice of Proposed Rulemaking by Director, Office of Pipeline and Producer Regulation (OPPR), issued April 7, 1982 (47 FR 15805, April 13, 1982),[1] based on a submittal by the Commonwealth of Kentucky Public Service Commission (Kentucky), containing the recommendation of the Kentucky Department of Mines and Minerals, Oil and Gas Division, in accordance with § 271.703(c) that the Berea Sandstone be designated as a tight formation.

Evidence submitted by Kentucky supports the assertion that the Berea Sandstone meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Kentucky recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553)

In consideration of the foregoing, Part 271 of Subchapter I, Chapter H, Title 18, *Code of Federal Regulations*, is amended as set forth below, effective August 4, 1982.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—CEILING PRICES

Section 271.703(d) is revised by adding a new subparagraph (93) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.*

* * * * *

(93) *Berea Sandstone in Kentucky.* RM79-76-113 (Kentucky—1).

(i) *Delineation of formation.* The Berea Sandstone is delimited by the underlying Ohio Shale of Devonian age, also known as "Devonian Shale" or "Cinnamon" (drillers' terms), and by the overlying Sunbury Shale of Mississippian age, also known as "Coffee Shale" (drillers' term). The Berea Sandstone is also known as "grit" or "Bedford Shale" (drillers' terms) in the designated area, and is used as a marker for the base of the Mississippian age deposits. The designated area includes all of Lawrence County, Kentucky, with the exception of two areas encompassing approximately three square miles near the 38th parallel in the south-central part of the county.

(ii) *Depth.* The average depth to the top of the Berea Sandstone is 1,400 feet, and the interval is about 100 feet thick throughout Lawrence County.

[FR Doc. 82-21528 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 271

[Docket No. RM79-76-109 (New Mexico—12) Order No. 244]

High-Cost Gas Produced From Tight Formations; New Mexico

Issued: August 4, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the State of New Mexico Energy and Minerals Department, Oil Conservation Division that the Mesaverde Formation be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: This rule is effective August 4, 1982.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357-8511 or Victor Zabel, (202) 357-8616.

Issued: August 4, 1982.

In the matter of high-cost gas produced from tight formations, Docket No. RM79-76-109 (New Mexico—12) Order No. 244.

The Commission hereby amends § 271.703(d) of its regulations to include a portion of the Mesaverde Formation in San Juan County, New Mexico, as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director, Office of Pipeline and Producer

[1] Comments on the proposed rule were invited and none were received. No party requested a public hearing and no hearing was held.

Regulation (OPPR), issued March 30, 1982 (47 FR 14492, April 5, 1982),[1] based on a recommendation by the State of New Mexico Energy and Minerals Department, Oil Conservation Division (New Mexico) in accordance with § 271.703(c) that the Mesaverde Formation be designated as a tight formation. A correction to the proposed rule was issued June 7, 1982 (47 FR 25374, June 11, 1982).

The Commission received two comments in response to the Notice of Proposed Rulemaking in this docket. Husky Oil Company filed its comments in support of New Mexico's recommendation. Pacific Gas and Electric Company (PG&E) filed comments which raise some questions as to whether the recommended formation should be designated as a tight formation.

PG&E claims that El Paso Natural Gas Company (El Paso), which produces natural gas from the recommended formation, prices its gas on a cost-of-service basis. The use of cost-of-service, PG&E argues, guarantees El Paso full recovery of its costs and expenses, plus a reasonable rate of return, and so El Paso has no need to receive the tight formation incentive price. The Commission has previously addressed this argument in Order No. 235, Docket No. RM79-76-097 (New Mexico—8), issued June 4, 1982. In that order, the Commission has taken the position that the question of whether the incentive price is necessary to provide reasonable incentives for particular gas supplies is beyond the scope of these rulemakings. See also Order No. 226, Docket No. RM79-76 (Ohio—2), issued May 7, 1982. The issue in this docket is whether the recommended portion of the Mesaverde Formation meets the standards prescribed in § 271.703(c). Moreover, there are or can be gas producers in the recommended formation other than El Paso, which do not receive cost-of-service pricing for the gas produced therefrom. Finally, the tight formation incentive price is a *ceiling* price, and as such there is no guarantee that a producer, including a pipeline, will be able to charge and collect that price. There must exist proper authorization, either contractual or otherwise, in order for the ceiling price to be collected. See, for example, §§ 271.702(a)(1) and (2), and 271.703(a).

PG&E further asserts that the fact that the recommended area is subject to an infill drilling order, New Mexico Order No. R-1670-T, issued November 4, 1974, indicates that certain areas within the recommended formation may be subject to exclusion under § 271.703(c)(2)(i)(D). Section 271.703(c)(2)(i)(D) provides that:

> If the formation or any portion thereof was authorized to be developed by infill drilling prior to the date of recommendation and the jurisdictional agency has information which in its judgment indicates that such formation or portion subject to infill drilling can be developed absent the incentive price established in paragraph (a) of this section then the jurisdictional agency shall not include such formation or portion thereof in its recommendation.

Section 271.703(b)(6) defines infill drilling as any drilling in a substantially developed formation or portion thereof subject to well spacing or proration unit requirements which were amended by the jurisdictional agency after the formation or portion thereof was substantially developed, and which were adopted for the purpose of more effective and efficient drainage of the reservoirs in such formation. Therefore, if the recommended formation was substantially developed at the time that Order No. R-1670-T was issued, then such area should be excluded from the tight formation designation.

There were 14 available drilling units in the recommended formation at the time that Order No. R-1670-T was issued. Two of these units were developed, that is, these two units each has the one allowable well per unit. This represents 14.29% development of the recommended formation now under consideration prior to the issuance of the infill drilling order. The Commission finds that this does not constitute "substantial development" under § 271.703(b)(6). Accordingly, the Commission will not exclude any areas in New Mexico's recommendation from tight formation designation under § 271.703(c)(2)(i)(D).

Evidence submitted by New Mexico therefore supports the assertion that the Mesaverde Formation meets the guidelines contained in § 271.703(c)(2). The Commission adopts the New Mexico recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553)

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, Title 18, *Code of Federal Regulations*, is amended as set forth below, effective August 4, 1982.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—CEILING PRICES

Section 271.703 is revised by adding a new subparagraph (97) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.*

* * * * *

(97) *Mesaverde Formation in New Mexico.* RM79-76-109 (New Mexico—12).

(i) *Delineation of formation.* The Mesaverde Formation is located in San Juan County, New Mexico, and is found in Township 32 North, Range 8 West, NMPM, Sections 30 and 31 and Township 32 North, Range 9 West, NMPM, Sections 25, 26, 27, 34 and 35.

(ii) *Depth.* The Mesaverde Formation is within the Blanco Mesaverde Gas Pool in the San Juan Basin, and consists of three Sand areas: the Cliffhouse member, which averages 50 feet in thickness, the Menefee member, which ranges in thickness from 230 feet to 290 feet, and the Point Lookout member which ranges in thickness from 150 feet to 200 feet. The vertical limits of the Mesaverde Formation are from the Huerfanito Bentonite in the Lewis Shale above, to a point 500 feet below the top of the Point Lookout member. The average depth to the top of the Mesaverde Formation is 5,463 feet.

[FR Doc. 82-21525 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

---

18 CFR Part 271

[Docket No. RM79-76-110 (New Mexico-13) Order No. 245]

High-Cost Gas Produced From Tight Formations; New Mexico

Issued August 4, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas

[1] No party requested a public hearing and no hearing was held.

Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the State of New Mexico Energy and Minerals Department, Oil Conservation Division, that the Permo-Penn Formation be designated as a tight formation under § 271.703.

EFFECTIVE DATE: This rule is effective August 4, 1982.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357–8511, or Victor Zabel, (202) 357–8616.

Issued August 4, 1982.

In the matter of high-cost gas produced from tight formations, Docket No. RM79–76–110 (New Mexico—13) Order No. 245.

The Commission hereby amends § 271.703(d) of its regulations to include the Permo-Penn Formation in Eddy County, New Mexico, as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director, Office of Pipeline and Producer Regulation, (OPPR), issued April 7, 1982 (47 FR 15806, April 13, 1982),[1] based on a recommendation by the State of New Mexico Energy and Minerals Department, Oil Conservation Division, (New Mexico), that the Permo-Penn Formation be designated as a tight formation.

The Commission received two comments in response to the Notice of Proposed Rulemaking in this docket. Champlin Petroleum Company filed its comments in support of New Mexico's recommendation. Southern California Gas Company and its affiliate, Pacific Lighting Gas Supply Company, (SoCal), filed comments opposing New Mexico's recommendation.

SoCal, in its comments opposing designation of the Permo-Penn Formation as a tight formation, argues that New Mexico failed to produce evidence to demonstrate that the Permo-Penn Formation meets the stabilized production rate guideline found in § 271.703(c)(2). This guideline provides that the "stabilized production rate, against atmospheric pressure, of wells completed for production in the formation, without stimulation, is not expected to exceed the production rate determined in accordance with the following table * * *" SoCal maintains that the production data received by New Mexico in its proceeding in this matter was based on flow rates after stimulation and measured two years into the producing lives of the Permo-Penn wells. SoCal contends that this information is not acceptable to satisfy § 271.703(c)(2), since the reservoirs around each well have been depleted during the two years of production, and that this depletion causes much lower production rates than would have been measured initially. SoCal contends that given a sufficient period of depletion, even a formation with high permeability would be able to qualify under the production flow rate guideline.

The average depth to the top of the Permo-Penn Formation is approximately 5,822 feet, setting the maximum allowable unstimulated stabilized flow rate, under § 271.703(c)(2), at 188 Mcf per day. New Mexico states that the only test of prestimulated flow rates available in the area is the drill stem test, which showed the stabilized rate for the recommended formation as 105 Mcf per day for the ten wells tested.

Post-stimulation calculations were also made from drill stem buildup tests. The tests showed that the time to reach stabilized production rate in the recommended formation varied from 1.8 to 33 years, and averaged 10.7 years. The average producing rate corrected to atmospheric pressure and measured during the 24th month of production after stimulation for the 34 wells producing from the Permo-Penn Formation for 24 months or longer, was 146 Mcf per day. Thus, both methods (pre- and post-stimulation) of measuring flow rates yield averages below the maximum allowable rate of 188 Mcf per day.[2] Accordingly, the Commission finds that SoCal's claim that the recommendation exceeds the production rate guideline is without merit.

SoCal also noted that the transcript of the hearing held in this matter by New Mexico was not in the Commission's public files. The transcript was received by the Commission and placed in the public files on June 4, 1982.

Evidence submitted by New Mexico therefore supports the assertion that the Permo-Penn Formation meets the guidelines contained in § 271.703(c)(2). The Commission adopts the New Mexico recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301–3432; Administrative Procedure Act, 5 U.S.C. 553)

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, Title 18, *Code of Federal Regulations*, is amended as set forth below, effective August 4, 1982.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—CEILING PRICES

Section 271.703(d) is revised by adding a new subparagraph (98) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.*

* * * * *

(98) *Permo-Penn Formation in New Mexico.* RM79–76–110 (New Mexico—13).

(i) *Delineation of formation.* The Permo-Penn Formation is located in Eddy County, New Mexico, in Township 17 South, Ranges 24 through 26 East; Township 18 South, Ranges 24 and 25 East; Township 19 South, Ranges 23 through 25 East; Township 20 South, Ranges 21, 23, and 24 East; Township 20 ½ South, Ranges 21 and 22 East; Township 21 South, Ranges 21 and 22 East; Township 22 South, Range 21 East, Sections 1 through 12; and Township 22 South, Range 22 East, Sections 1 through 12, NMPM.

(ii) *Depth.* The Permo-Penn Formation varies in thickness from 1,000 feet to 1,400 feet, and lies between the base of the Wolfcamp Formation and the top of the Canyon Formation. The Permo-Penn includes the Third Sister, the Antelope Sink, and the Cisco Formations. The

[1] No party requested a public hearing and no hearing was held.

[2] See, Preamble to Interim Rule in Docket No. RM79–76, issued February 20, 1980, *mimeo.* at 22, wherein the Commission stated that it would not specify a time period during which the flow rate will be considered to be stabilized, but would let the jurisdictional agency determine when the flow rate for a particular formation is stabilized.

average depth to the top of the Permo-Penn Formation is 5,822 feet.

[FR Doc. 82-21526 Filed 8-6-82; 8:45 am]
BILLING CODE 6717-01-M

18 CFR Part 271

[Docket No. RM79-76-112 (Wyoming—13) Order No. 247]

High-Cost Gas Produced From Tight Formations; Wyoming

Issued: August 4, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the Wyoming Oil and Gas Conservation Commission that the Lance, Meeteetse and Mesaverde Formations be designated as tight formations under § 271.703(d).

EFFECTIVE DATE: This rule is effective August 4, 1982.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357-8511, or Victor Zabel, (202) 357-8616.

Issued: August 4, 1982.

In the matter of high-cost gas produced from tight formations, Docket No. RM79-76-112 (Wyoming—13) Order No. 247.

The Commission hereby amends § 271.703(d) of its regulations to include the Lance, Meeteetse, and Mesaverde Formations, located in Fremont and Natrona Counties, Wyoming, as designated tight formations eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director of the Office of Pipeline and Producer Regulation, (OPPR), issued April 15, 1982 (47 FR 17070, April 20, 1982),[1] based on a recommendation by the Wyoming Oil and Gas Conservation Commission (Wyoming) in accordance with § 271.703(c) that the Lance, Meeteetse, and Mesaverde Formations be designated as tight formations.

Evidence submitted by Wyoming supports the assertion that these formations meet the guidelines contained in § 271.703(c)(2). The Commission hereby adopts the Wyoming recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subjects in 18 CFR Part 271:

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553)

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, Title 18, *Code of Federal Regulations*, is amended as set forth below, effective August 4, 1982.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—CEILING PRICES

Section 271.703(D) is revised by adding new subparagraphs (94) through (96) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.*

* * * * *

(94) *Lance Formation in Wyoming.* RM79-76-112 (Wyoming—13)

(i) *Delineation of formation.* The Lance Formation is located in Fremont and Natrona Counties, Wyoming, in Township 38 North, Range 88 West, Sections 3 through 11, 13 through 36; Township 38 North, Range 89 West; Township 38 North, Range 90 West, Sections 1 through 3, 6 through 36; Township 38 North, Range 91 West; Township 38 North, Range 92 West, Sections 1, 2, 11 through 14, 23, 24, 25; Township 39 North, Range 88 West, Sections 19, 29 through 33; Township 39 North, Range 89 West, Sections 4 through 10, 13 through 36; Township 39 North, Range 90 West, Sections 1 through 32, 36; Township 39 North, Range 91 West; Township 39 North, Range 92 West, Sections 12, 13, 14, 23 through 26, 35 and 36.

(ii) *Depth.* The Lance Formation lies between the base of the Lower Fort Union Formation and the top of the Meeteetse Formation. The average depth to the top of the Lance Formation is 8,915 feet.

(95) *Meeteetse Formation in Wyoming.* RM79-76-112 (Wyoming—13).

(i) *Delineation of formation.* The Meeteetse Formation is located in Fremont and Natrona Counties, Wyoming, in Township 38 North, Range 88 West, Sections 3 through 11, 13 through 36; Township 38 North, Ranges 89, 90 and 91 West; Township 38 North, Range 92 West, Sections 1, 2, 11 through 14, 23, 24, 25; Township 39 North, Range 88 West, Sections 19, 29 through 33; Township 39 North, Range 89 West, Sections 4 through 10, 13 through 36; Township 39 North, Ranges 90 and 91 West; Township 39 North, Range 92 West, Sections 12, 13, 14, 23 through 26, 35 and 36.

(ii) *Depth.* The Meeteetse Formation lies between the base of the Lance Formation and the top of the Mesaverde Formation. The average depth to the top of the Meeteetse Formation is 14,319 feet.

(96) *Mesaverde Formation in Wyoming.* RM79-76-112 (Wyoming—13).

(i) *Delineation of formation.* The Mesaverde Formation is located in Fremont and Natrona Counties, Wyoming, in Township 38 North, Range 89 West, Sections 6, 7; Township 38 North, Range 90 West, Sections 1 through 12, 15 through 18; Township 38 North, Range 91 West, Sections 2, 3, 4, 9 through 12; Township 39 North, Range 90 West, Sections 28 through 36; Township 39 North, Range 91 West, Sections 25, 26, 34, 35, 36.

(ii) *Depth.* The Mesaverde Formation lies between the base of the Meeteetse Formation and the top of the Cody Shale Formation. The average depth to the top of the Mesaverde Formation is 15,396 feet.

[FR Doc. 82-21527 Filed 8-6-82; 8:45 am]
BILLING CODE 6717-01-M

18 CFR Part 271

[Docket No. RM79-76-106 (Texas—21) Order No. 246]

High-Cost Gas Produced From Tight Formations; Texas

Issued: August 4, 1982.

[1] Comments on the proposed rule were invited and none were received. No party requested a public hearing and no hearing was held.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the Railroad Commission of Texas that the James Limestone Formation be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: This rule is effective August 4, 1982.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357–8511, or Walter W. Lawson, (202) 357–8556.

Issued: August 4, 1982.

In the matter of high-cost gas produced from tight formations, Docket No. RM79–76–106 (Texas—21) Order No. 246.

The Commission hereby amends § 271.703(d) of its regulations to include the James Limestone Formation in parts of San Augustine and Shelby Counties, Texas, as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director of the Office of Pipeline and Producer Regulation (OPPR), issued April 2, 1982 (47 FR 15356, April 9, 1982),[1] based on a recommendation by the Railroad Commission of Texas (Texas) in accordance with § 271.703(c) that the James Limestone Formation be designated as a tight formation.

Evidence submitted by Texas supports the assertion that the James Limestone Formation meets the guidelines contained in § 271.703(c)(2). The Commission hereby adopts the Texas recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301–3432; Administrative Procedure Act, 5 U.S.C. 553)

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, Title 18, *Code of Federal Regulations*, is amended as set forth below, effective August 4, 1982.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—CEILING PRICES

Section 271.703(d) is revised by adding a new subparagraph (92) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.*

* * * * *

(92) *James Limestone Formation in Texas.* RM79–76–106 (Texas—21).

(i) *Delineation of formation.* The James Limestone Formation is found in northern San Augustine County and southern Shelby County, in Railroad District No. 6 in Texas. The area includes 67,900 acres surrounding and extending northwest of the city of San Augustine, Texas.

(ii) *Depth.* The top of the James Limestone Formation ranges from −6,700 feet subsea in the north, to −7,750 feet subsea in the south, with a thickness of approximately 202 feet.

[FR Doc. 82–21524 Filed 8–6–82; 8:45 am]

BILLING CODE 6717–01–M

[1] Comments on the proposed rule were invited and one favorable comment was received. No party requested a hearing and no hearing was held.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 200

[Docket No. R–82–1008]

Delegations To Particular Positions; Composition of Substantial Compliance Committee

AGENCY: Department of Housing and Urban Development, HUD.

ACTION: Final rule.

SUMMARY: The rule amends 24 CFR 200.89 by stating that members of the Substantial Compliance Committee shall be appointed from time to time by the Secretary or the Assistant Secretary for Housing and that notice of the composition of the membership shall be published in the **Federal Register.**

EFFECTIVE DATE: September 28, 1982. The provisions of this rule shall apply retroactively from July 15, 1982.

FOR FURTHER INFORMATION CONTACT: John L. Brady, Director, Office of Title I Insured Loans, Department of Housing and Urban Development, Room 9160, 451 Seventh Street, SW., Washington, D.C. 20410; (202) 755–6880. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The Substantial Compliance Committee (Committee) has the authority to waive compliance with HUD regulations by insured institutions with respect to the interest and maturity of, and the terms, conditions and restrictions under which loans, advances of credit, and purchases may be insured under section 2 of Title I of the National Housing Act.

This rule provides that the Secretary or the Assistant Secretary shall appoint periodically the members of the Committee. It also states that the notice of the membership change in the future shall be published in the **Federal Register.** Further, it clarifies the functions of the Committee.

Since this revision of 24 CFR 200.89 involves only internal matters of agency management, it does not require notice and public procedure.

A Finding of No Significant Impact with respect to the environment is unnecessary since Delegations to Particular Positions, 24 CFR Part 200, are categorically excluded from the National Environmental Policy Act procedures under 24 CFR 50.21(a)(4).

This rule does not constitute a "major rule" as that term is defined in section 1(b) of the Executive Order 12291 on Federal Regulations. An analysis of the rule indicates that it does not (1) have an annual effect on the economy of $100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States based enterprises in domestic or export markets.

Pursuant to the provisions of 5 U.S.C. 605(b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule does not have a significant economic impact on a substantial number of small entities.

This rule was not listed in the Department's Semiannual Agenda of Regulations published on August 17, 1981 (46 FR 41708) pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance Program Numbers are 14.105 through 14.165.

List of Subjects in 24 CFR Part 200

Administrative practice and procedure, Claims, Equal employment opportunity, Fair housing, Housing standards, Loan programs, Housing and community development, Mortgage insurance, Organization and functions (Government agencies), Reporting and recordkeeping requirements, Minimum property standards.

PART 200—INTRODUCTION

Accordingly, Part 200 is amended by revising § 200.89 to read as follows:

§ 200.89 Substantial Compliance Committee.

(a) *Members.* The members of the Substantial Compliance Committee shall be appointed from time to time by the Secretary or the Assistant Secretary for Housing and notice of the composition of the membership shall be published in the **Federal Register.**

(b) *Functions.* The functions of the Substantial Compliance Committee are to waive compliance with regulations heretofore or hereafter prescribed with respect to the interest and maturity of, and the terms, conditions, and restrictions under which loans, advances of credit, and purchases may be insured under section 2 of Title I of the National Housing Act, if, in the judgment of the Committee, the enforcement of such regulations would impose an injustice upon an insured institution which has substantially complied with such regulations in good faith and has refunded or credited any excess charge made, and where such waiver does not involve an increase of the obligation of the Secretary beyond the obligation which would have been involved if the regulations had been fully complied with.

(Sec. 2(e) of Title I of the National Housing Act, 12 U.S.C. 1703(3); Secretary's delegation of authority to redelegate published at 41 FR 24755, June 18, 1976)

Dated: August 2, 1982.

Philip Abrams,

General Deputy Assistant Secretary for Housing—Deputy Federal Housing Commissioner.

[FR Doc. 82-21412 Filed 8-6-82; 8:45 am]

BILLING CODE 4210-27-M

---

24 CFR Part 300

[Docket No. R-82-1011]

General; List of Attorneys-in-Fact

AGENCY: Housing and Urban Development Department.

ACTION: Final rule.

SUMMARY: This amendment updates the current list of attorneys-in-fact by amending paragraph (c) of § 300.11–Power of attorney. These attorneys-in-fact are authorized to act for the Government National Mortgage Association (GNMA) by executing documents in its name in conjunction with servicing GNMA's mortgage purchase programs, all as more fully described in paragraph (a) of § 300.11.

EFFECTIVE DATE: September 28, 1982.

ADDRESS: Rules Docket Clerk, Office of General Counsel, Room 10278, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT: Mr. William J. Linane, Office of General Counsel, on (202) 755-7260.

SUPPLEMENTARY INFORMATION: Notice and public procedure on this amendment are unnecessary and impracticable because of the large volume of legal documents that must be executed on behalf of the Association.

List of Subjects in 24 CFR Part 300

Lawyers, Organization and functions (Government agencies).

PART 300—GENERAL

1. Paragraph (c) of § 300.11 is amended by adding the following names to the current list of attorneys-in-fact:

§ 300.11 Power of attorney.

* * * * *

(c) * * *

Name	Region
Samuel A. Duca	Philadelphia, PA.
Frederick J. Horak	Dallas, TX.
Carmen I. Huertas	Los Angeles, CA.
Dale L. Pea	Dallas, TX.
E. L. Schreiber	Dallas, TX.
Allen G. Temple	Dallas, TX.
Carmeleta Turner	Dallas, TX.

* * * * *

2. Paragraph (c) of § 300.11 is amended by removing the following names from the current list of attorneys-in-fact:

* * * * *

Name	Region
Ardella C. Boucher	Dallas, TX.
Mark Donoho	Dallas, TX.
William B. Enis	Dallas, TX.
Ray M. Evans, Jr.	Dallas, TX.
Richard E. Flesher	Dallas, TX.

* * * * *

(Sec. 309(d) of the National Housing Act, 12 U.S.C. 1723a(d), and Section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d))

Dated: July 23, 1982.

Warren A. Lasko,

Executive Vice President, Government National Mortgage Association.

[FR Doc. 82-21507 Filed 8-6-82; 8:45 am]

BILLING CODE 4210-01-M

---

24 CFR Part 882

[Docket No. R-82-995]

Section 8 Housing Assistance Payments Program for Moderate Rehabilitation

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

ACTION: Interim rule.

SUMMARY: This interim rule implements provisions of the Housing and Community Development (HCD) Amendments of 1981, and revises the existing regulations for the Section 8 Moderate Rehabilitation Program, which provides a vehicle to upgrade rental properties in their early stages of deterioration and to maintain them in standard condition, while providing rental subsidies on behalf of lower-income tenants.

DATES:

Effective Date: September 28, 1982.

Comment Due Date: October 8, 1982.

ADDRESS: Interested persons are invited to submit comments regarding this rule to the Office of General Counsel, Rules Docket Clerk, Room 10278, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410. Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection during regular business hours at the above address. The final rule may reflect changes as a result of comments that are received.

FOR FURTHER INFORMATION CONTACT: Louise Kleffner, Moderate Rehabilitation Division, Room 4204, Department of Housing and Urban Development, Washington, D.C. 20410, (202) 755–5597. (This is not a toll free number.)

SUPPLEMENTARY INFORMATION: The Section 8 Moderate Rehabilitation Program was authorized by the HCD Amendments of 1978, and HUD published the program regulations in the **Federal Register** on May 4, 1979. A technical revision to the regulations concerning allocation of funds was published in the **Federal Register** on November 9, 1979. In fiscal years 1979 through 1981, funding for approximately 76,000 Moderate Rehabilitation units was approved for more than 600 Public Housing Agencies (PHAs) representing both urban and rural areas.

The Moderate Rehabilitation Program provides a vehicle to upgrade rental properties in their early stages of deterioration and maintain them in standard condition, while providing rental subsidies on behalf of lower-income tenants. State or local PHAs determine the neighborhoods in which moderate rehabilitation will be used, select owners' rehabilitation applications, determine the feasibility of accomplishing the rehabilitation within the rental constraints, and monitor the construction work. Most properties being rehabilitated under the program are single-family homes or small multifamily buildings of between two and twenty units. On the average, between $5,000–$10,000 of rehabilitation per unit is being spent for new roofs, rewiring, plumbing, heating systems and energy conservation.

After two years of program operation, HUD has received numerous comments from PHAs concerning the need to simplify the regulations and revise some of the requirements.

Most of the regulatory changes contained in the rule were recommended by local housing administrators; other regulatory requirements were deleted to simplify program administration. The principal revisions to the regulations are described below.

Subpart D

1. Sections 882.401(c)(6), 882.402, 882.404(c), and 882.408 have been expanded to implement the provisions of the HCD Amendments of 1981 (Section 324(3)) concerning Section 8 assistance in single room occupancy housing (i.e., residential properties in which some or all of the dwelling units do not contain bathrooms or kitchen facilities). As provided under the statute, single room occupancy housing will be eligible for participation in the Moderate Rehabilitation Program if the PHA and the unit of general local government in which the property is located approve of moderate rehabilitation units being utilized for such purpose, and the HUD Field Office determines that the property is located in an area in which there is significant demand for such units. In order to distinguish single room occupancy housing from congregate housing and from Independent Group Residences (which have supportive services standards), single room occupancy housing is defined in Section 882.402 as a unit for occupancy by an individual capable of independent living and located within a multifamily structure consisting of more than 12 units. Also, since these units will not contain private bathroom and/or kitchen facilities, the regulations specify that the maximum gross rents may not exceed 75 percent of the Section 8 Moderate Rehabilitation Fair Market Rents for efficiency units. It is noted that the HCD Amendments of 1981 also permit the Secretary to waive, in appropriate cases, the 15 percent limitation on the number of Section 8 units in a particular community occupied by single individuals which are not elderly, displaced or handicapped and to waive the requirement that elderly, displaced or handicapped single persons be given priority over all other types of single persons for admission to Section 8 housing. To implement this provision, Area Managers may direct requests for waivers of 24 CFR Part 812 to the Assistant Secretary for Housing.

2. Section 882.401(a) has also been revised to clarify that the purpose of the Moderate Rehabilitation Program is to upgrade substandard housing and to provide rental subsidies to lower-income families. Other local objectives such as deconcentration or targeting to specific neighborhoods may be adopted. This change will allow PHAs more flexibility to alter specified local objectives based on operating experiences, or to determine that local goals in addition to upgrading substandard housing are unnecessary. Also, § 882.401(b) has been changed to eliminate the requirement that PHAs without inhouse rehabilitation expertise must subcontract with an experienced entity rather than hiring staff.

3. Section 882.403 has been revised to include information previously contained in §§ 882.404 and 882.505, and to delete information concerning the ACC and metropolitan and nonmetropolitan project designations since these areas are relevant only to HUD's internal tracking of outstanding funding commitments. Section 882.404 (Term of Housing Assistance Payments Contract and Lease) has been deleted since the requirements for a 15-year HAP Contract and a minimum 1 year lease term previously contained in § 882.404 have been incorporated into § 882.403. Therefore, § 882.405 and all subsequent sections of Subpart D have been renumbered.

4. Section 882.407, Relocation, (redesignated as § 882.406) has been substantially shortened by the deletion of unnecessary and confusing specificity relating to relocation that is not subject to the Uniform Act. This revised section contains all major relocation policies previously contained in the regulations, except that the maximum temporary relocation period has been increased from six to twelve months. This change is necessary to accommodate greater levels of rehabilitation being accomplished than the original regulations anticipated, and to provide consistency with other Section 8 programs.

5. Section 882.408 (redesignated as § 882.407) has been expanded to require compliance with the Age Discrimination Act of 1975. This statute was omitted inadvertently from the previous list of federal requirements.

6. Sections 882.409 and 882.411 (redesignated as §§ 882.408 and 882.410) have been revised to simplify the rent calculation procedures, to delete PHA-approved exception rents for handicapped or very large units (exception rents based on market conditions have been retained), and to provide a new procedure for annual adjustments to contract rents when the monthly amortization amount for the rehabilitated loan or other debt service is subject to a variable interest rate or a balloon payment. These changes will simplify appreciably the calculation of rents and will facilitate owner participation when only variable rate financing is available for the rehabilitation work. Further, the revision to § 882.409(d) specifies that rents may be recalculated during the rehabilitation period due to unforeseen factors beyond the owner's control (e.g., strikes, weather delays), required design changes, or when the PHA approves changes in financing. This latter change parallels requirements of the HCD Amendments of 1981 applicable to the Section 8 Substantial Rehabilitation Program.

7. Section 882.412 (Establishment of Income Limit Schedules; 30 Percent Occupancy by Very Low Income Families) has been deleted in its

entirety. The HCD Amendments of 1981 deleted the statutory requirement that at least 30 percent of the Section 8 units be occupied by very low income families, and added a requirement in Section 16 that 95 percent of the public housing and Section 8 units initially occupied after the effective date of the Amendments must be leased to very low income families. This legislative requirement covers all public housing and Section 8 programs and will be implemented in a separate regulation.

Subpart E

1. Sections 882.502, 882.503, 882.504, and 882.505 which contain the PHA application and HUD processing procedures have been condensed considerably. Information previously contained in §§ 882.502 through 882.504 has been transferred to section 882.501 which is now titled "Distribution of Funds and Processing of PHA Applications", and all subsequent sections of Subpart E have been renumbered. It is noted that the previous requirement of § 882.503(a)(9)(i) for a PHA certification is deleted since mandatory local program objectives are being deleted.

2. Sections 882.506 through 882.510 (redesignated §§ 882.503 through 882.507) set forth the PHA standards for selection of units and monitoring of the rehabilitation. Several requirements have been deleted to simplify the owner application process and expedite the rehabilitation and provision of rental subsidies. For example, the requirement in § 882.507 that a PHA inspect every property not rejected after initial screening of owner applications and provide each owner with a list of deficiencies has been deleted. Although preconstruction and construction inspections will still be conducted for selected units, this change will substantially reduce PHA staff time spent on processing owner applications which are unlikely to be approved. In addition, owner application requirements have been reduced (Section 882.506); the requirement that PHAs provide owners with a list of contractors has been deleted since contractor selection is an owner function and PHA referral implies an endorsement of competency (Section 882.507); the requirement for an owner certification for unassisted units has been eliminated since these units will not be subsidized and local requirements prevail (Section 882.510); and the HUD specified deadline for PHA inspections has been deleted (Section 882.510).

3. Section 882.514 (redesignated § 882.511) has been revised to clarify and simplify the tenant lease termination policies. The most significant change is that for terminations based on failure to pay rent, a termination notice complying with State and local law or common local practice may substitute for or run concurrently with the HUD required termination notice.

4. Section 882.517, Family Participation (redesignated § 882.514), has been revised to include tenant selection information previously contained in § 882.509(e) and to permit owner selection of tenants not on the PHA's waiting list if the PHA is unable to refer families within 30 days. This change is necessary to ensure that an owner is not required to hold a unit vacant for an unreasonable length of time. Also, § 882.517 (d) and (e) concerning continued assistance to families when they move have been deleted since they were considered too detailed or repetitious. Section 882.517(d) only addressed voluntary PHA actions and was therefore an inappropriate regulatory item. Section 882.509 has been expanded to include the provision previously contained in § 882.517(e) that families leasing overcrowded or under occupied units will not be required to move, nor will assistance be terminated, until suitable replacement housing has been located.

5. Section 882.518 (redesignated § 882.515) has been revised to require that reexaminations of family income and composition be conducted at least annually for all assisted tenants. This implements Section 3(g)(3) of the HCD Amendments of 1981. Previously, PHAs were allowed to conduct reexaminations of elderly families every two years instead of annually.

6. A new paragraph has been added to § 882.519 (redesignated § 882.516) to specify that periodic PHA audits will be conducted in accordance with the guidelines prescribed by the Office of Management and Budget (OMB) Circular A–102, Attachment P—Audit Requirements.

The Secretary has determined that notice and prior public procedure are impracticable and contrary to the public interest and that good cause exists for making this rule effective as soon after publication as possible because:

1. The rule implements provisions of the HCD Amendments of 1981, significantly reduces program requirements for local PHAs and participating owners, and provides more local flexibility.

2. The rule reflects local housing officials' recommendations for necessary policy changes.

3. Most PHAs are actively processing owner applications for program participation and the changes contained in this interim rule are necessary to expedite this process and in turn to provide assistance to lower-income families.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations 24 CFR Part 50, which implements Section 102(2)(C) of the National Environmental Policy Act of 1969. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the Rules Docket Clerk at the above address.

This rule does not constitute a "major rule" as that term is defined in Section 1(b) of Executive Order 12291 on Federal Regulation. Analysis of the rule indicates that it does not (1) have an annual effect on the economy of $100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Pursuant to the provisions of 5 U.S.C. 605(b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule would not have a significant economic impact on a substantial number of small entities.

The Catalog of Federal Domestic Assistance program number is 14.156.

This rule was listed as Item C) 26. H–38–81 under the Office of Housing in the Department's Semiannual Agenda of Regulations published on August 17, 1981 (46 FR 41719) pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

(Sec. 8(e)(5), U.S. Housing Act of 1937 (42 U.S.C. 1437f(e)(5)); Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)); Sec. 324, Housing and Community Development Amendments of 1981)

List of Subjects in 24 CFR Part 882

Grant programs: housing and community development, Housing, Mobile homes, Rent subsidies.

Accordingly, Subparts D and E of 24 CFR Part 882 are revised to read:

PART 882—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—EXISTING HOUSING

Subpart D—Special Procedures for Moderate Rehabilitation—Basic Policies

Sec.
882.401 Applicability, scope and purpose.
882.402 Definitions.
882.403 ACC, housing assistance payments contract, and lease.
882.404 Housing quality standards.
882.405 Financing.
882.406 Relocation.
882.407 Other federal requirements.
882.408 Initial contract rents.
882.409 Contract rents at end of rehabilitation loan term.
882.410 Rent adjustments.
882.411 Payments for vacancies.
882.412 Subcontracting of owner services.
882.413 Responsibility of the family.

Subpart E—Special Procedures for Moderate Rehabilitation—Program Development and Operation

882.501 Distribution of funds and processing of PHA applications.
882.502 Schedule of rehabilitation and leasing.
882.503 Obtaining proposals from owners.
882.504 Assistance to owners and selection of units.
882.505 Agreement to enter into housing assistance payments contract.
882.506 Rehabilitation period.
882.507 Completion of rehabilitation.
882.508 Execution of housing assistance payments contract.
882.509 Overcrowded and under occupied units.
882.510 Adjustment of allowance for utilities and other services.
882.511 Termination of tenancy.
882.512 Reduction of number of units covered by contract.
882.513 Public notice to lower-income families; waiting list.
882.514 Family participation.
882.515 Reexamination of family income and composition.
882.516 Maintenance, operation and inspections.

Subpart D—Special Procedures for Moderate Rehabilitation—Basic Policies

Authority: Section 8(e)(5), U.S. Housing Act of 1937 (42 U.S.C. 1437f(e)(5)); Section 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)); Section 324, Housing and Community Development Amendments of 1981.

§ 882.401. Applicability, scope and purpose.

(a) *General.* This Subpart D and Subpart E set forth the policies and procedures to be used by PHAs in initiating and administering a Moderate Rehabilitation Program. The purpose of the Moderate Rehabilitation Program is to upgrade substandard rental housing and to provide rental subsidies for lower-income Families. Further, PHAs may use the program to achieve local objectives such as deconcentration of assisted housing, revitalization of targeted neighborhoods or minimization of displacement.

(b) *Eligible Applicants.* PHAs, including State Housing Finance and Development Agencies authorized to participate under 24 CFR Part 883, eligible to participate in the Program are those who (1) have the ability to operate a rehabilitation program, or (2) will contract with a qualified agency or entity, or (3) will develop the capability to operate a rehabilitation program.

(c) *Eligible and Ineligible Properties.* (1) Except as provided in paragraphs (c) (2) through (7) of this Section, housing suitable for moderate rehabilitation as defined in § 882.402 is eligible for inclusion under the Moderate Rehabilitation Program. Existing structures of various types may be appropriate for this Program including single-family houses, multi-family structures and Independent Group Residences.

(2) Housing (i) which is, or has been within twelve months prior to the Owner's submittal to the PHA of a proposal, subsidized under any federal housing program, except housing assisted under Subparts A and B of this Part which meets the Performance Criteria of the Housing Quality Standards but has a major building system or component in danger of failure (provided that the Existing Housing Contract is terminated before the Moderate Rehabilitation Contract takes effect), or (ii) which is owned by the PHA administering the ACC under this Program, or (iii) which is a project with a HUD-held mortgage or is a HUD-owned project and is not eligible for assistance under this Program.

(3) Nursing homes, units within the grounds of penal, reformatory, medical, mental and similar public or private institutions, and facilities providing continual psychiatric, medical or nursing services are not eligible for assistance under the Moderate Rehabilitation Program.

(4) Housing owned by a State or unit of general local government is not eligible for assistance under this Program unless: (i) HUD has reviewed and approved the site prior to the execution of an Agreement, and (ii) the State or unit of a general local government sells the property to another Owner prior to execution of an Agreement.

(5) High rise elevator projects for Families with children may not be utilized unless HUD determines there is no practical alternative. (HUD may make this determination for a locality's Moderate Rehabilitation Program in whole or in part and need not review each building on a case-by-case basis.)

(6) Single room occupancy (SRO) housing may not be utilized unless: (i) The property is located in an area in which there is a significant demand for such units, as determined by the HUD Field Office, and (ii) the PHA and the unit of general local government in which the property is located approve of such units being utilized for such purpose.

(7) No Section 8 assistance may be provided with respect to any unit occupied by an Owner; however, cooperatives will be considered as rental housing for purposes of this Program.

(d) *Applicability of Subparts A, B, and F.* Sections 882.102 (Definitions), 882.109 (Housing Quality Standards), and 882.112 (Security and Utility Deposits) of Subpart A and § 882.217 (HUD Review of Contract Compliance) of Subpart B are applicable to the Moderate Rehabilitation Program. Other sections which have been modified for this Program are repeated or referenced in Subparts D and E with appropriate amendments. Subpart F, Special Provisions for Mobile Home Owners, does not apply to Subparts D and E.

§ 882.402 Definitions.

In addition to the definitions set forth in § 882.102, the following will apply:

Agreement to Enter Into Housing Assistance Payments Contract ("Agreement"). A written agreement between the Owner and the PHA that, upon satisfactory completion of the rehabilitation in accordance with requirements specified in the Agreement, the PHA will enter into a Housing Assistance Payments Contract with the Owner.

Eligible Family ("Family"). A family as defined in Section 882.102, including all lower-income single persons in occupancy prior to execution of the Agreement. (Units occupied by lower-income single persons, even if not elderly or handicapped, may be determined eligible in order to prevent displacement.)

Moderate Rehabilitation. Rehabilitation involving a minimum expenditure of $1,000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to:

(a) Upgrade to Decent, Safe and Sanitary condition to comply with the Housing Quality Standards or other

standards approved by HUD, from a condition below those standards (improvements being of a modest nature and other than routine maintenance); or

(b) Repair or replace major building systems or components in danger of failure.

Single Room Occupancy (SRO) Housing: A unit for occupancy by a single eligible individual capable of independent living which does not contain food preparation and/or sanitary facilities in accordance with § 882.109, and is located within a multifamily structure consisting of more than 12 units.

Statement of Family Responsibility. An agreement, in the form prescribed by HUD, between the PHA and a Family to be assisted under the Program, stating the obligations and responsibilities of the two parties.

§ 882.403 ACC, housing assistance payments contract, and lease.

(a) *Maximum Total ACC Commitments.* The maximum total annual contribution that may be contracted for is the total of the Moderate Rehabilitation Fair Market Rents for all the units. The fee for the costs of PHA administration is payable out of the annual contribution.

(b) *Project Account.* (1) A project account will be established and maintained by HUD as a specifically identified and segregated account for each project. The account will contain the sum of the amounts by which the maximum annual commitment exceeds the amount actually paid out for the project under the ACC each year. Payments will be made from this account when needed to cover increases in Contract Rents or decreases in Gross Family Contributions for (i) housing assistance (including vacancy) payments, (ii) the amount of the fee for PHA costs of administration, and (iii) other costs specifically approved by the Secretary.

(2) When a HUD-approved estimate of required payments under the ACC for a fiscal year exceeds the maximum annual commitment, and would cause the amount in the project account to be less than 40 percent of the maximum, HUD will, within a reasonable period of time, take such additional steps authorized by Section 8(c)(6) of the U.S. Housing Act of 1937, as may be necessary, to assure that payments under the ACC will be adequate to cover increases in Contract Rents and decreases in Gross Family Contributions.

(c) *Term of Housing Assistance Payments Contract.* The Contract for any unit rehabilitated in accordance with the Program must be for a term of 15 years.

(d) *Term of Lease.* The initial Lease between the Family and Owner must be for at least one year. Any renewal or extension of the Lease term for any unit must in no case extend beyond the remaining term of the Contract.

§ 882.404 Housing quality standards.

In addition to the standards set forth in § 882.109, the following will apply:

(a) *Energy Efficiency-Performance Requirement.* Caulking and weatherstripping are required as energy conserving improvements. Other appropriate energy conserving improvements such as insulation and storm windows must be accomplished by the Owner as part of the rehabilitation under this Program, to the extent that the PHA determines these improvements to be practicable, cost effective and financially feasible. Also, installation of cost-effective and economically feasible solar energy systems is encouraged.

(b) *Site and Neighborhood-Performance Requirement.* In addition to meeting the standards required in § 882.109(k), the site must:

(1) Be adequate in size, exposure and contour to accommodate the number and type of units proposed; adequate utilities and streets must be available to service the site. (The existence of a private disposal system and private sanitary water supply for the site, approved in accordance with local law, may be considered adequate utilities.)

(2) Be suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, and HUD regulations issued pursuant thereto.

(3) Promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.

(4) Be accessible to social, recreational, educational, commercial, and health facilities and services, and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.

(5) Be so located that travel time and cost via public transportation or private automobile, from the neighborhood to places of employment providing a range of jobs for lower-income workers, is not excessive. (While it is important that housing for the elderly not be totally isolated from employment opportunities, this requirement need not be adhered to rigidly for such projects.)

(c) *Single Room Occupancy Housing—Performance Requirement.* The standards set forth in § 882.109 shall apply for single room occupancy housing except for paragraphs (a), (b), (c), (m), and (n). Sanitary facilities, space and security must meet local code standards for single room occupancy housing or, in the absence of such local code standards, the requirements for habitable rooms used for living and sleeping purposes contained in the American Public Health Association's Recommended Housing Maintenance and Occupancy Ordinance. Each single room occupancy unit shall be occupied by no more than one person. Exterior doors and windows accessible from outside the single room occupancy housing unit shall be lockable.

§ 882.405 Financing.

(a) *Types.* Any type of public or private financing may be utilized with the exception of the rehabilitation loan program under Section 312 of the Housing Act of 1964.

(b) *Use of Contract as Security for Financing.* An Owner may pledge, or offer as security for any loan or obligation, an Agreement or Contract entered into pursuant to this Program, provided that (1) such security is in connection with a unit(s) rehabilitated pursuant to this Program and (2) the terms of the financing or any refinancing must be approved by the PHA in accordance with standards provided by HUD. Any pledge of the Agreement or Contract, or payments thereunder, will be limited to the amounts payable under the Contract in accordance with its terms.

§ 882.406 Relocation.

(a) *Applicability of Uniform Act.* The relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) and HUD implementing regulations at 24 CFR Part 42 apply only to the displacement of any person (owner or tenant) that results from the acquisition of real property for a project assisted under this Program if the acquisition is by a PHA or other State agency (defined at 24 CFR 42.85).

(b) *Displacement Not Subject to the Uniform Act.* The following policies apply to temporary relocation or permanent displacement of tenants which is not subject to the requirements of the Uniform Act. The policies apply only to lawful residential tenants (not owner-occupants or businesses) who are

temporarily relocated or permanently displaced following submission of the owner's proposal to the PHA. The following policies do not apply to tenants who commerce occupancy after the owner's submission of a proposal if they are provided adequate notice from the owner of the impending rehabilitation and possible relocation or displacement, or whose tenancy is terminated for serious or repeated violation of the terms and conditions of the lease; violation of applicable Federal, State or local law; or other good cause. (Good cause does not include terminations because of owner participation in the Program.)

(1) Tenants will not be required to move permanently from the property (building or complex) unless (i) the PHA has a HUD approved relocation strategy, (ii) tenants have received adequate, advance written notice and appropriate advisory services, (iii) tenants have been given a reasonable choice of opportunities to relocate to suitable replacement housing, and (iv) tenants will receive reimbursement for reasonable moving expenses.

(2) Tenants will not be required to move temporarily from the property (building or complex) unless (i) tenants have received adequate, advance written notice and appropriate advisory services, (ii) suitable temporary housing is available, (ii) the temporary relocation period will not exceed 12 months, and (iv) tenants will receive reimbursement for reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including moving costs to and from temporary housing and increases in monthly housing costs.

(3) The PHA is responsible for assuring that all the relocation requirements are met. Reasonable relocation costs incurred by the owner for the temporary relocation of tenants to be assisted under the Program are considered eligible rehabilitation costs for inclusion in the Contract Rents. (Relocation costs associated with permanent displacement or with temporary relocation of tenants not to be assisted under the Program may not be included in the Contract Rents.) Preliminary administrative funds may be used for costs of PHA advisory services for temporary relocation of tenants to be assisted under the Program.

(4) Tenants who believe they have not received relocation opportunities, services or payments in accordance with this section may appeal to the PHA and must be given an informal hearing on the appeal.

§ 882.407 Other Federal requirements.

(a) Participation in this Program requires compliance with the Equal Opportunity requirements specified in § 882.111 and the Age Discrimination Act of 1975. Also, the PHA must comply with HUD's equal opportunity application and operation requirements.

(b) Additionally, in selecting among proposals the PHA must take into consideration compliance with the following:

(1) Executive Order 11988, Floodplains Management;

(2) Executive Order 11990, Protection of Wetlands;

(3) National Historic Preservation Act (Public Law 89–665);

(4) Archeological and Historic Preservation Act of 1974; and

(5) Executive Order 11593 on Protection and Enhancement of the Cultural Environment.

If the PHA proposes to select a building which is on or eligible for the National Register of Historic Places, the PHA must contact the HUD Field Office prior to approval to assure compliance with paragraphs (b) (3), (4), and (5) of this Section.

(c) The PHA and Owner must agree to comply with the requirements of the following, where applicable:

(1) Clean Air Act and Federal Water Pollution Control Act;

(2) Flood Disaster Protection Act of 1973;

(3) Section 504 of the Rehabilitation Act of 1973 (as implemented in 24 CFR Part 8),

(4) Executive Order 11246, Equal Employment Opportunity (for all construction contracts of over $10,000);

(5) Executive Order 11625, Prescribing Additional Arrangements for Developing and Coordinating a National Program for Minority Business Enterprise; and

(6) Labor Standards Provisions contained in the following acts (for Agreements covering 9 or more assisted units):

(i) Davis-Bacon Act;

(ii) Contract Work Hours and Safety Standards Act;

(iii) Copeland Anti-Kickback Act; and

(iv) National Apprenticeship Act.

§ 882.408 Initial contract rents.

(a) *Fair Market Rent Limitation.* The Fair Market Rent Schedule for Moderate Rehabilitation is 120 percent of the Existing Housing Fair Market Rent Schedule, except that the Fair Market Rent limitation applicable to single room occupancy housing is 75 percent of the Moderate Rehabilitation Fair Market Rent for a 0-bedroom unit. The initial Gross Rent for any Moderate Rehabilitation unit must not exceed the Moderate Rehabilitation Fair Market Rent applicable to the unit on the date that the Agreement is executed except by up to 10 percent as provided in paragraph (b) of this section. Additionally, to the extent provided in paragraph (d) of this section, the PHA may approve changes in the Contract Rent subsequent to execution of the Agreement which result in an initial Gross Rent which exceeds the Moderate Rehabilitation Fair Market Rent applicable to the unit by up to 20 percent.

(b) *Exception Rents.* With HUD Field Office approval, the PHA may approve initial Gross Rents which exceed the applicable Moderate Rehabilitation Fair Market Rents by up to 10 percent for all units of a given size in specified areas where HUD has determined that the rents for standard units suitable for the Existing Housing Program are more than 10 percent higher than the Existing Housing Fair Market Rents. The PHA must submit documentation demonstrating the necessity for such exception rents in the area to the HUD Field Office. In areas where HUD has approved the use of exception rents for 0-bedroom units, the single room occupancy housing exception rent will be 75 percent of the exception rent applicable to Moderate Rehabilitation 0-bedroom units.

(c) *Determination of Initial Contract Rents.* (1) The initial Contract Rent and base rent for each unit must be computed in accordance with HUD requirements. These amounts may be determined in accordance with paragraph (2), or in accordance with an alternative method prescribed by HUD. However, the initial Contract Rent may in no event be more than (i) the Moderate Rehabilitation Fair Market Rent or exception rent applicable to the unit on the date that the Agreement is executed, minus (ii) any applicable allowance for utilities and other services attributable to the unit.

(2) When the initial Contract Rent is computed under this paragraph, the rent will be equal to the base rent plus the monthly cost of a rehabilitation loan (but not more than the maximum stated in paragraph (1)). The base rent must be calculated using the rent charged for the unit or the estimated costs to the Owner of owning, managing and maintaining the rehabilitated unit. The monthly cost of a rehabilitation loan must be calculated using:

(i) The actual interest rate on the portion of the rehabilitation costs borrowed by the Owner,

(ii) The HUD-FHA maximum interest rate for multifamily housing (or another rate prescribed by HUD) for rehabilitation costs paid by the Owner out of nonborrowed funds, and

(iii) At least a 15 year loan term, except that if the total amount of rehabilitation is less than $15,000, the actual loan term will be used for the portion of the rehabilitation costs borrowed by the Owner. (HUD Field Offices may authorize loan terms which differ from the above in accordance with HUD requirements.)

(d) *Changes in Initial Contract Rents during Rehabilitation.* (1) The initial Contract Rents established pursuant to paragraph (c) will be the Contract Rents on the effective date of the Contract except under the following circumstances:

(i) When, during rehabilitation, work items (including substantial and necessary design changes) which (A) could not reasonably have been anticipated or are necessitated by a change in local codes or ordinances, and (B) were not listed in the work write-up prepared or approved by the PHA, are subsequently required and approved by the PHA.

(ii) When the actual cost of the rehabilitation performed is less than that estimated in the calculation of Contract Rents for the Agreement or the actual, certified costs are more than estimated due to unforeseen factors beyond the owner's control (e.g., strikes, weather delays or unexpected delays caused by local governments).

(iii) When the PHA (or HUD) approves changes in financing.

(iv) When the actual relocation payments made by the Owner to temporarily relocated Families varies from the cost estimated in the calculation of Contract Rents for the Agreement.

(v) When necessary to correct errors in computation of the base and Contract Rents to comply with the HUD requirements.

(2) Should changes occur as specified in paragraph (d)(1) (either an increase or decrease), the PHA will approve any necessary change in work and amendment of the work write-up and cost estimate, recalculate the initial Contract Rents in accordance with paragraph (3) of this section, and amend the Contract or Agreement, as appropriate, to reflect the revised rents.

(3) In establishing the revised Contract Rents, the PHA must determine that the resulting Gross Rents do not exceed the Moderate Rehabilitation Fair Market Rent or the exception rent in effect at the time of execution of the Agreement. The Fair Market Rent or exception rent, as appropriate, may only be exceeded when the PHA determines in accordance with paragraph (d)(1) of this section that it will be necessary for the revised Gross Rent to exceed the Moderate Rehabilitation Fair Market Rent or exception rent. Should this determination be made, the PHA may not execute a revised Agreement or Contract for Gross Rents exceeding the Fair Market Rents by more than 10 percent until it receives HUD Field Office approval. The HUD Field Office may approve revised Gross Rents which exceed the Fair Market Rents by up to 20 percent for reasons specified in paragraph (d)(1) upon proper justification by the PHA of the necessity for the increase.

§ 882.409 Contract rents at end of rehabilitation loan term.

For a Contract where the initial Contract Rent was based upon a loan term shorter than 15 years, the Contract must provide for reduction of the Contract Rent effective with the rent for the month following the end of the term of the rehabilitation loan. The amount of the reduction will be the monthly cost of amortization of the rehabilitation loan. This reduction should result in a new Contract Rent equal to the base rent established pursuant to § 882.408(c) plus all subsequent adjustments.

§ 882.410 Rent adjustments.

(a) *Annual and Special Adjustments.* Contract Rents will be adjusted as provided in paragraphs (a) (1) and (2) of this section upon submittal to the PHA by the Owner of a revised schedule of Contract Rents, provided that the unit is in decent, safe, and sanitary condition and that the Owner is otherwise in compliance with the terms of the Lease and Contract. Subject to the foregoing, adjustments of Contract Rents will be as follows:

(1) The Annual Adjustment Factors which are published annually by HUD (see Schedule C, 24 CFR Part 888) will be utilized. On or after each annual anniversary date of the Contract, the Contract Rents may be adjusted in accordance with HUD procedures, effective for the month following the submittal by the Owner of a revised schedule of Contract Rents. The changes in rent as a result of the adjustment cannot exceed the amount established by multiplying the Annual Adjustment Factor by the base rents. However, if the amounts borrowed to finance the rehabilitation costs or to finance purchase of the property are subject to a variable rate or are otherwise renegotiable, Contract Rents may be adjusted in accordance with other procedures as prescribed by HUD, and specified in the Contract, provided that the adjusted Contract Rents cannot exceed the rents established by multiplying the Annual Adjustment Factor by the Contract Rents. Adjusted Contract Rents must then be examined in accordance with paragraph (b) of this section and may be adjusted accordingly. Contract Rents may be adjusted upward or downward, as may be appropriate.

(2) A special adjustment, to the extent determined by HUD, to reflect increases in the actual and necessary expenses of owning and maintaining the unit which have resulted from substantial general increases in real property taxes, utility rates, assessments and utilities not covered by regulated rates, may be recommended by the PHA for approval by HUD but only if and to the extent that the Owner clearly demonstrates that these general increases have caused increases in the Owner's operating costs which are not adequately compensated for by annual adjustments. The Owner must submit financial information to the PHA which clearly supports the increase. For Contracts of more than twenty units, the Owner must submit audited financial information.

(b) *Overall Limitation.* Notwithstanding any other provisions of this Part, adjustments as provided in this section must not result in material differences between the rents charged for assisted and comparable unassisted units, as determined by the PHA (and approved by HUD in the case of adjustments under paragraph (a)(2)). However, unless the rents have been adjusted in accordance with § 882.409, this limitation should not be construed to prohibit differences in rents between assisted and comparable unassisted units to the extent that differences existed with respect to the initial Contract Rents.

§ 882.411 Payments for vacancies.

(a) *Vacancies from Execution of Contract to Initial Occupancy.* If a Contract unit which has been rehabilitated in accordance with this Program is not leased within 15 days of the effective date of the Contract, the Owner will be entitled to housing assistance payments in the amount of 80 percent of the Contract Rent for the unit for a vacancy period not exceeding 60 days from the effective date of the Contract, provided that the Owner (1) has complied with §§ 882.506(d) and 882.508(c); (2) has taken and continues to take all feasible actions to fill the vacancy; and (3) has not rejected any

eligible applicant except for good cause acceptable to the PHA.

(b) *Vacancies after Initial Occupancy.* (1) If an Eligible Family vacates its unit (other than as a result of action by the Owner which is in violation of the Lease or the Contract or any applicable law), the Owner may receive the housing assistance payments due under the Contract for so much of the month in which the Family vacates the unit as the unit remains vacant. Should the unit continue to remain vacant, the Owner may receive from the PHA a housing assistance payment in the amount of 80 percent of the Contract Rent for a vacancy period not exceeding an additional month. However, if the Owner collects any of the Family's share of the rent for this period, the payment must be reduced to an amount which, when added to the Family's payment, does not exceed 80 percent of the Contract Rent. Any such excess must be reimbursed by the Owner to the PHA. The Owner will not be entitled to any payment under this paragraph (b)(1) unless the Owner: (i) Immediately upon learning of the vacancy, has notified the PHA of the vacancy or prospective vacancy, and (ii) has taken and continues to take all feasible actions specified in paragraphs (a) (2) and (3) of this section.

(2) If the Owner evicts an Eligible Family, the Owner will not be entitled to any payment under paragraph (b)(1) of this section unless the PHA determines that the Owner complied with all requirements of the Contract.

(c) *Prohibition of Double Compensation for Vacancies.* The Owner will not be entitled to housing assistance payments with respect to vacant units under this section if the Owner is entitled to payments from other sources (for example, payments for losses of rental income incurred for holding units vacant for relocatees pursuant to Title I of the HCD Act of 1974 or payments for unpaid rent under § 882.112 (Security and Utility Deposits)).

§ 882.412 Subcontracting of owner services.

(a) *General.* Any Owner may contract with any private or public entity to perform for a fee the services required by the Agreement, Contract or Lease, provided that such contract may not shift any of the Owner's responsibilities or obligations.

(b) *PHA Management.* If the Owner and a PHA wish to enter into a management contract, they may do so provided that:

(1) The Housing Assistance Payments Contract with respect to the housing involved is administered by another PHA, or

(2) Should another PHA not be available and willing to administer the Housing Assistance Payments Contract and no other management alternative exists, the HUD Field Office may authorize PHA management of units administered by the PHA in accordance with specified criteria.

(3) Notwithstanding the provisions of Sections 882.408 (b) and (c), a PHA may not approve, without prior HUD approval, rents which exceed the appropriate Moderate Rehabilitation Fair Market Rent for a unit for which it provides the management functions under this section.

§ 882.413 Responsibility of the family.

A Family receiving housing assistance under this Program must fulfill all of its obligations under the Lease with the Owner and the Statement of Family Responsibility. Failure of the Family to meet its responsibilities under the Lease or Statement of Family Responsibility may be grounds for termination of assistance by the PHA. Should the PHA determine to terminate assistance to the Family, provisions of § 882.514(f) must be followed.

Subpart E—Special Procedures for Moderate Rehabilitation-Program Development and Operation

Authority: Section 8(e)(5), U.S. Housing Act of 1937 (42 U.S.C. 1437f(e)(5)); Section 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)); Section 324, Housing and Community Development Amendments of 1981.

§ 882.501 Distribution of funds and processing of PHA applications.

(a) *Distribution of Funds.* Contract and budget authority will be assigned to each HUD Field Office pursuant to 24 CFR Part 891. The HUD Field Office will invite applications for the Moderate Rehabilitation Program from PHAs from areas where the Field Office has determined that the Moderate Rehabilitation Program would be appropriate.

(b) *Processing of PHA Applications.* PHAs will submit an application for the Moderate Rehabilitation Program to the HUD Field Office. The application must contain all the information and documentation required by HUD. Should the available contract authority not be sufficient to fund all approvable applications, HUD will rank the applications based on its assessment of which applications have the best combination of the following:

(1) The demonstrated capacity of the PHA or its contractor(s) to provide the rehabilitation technical assistance to Owners required under the Program;

(2) The availability of financing resources, both assisted and unassisted, as demonstrated through statements from financing agencies (for example, local Community Development or State agency rehabilitation loan programs);

(3) The PHA's experience with the Section 8 Existing Housing Program or the PHA's overall administrative capability;

(4) The potential of achieving, as expeditiously as possible, the rehabilitation and leasing of housing units under this Subpart; and

(5) The overall feasibility of the proposed program.

§ 882.502 Schedule of rehabilitation and leasing.

All units in a Section 8 Moderate Rehabilitation project must be under an Agreement, rehabilitated, and under Contract within 24 months of execution of the ACC for that project, unless this schedule is extended by HUD. HUD may modify the unit mix or reduce the number of units or the amount of the annual contributions commitment if, in the determination of HUD, the PHA fails to demonstrate a good faith effort to adhere to this schedule or if other reasons justify a reduction in the number of units or change in the unit mix.

§ 882.503 Obtaining proposals from owners.

(a) *Public Notice to Owners.* Promptly after receiving the executed ACC, and thereafter as may be necessary, the PHA must make known to the public, through publication in a newspaper of general circulation as well as through minority media and other suitable means, the availability and nature of the Program. The notice must inform Owners where they may apply for the Program and must be made in accordance with the HUD guidelines for fair housing requiring the use of the equal housing opportunity logotype, statement and slogan.

(b) *Owner Proposals.* The PHA must develop a proposal format for Owners wishing to apply for participation in the Program which will require, at a minimum, the following information: (1) Owner and building identification, (2) Number and bedroom size of unit(s) to be rehabilitated, (3) Rent history by bedroom size, (4) Proposed rehabilitation work, (5) Tenant information and whether the Owner anticipates that permanent displacement or temporary relocation of tenants will be necessary, (6) The prior participation

of the Owner in HUD Programs, and (7) The Owner's plans for managing and maintaining the unit(s) under the proposal.

§ 882.504 Assistance to owners and selection of units.

(a) *Initial Inspection.* For all proposals selected for further processing, the PHA must inspect the property. A determination must be made by the PHA as to the specific work items which need to be accomplished to bring the unit(s) to be assisted up to the Housing Quality Standards specified in § 882.109 and § 882.404 (or other standards as approved in the PHA's application) or to repair or replace major building systems or components in danger of failing.

(b) *Preliminary Feasibility Analysis.* A rough cost estimate and cash flow analysis of the property following rehabilitation must be made by the PHA. A determination of the necessity for any permanent displacement and/or temporary relocation and a preliminary estimate of the cost of any temporary relocation must be made by the PHA. If the proposal is determined to be feasible, analysis of additional energy conserving improvements which may be cost effective and which may be accomplished within the Fair Market Rent limitations of the Program must be made. The Owner must be required to provide energy conserving improvements in accordance with § 882.404(a). A preliminary estimate of Gross Rents should be made based upon the estimates of rehabilitation, temporary relocation and energy conserving improvements costs.

(c) *Selection of Proposals.* After the initial inspection and preliminary feasibility analysis, the PHA should select among Owner proposals those proposals which it will approve. The PHA must establish a method of selecting among Owner proposals and must make this method known to any Owner submitting or planning to submit a proposal. Proposals must be approved in accordance with criteria established by the PHA and approved by HUD, and in accordance with the following requirements:

(1) No proposal found infeasible by the PHA in the preliminary feasibility analysis may be approved unless the Owner can demonstrate that the allowable rent will be sufficient to rehabilitate, manage and maintain the unit(s) adequately;

(2) If, during the preliminary feasibility analysis, it is determined by the PHA that the work necessary to bring a unit(s) to the Housing Quality Standards, or other standards approved for the Program, or to repair or replace major systems is not sufficient to meet the $1000 per unit minimum amount of rehabilitation requirement, that unit(s) may not be assisted under the Program.

(3) If a unit(s) does not meet the requirement of paragraph (c)(2) but the Owner is proposing to accomplish at least $1000 per unit of rehabilitation by including work to make the unit(s) accessible to a handicapped or disabled individual occupying the unit(s) or expected to occupy the unit(s), the PHA may approve such units not to exceed 5 percent of the units under its Program, provided that accessible units are necessary to meet the requirements of 24 CFR Part 8, which implements Section 504 of the Rehabilitation Act of 1973. The rehabilitation must make the unit(s), and access and egress to the unit(s), barrier-free with respect to the handicap or disability of the individual in residence or expected to be in residence.

(4) A preference must be provided to those proposals which indicate in the preliminary feasibility analysis the greatest dollar amount of necessary rehabilitation per unit.

(5) Prior to the approval of any unit(s) owned by a State or unit of general local government, the PHA must contact HUD and request HUD review of the site. The PHA may not enter into an Agreement on any such unit(s) until HUD approval of the site is obtained and the State or unit of general local government has sold the unit(s) to another Owner.

(d) *Notification of Owners.* When the PHA has selected the proposals which it plans to approve, the PHA must notify all Owners specifying:

(1) Whether their proposal has been rejected or approved;

(2) If the proposal was rejected, the reason(s) for rejection and the Owner's right to appeal to the PHA the PHA's basis for rejection;

(3) The tentative number of units to be assisted; and

(4) That the Owner should request all tenants residing in units tentatively selected for participation in the Program to contact the PHA to submit an application.

(e) *Selection of Units.* The PHA must take the applications and determine the eligibility of all tenants residing in approved units who wish to apply for the Program. After eligibility of all tenants has been determined, the Owner must be informed of any adjustment in the number of units to be assisted. In order to make the most efficient use of housing assistance funds, an Agreement may not be entered into covering any unit occupied by a family which is not eligible to receive housing assistance payments. Therefore, the number of units approved by the PHA for a particular proposal must be adjusted to exclude any unit(s) determined by the PHA to be occupied by a family not eligible to receive housing assistance payments. Eligible Families must also be briefed at this stage as to their rights and responsibilities under the Program.

(f) *Work Write-ups and Cost Estimates.* Should the Owner agree with the assessment of the PHA as to the work that must be accomplished, the preliminary feasibility of the proposal, and the number of units to be assisted, the Owner, with the assistance of the PHA where necessary, must prepare detailed work write-ups including specifications and plans (where necessary) so that a cost estimate may be prepared. The work write-up will describe how the deficiencies eligible for amortization through the Contract Rents are to be corrected including minimum acceptable levels of workmanship and materials. From this work write-up, the Owner, with the assistance of the PHA, must prepare a cost estimate for the accomplishment of all items specified in this section.

(g) *Selection of Contractor.* The Owner is responsible for selecting a competent contractor to undertake the rehabilitation. The PHA must promote opportunities for minority contractors to participate in the Program.

(h) *Feasibility Analysis.* After a firm price has been secured from the contractor selected by the Owner, a feasibility analysis of the proposal must be conducted by the PHA and the Owner.

(i) *Financing.* The PHA must discuss with the Owner the various financing options available. The terms of the financing must be approved by the PHA in accordance with standards provided by HUD.

(j) *Preparation of Lease Form.* The PHA, where necessary, must assist the Owner in the preparation of a form of tenant Lease which meets the requirements of 882.403 and §§ 882.511. The Lease must contain the HUD-prescribed provisions in Appendix I except for paragraph (e). In addition, a provision implementing § 882.511 must be included. The Lease must not contain any of the prohibited provisions in Appendix II.

§ 882.505 Agreement to enter into housing assistance payments contract.

Prior to the commencement of any rehabilitation under this Part, the PHA must enter into an Agreement with the Owner in the form prescribed by HUD.

§ 882.506 Rehabilitation period.

(a) *Timely Performance of Work.* After execution of the Agreement, the Owner must promptly proceed with the rehabilitation work as provided in the Agreement. In the event the work is not so commenced, diligently continued, or completed, the PHA will have the right to rescind the Agreement, or take other appropriate action.

(b) *Inspections.* The PHA must inspect, as appropriate, during rehabilitation to ensure that work is proceeding on schedule and is being accomplished in accordance with the terms of the Agreement, particularly that the work meets the acceptable levels of workmanship and materials specified in the work write-up.

(c) *Changes.* (1) The Owner must submit to the PHA for approval any changes from the work specified in the Agreement which would alter the design or the quality of the required rehabilitation. The PHA may condition its approval of such changes on a reduction of the Contract Rents. If changes are made without prior PHA approval, the PHA may determine that Contract Rents must be reduced or that the Owner must remedy any deficiency as a condition for acceptance of the unit(s).

(2) Contract Rents may not be increased except in accordance with provisions of § 882.408(d).

(d) *List of Vacancies.* in order that the unit(s) might be promptly occupied, 60 days prior to the scheduled completion of the rehabilitation, the Owner must notify the PHA of any unit(s) which will be vacant on the anticipated effective date of the Contract. The PHA will notify Families of the appropriate size on its waiting list of the availability of the unit.

§ 882.507 Completion of Rehabilitation

(a) *Notification of Completion.* The Owner must notify the PHA when the work is completed and submit to the PHA the evidence of completion and certifications described in paragraphs (b) and (c) of this section.

(b) *Evidence of Completion.* Completion of the unit(s) must be evidenced by furnishing the PHA with the following:

(1) A certificate of occupancy and/or other official approvals as required by the locality.

(2) A certification by the Owner that:

(i) The unit(s) has been completed in accordance with the requirements of the Agreement;

(ii) The unit(s) is in good and tenantable condition;

(iii) The unit(s) has been rehabilitated in accordance with the applicable zoning, building, housing and other codes, ordinances or regulations, as modified by any waivers obtained from the appropriate officials;

(iv) Any unit(s) built prior to 1950 is in compliance with applicable HUD Lead Based Paint regulations; and

(v) If applicable, the Owner has complied with the provisions of the Agreement relating to the payment of not less than prevailing wage rates and that to the best of the Owner's knowledge and belief there are no claims of underpayment concerning alleged violations of said provisions of the Agreement. In the event there are any such pending claims to the knowledge of the Owner, PHA or HUD, the Owner will be required to place sufficient amount in escrow, as determined by the PHA or HUD, to assure such payments.

(c) *Actual Cost and Rehabilitation Loan Certifications.* The Owner must provide the PHA with a certification of the costs incurred for the rehabilitation and any temporary relocation as well as the interest rate and term of any rehabilitation loan. The Owner must certify that these are the actual costs, interest rate, and term.

The PHA must review for completeness and accuracy and accept these certifications subject to the right of post audit. The PHA must then establish the Contract Rents as provided in § 882.408 which will be subject to reduction based on a post audit.

(d) *Review and Inspections.* The PHA must review the evidence of completion for compliance with paragraph (b) of this section. The PHA also must inspect the unit(s) to be assisted to determine that the unit(s) has been completed in accordance with the Agreement and meets the Housing Quality Standards or other standards approved by HUD for the Program. If the inspection discloses defects or deficiencies, the inspector must report these in detail.

(e) *Acceptance.* (1) If the PHA determines from the review and inspection that the unit(s) has been completed in accordance with the Agreement, the unit(s) will be accepted.

(2) If there are any items of delayed completion which are minor items or which are incomplete because of weather conditions, and in any case which do not preclude or affect occupancy, and all other requirements of the Agreement have been met, the unit(s) must be accepted. An escrow fund determined by the PHA to be sufficient to assure completion for items of delayed completion must be required, as well as a written agreement between the PHA and the Owner, to be included as an exhibit to the Contract, specifying the schedule for completion. If the items are not completed within the agreed time period, the PHA may terminate the Contract or exercise other rights under the Contract.

(3) If other deficiencies exist, the PHA must determine whether and to what extent the deficiencies are correctable, and whether the Contract Rents should be reduced. The Owner must be notified of the PHA's decision. If the corrections required by the PHA are possible, the PHA and the Owner must enter into an agreement for the correction of the deficiencies within a specified time. If the deficiencies are corrected within the agreed period of time, the PHA must accept the unit(s).

(4) Otherwise, the unit(s) may not be accepted, and the Owner must be notified with a statement of the reasons for nonacceptance.

§ 882.508. Execution of housing assistance payments contract.

(a) *Time of Execution.* Upon PHA acceptance of the unit(s) and certifications pursuant to § 882.507, the Contract will be executed by the Owner and the PHA. The effective date must be no earlier than the PHA inspection which provides the basis for acceptance as specified in § 882.507(e).

(b) *Changes from Agreement.* The Contract Rents may be higher or lower than those specified in the Agreement in accordance with requirements of § 882.408(d).

(c) *Unleased Unit(s).* At the time of execution of the Contract, the Owner will be required to submit a list of dwelling unit(s) leased and not leased as of the effective date of the Contract. (See § 882.411(a).)

§ 882.509. Overcrowded and under occupied units.

If the PHA determines that a Contract unit is not decent, safe, and sanitary by reason of increase in Family size, or that a Contract unit is larger than appropriate for the size of the Family in occupancy, housing assistance payments with respect to the unit will not be abated; however, the Owner must offer the Family a suitable alternative unit should one be available and the Family will be required to move. If the Owner does not have a suitable available unit, the PHA must assist the Family in locating other standard housing in the locality within the Family's ability to pay and require the Family to move to such a unit as soon as possible. In no case will a Family be forced to move nor will housing assistance payments under the Contract be terminated unless the Family rejects

without good reason the offer of a unit which the PHA judges to be acceptable.

§ 882.510. Adjustment of allowance for utilities and other services.

The PHA must determine, at least annually, whether an adjustment is required in the Allowance for Utilities and Other Services applicable to the dwelling units in the Program, on grounds of changes in utility rates or other change of general applicability to all units in the Program. The PHA may also establish a separate schedule of allowances for each building of 20 or more assisted units, based upon at least one year's actual utility consumption data following rehabilitation under the Program. If the PHA determines that an adjustment should be made in its Schedule of Allowances or if it establishes a separate schedule for a building which will change the allowance, the PHA must then determine the amounts of adjustments to be made in the amount of rent to be paid by affected Families and the amount of housing assistance payments and must notify the Owners and Families accordingly. Any adjustment to the Allowance must be implemented no later than at the Family's next reexamination or at lease renewal, whichever is earlier.

§ 882.511. Termination of Tenancy.

(a) *Applicability.* The provisions of this section apply to decisions by an Owner to terminate the tenancy of a Family during or at the end of the Family's lease term.

(b) *Grounds for Termination of or Refusal to Renew the Lease.* The Owner must not terminate or refuse to renew the lease except upon the following grounds:

(1) Serious or repeated violation of the terms and conditions of the lease.

(2) Violation of applicable Federal, State or local law.

(3) Other good cause.

(c) *Notice of Termination of Tenancy.*

(1) The Owner must serve a written notice of termination of tenancy on the Family which states the date the tenancy shall terminate. Such date must be in accordance with the following:

(i) When termination is based on failure to pay rent, the date of termination must be not less than five working days after the Family's receipt of the notice.

(ii) When termination is based on serious or repeated violation of the terms and conditions of the lease or on violation of applicable Federal, State or local law, the date of termination must be in accordance with State and local law.

(iii) When termination is based on other good cause, the date of terminaton must be no earlier than 30 days after the notice is served on the Family.

(2) The notice of termination must:

(i) State the reasons for such termination with enough specificity to enable the Family to prepare a defense.

(ii) Advise the Family that if a judicial proceeding for eviction is instituted, the tenant may present a defense in that proceeding.

(iii) Be served on the Family by sending a prepaid first class properly addressed letter (return receipt requested) to the tenant at the dwelling unit or by delivering a copy of the notice to the dwelling unit.

(3) *Substitution of State and Local Requirements.* In the case of failure to pay rent, a notice of termination which is issued pursuant to State or local law or is common practice in the locality and which satisfies paragraph (c)(2) may be substituted for or run concurrently with the notice required herein.

(d) *Eviction.* All evictions must be carried out through judical process under State and local law. "Eviction" means the dispossession of the Family from the dwelling unit pursuant to State or local court action.

(e) *Lease.* The requirements of this section shall be incorporated into the dwelling lease between the Owner and the Family.

§ 882.512 Reduction of number of units covered by contract.

(a) *Limitation on Leasing to Ineligible Families.* Owners must lease all assisted units under Contract to Eligible Families. Leasing of vacant, assisted units to ineligible tenants is a violation of the Contract and grounds for all available legal remedies, including suspension or debarment from HUD programs and reduction of the number of units under the Contract, as set forth in paragraph (b) of this section. Once the PHA has determined that a violation exists, the PHA must notify HUD of its determination and the suggested remedies. At the direction of HUD, the PHA must take the appropriate action.

(b) *Reduction for Failure to Lease to Eligible Families.* If, at any time beginning six months after the effective date of the Contract, the Owner fails for a period of six continuous months to have at least 90 percent of the assisted units leased or available for leasing by Eligible Families (because families initially eligible have become ineligible), the PHA may, on at least 30 days' notice, reduce the number of units covered by the Contract. The PHA may reduce the number of units to the number of units actually leased or available for leasing by Eligible Families plus 10 percent (rounded up). If the Owner has only one unit under Contract and if one year has elapsed since the date of the last housing assistance payment, the Contract may be terminated with the consent of the Owner.

(c) *Restoration.* The PHA will agree to an amendment of the Contract, to provide for subsequent restoration of any reduction made pursuant to paragraph (b) if:

(1) The PHA determines that the restoration is justified by demand,

(2) The Owner otherwise has a record of compliance with obligations under the Contract, and

(3) Contract authority is available.

§ 882.513 Public notice to lower-income families; waiting list.

(a) *Public Notice to Lower-Income Families.* (1) If the PHA does not have a waiting list which is sufficient to provide applicants for the units under the Moderate Rehabilitation Program, the PHA must, promptly after receiving the executed ACC, make known to the public the availability of the Program.

(i) The notice must state that assistance under this Program will be available only in specified units which have been rehabilitated under the Program.

(ii) The notice must be made in accordance with the PHA's HUD-approved application and with the HUD guidelines for fair housing requiring the use of the equal housing opportunity logotype, statement and slogan.

(b) *Waiting List.* The PHA must maintain a waiting list for applicants for the Moderate Rehabilitation Program. This requirement may be met through the use of waiting lists for other subsidized housing programs such as the Existing Housing Program.

§ 882.514 Family participation.

(a) *Initial Determination of Family Eligibility.* (1) The PHA will be responsible for determining Family eligibility for participation, in accordance with HUD Regulations. The PHA is responsible for verifying the sources and amount of the Family's Income and other information necessary for determining eligibility and the amount of the assistance payments.

(2) PHA records on applicants and Families selected to participate must be maintained so as to provide HUD with racial, gender, and ethnic data.

(b) *Selection of Families for Participation.* When vacancies occur, the PHA will refer to the Owner one or more appropriate size Families on its

waiting list. The PHA must select Families for participation in accordance with the provisions of the Program and in accordance with the PHA's application, including any PHA requirements or preferences as approved by HUD. The PHA must select Families eligible for housing assistance payments currently residing in units which are designated for rehabilitation under the Program without requiring that these Families be placed on the waiting list.

(c) *Owner Selection of Families.* All vacant units under Contract must be rented to Eligible Families referred by the PHA from its waiting list. However, if the PHA is unable to refer a sufficient number of interested applicants on the waiting list to the Owner within 30 days of the Owner's notification to the PHA of a vacancy, the Owner may advertise or solicit applications from Lower-Income Families and refer such Families to the PHA to determine eligibility. Since the Owner is responsible for tenant selection, the Owner may refuse any Family provided that the Owner does not unlawfully discriminate. Should the Owner reject a Family, and should the Family believe that the Owner's rejection was the result of unlawful discrimination, the Family may request the assistance of the PHA in resolving the issue. If the issue cannot be resolved promptly, the Family may file a complaint with HUD, and the PHA may refer the Family to the next available Moderate Rehabilitation unit.

(d) *Briefing of Families.* (1) When a Family is initially determined to be eligible for housing assistance payments (§ 882.504(e)) or is selected for participation in accordance with this Section, the PHA must provide the Family with information as to the Gross Family Contribution and the PHA's schedule of Allowances for Utilities and Other Services. Each Family must also, either in group or individual sessions, be provided with a full explanation of the following:

(i) Family and Owner responsibilities under the Lease and Contract;

(ii) Significant aspects of the applicable State and local laws;

(iii) Significant aspects of Federal, State and local fair housing laws;

(iv) The fact that the subsidy is tied to the unit and the Family must occupy a unit rehabilitated under the Program; and

(v) The Family's options under the Program should the Family be required to move due to an increase or decrease in Family size.

(2) For all Families to be temporarily relocated, the briefing must include a discussion of the relocation policies.

(e) *Continued Participation of Family When Contract is Terminated.* Should an Owner evict an assisted Family in violation of the Contract or otherwise breach the Contract and the Contract for the unit is terminated, and if the Family was not at fault and is eligible for continued assistance, the Family may continue to receive housing assistance through the conversion of the Moderate Rehabilitation unit allocation to an Existing Housing unit. The Family must then be treated as any certified Family under Subparts A and B and must be issued a Certificate of Family Participation and assisted by the PHA in finding a suitable replacement unit. The unit will then be considered an Existing Housing unit and all requirements of Subparts A and B will be applicable except that the term of any Existing Housing Contract may not extend beyond the term of the initial Moderate Rehabilitation Contract. If the family is determined ineligible for continued assistance, the Certificate may be offered to the next Family on the PHA's waiting list. The units will remain under the Moderate Rehabilitation ACC which provides for such a conversion of units; therefore, no amendment to the ACC will be necessary to convert to Existing Housing units.

(f) *Families Determined by the PHA to be Ineligible.* If a family is determined by the PHA to be ineligible in accordance with the PHA's HUD-approved application, either at the application stage or after assistance has been provided on behalf of the family, the PHA must promptly notify the family by letter of the determination and the reasons for it and the letter must state that the family has the right within a reasonable time (specified in the letter) to request an informal hearing. If, after conducting such an informal hearing, the PHA determines that the family is ineligible, it must so notify the family in writing. The procedures of this paragraph do not preclude the family from exercising its other rights if it believes it is being discriminated against on the basis of race, color, creed, religion, sex, handicap, or national origin.

§ 882.515 Reexamination of family income and composition.

A reexamination of Family Income, composition and redetermination of Gross Family Contribution must be conducted by the PHA at least annually. A Family's eligibility for housing assistance payments will continue until the amount payable by the Family equals the Gross Rent for the dwelling unit it occupies. However, the termination of eligibility at that point will not affect the Family's other rights under the Lease. Any resumption of housing assistance payments as a result of subsequent changes in income or rents or other relevant circumstances will be contingent upon the availability of assistance under the Contract (see § 882.512). A Family may at any time request a redetermination of its Gross Family Contribution on the basis of changes in Family Income or other relevant circumstances.

§ 882.516 Maintenance, operation and inspections.

(a) *Maintenance and Operation.* The Owner must provide all the services, maintenance and utilities as agreed to under the Contract, subject to abatement of housing assistance payments or other applicable remedies if the Owner fails to meet these obligations.

(b) *Periodic Inspection.* In addition to the inspections required prior to execution of the Contract, the PHA must inspect or cause to be inspected each dwelling unit under Contract at least annually and at such other times as may be necessary to assure that the Owner is meeting the obligations to maintain the unit in decent, safe and sanitary condition and to provide the agreed upon utilities and other services. The PHA must take into account complaints and any other information coming to its attention in scheduling inspections.

(c) *Units not Decent, Safe and Sanitary.* If the PHA notifies the Owner that the unit(s) under Contract are not being maintained in decent, safe and sanitary condition and the Owner fails to take corrective action (including corrective action with respect to the Family where the condition of the unit is the fault of the Family) within the time prescribed in the notice, the PHA may exercise any of its rights or remedies under the Contract, including abatement of housing assistance payments (even if the Family continues in occupancy), termination of the Contract on the affected unit(s) and assistance to the Family in accordance with § 882.514(e).

(d) *PHA Management.* Where the PHA is managing units on which it is also administering the Housing Assistance Payments Contract pursuant to a management contract approved by HUD in accordance with § 882.412, HUD will make reviews of project operations, including inspections, in addition to required PHA reviews. These HUD reviews will be sufficient to assure that the Owner and the PHA are in full compliance with the terms and conditions of the Contract and the ACC. Should HUD determine that there are

deficiencies, it may exercise any rights or remedies specified for the PHA under the Contract or reserved for HUD in the ACC, require termination of the management contract, or take other appropriate action.

(e) Periodic PHA audits must be conducted as required by HUD, in accordance with guidelines prescribed by the Office of Management and Budget (OMB) Circular A–102, Attachment P—Audit Requirements.

Dated: July 19, 1982.

Philip Abrams,

General Deputy Assistant Secretary for Housing-Deputy Federal Housing Commissioner.

[FR Doc. 82–21534 Filed 8–6–82; 8:45 am]

BILLING CODE 4210–27–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 164

[CGD 79–033]

Navigation Safety Regulations; Radar Requirement for Certain Tankers of 10,000 Gross Tons or More

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This regulation contains requirements for dual radar systems to be carried on oil and bulk hazardous materials tankers of 10,000 gross tons or more when operating on the navigable waters of the United States. These requirements are mandated by the Port and Tanker Safety Act, and will contribute to the safety of navigation.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas J. Falvey, Project Manager, Office of Marine Environment and Systems (G–WWM), Room 1606, U.S. Coast Guard Headquarters, 2100 Second St., S.W., Washington, DC 20593, (202) 426–4958.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking for vessels 10,000 gross tons (grt) or more entering U.S. waters to carry a dual radar system was published on May 16, 1977 (42 FR 24871). A final rule implementing these dual radar requirements was published on July 24, 1978 (43 FR 32112). The Port and Tanker Safety Act (PTSA) of 1978 (Pub. L. 95–474) subsequently required that any self-propelled vessel 10,000 grt or more carrying oil or liquid hazardous materials in bulk as cargo or in residue on U.S. waters be equipped with a dual radar system, with long and short range capabilities, and each with true north features. The Act required that this equipment be installed on specified vessels not later than June 1, 1979. The additional PTSA requirements for vessels subject to the Act were published without change as an interim final rule on May 7, 1979 (44 FR 26740). The purpose of publishing an interim final rule was to await preparation of a set of radar performance standards by the Inter-Governmental Maritime Consultative Organization (IMCO).

Drafting Information: The principal persons involved in drafting this rule are Mr. Thomas J. Falvey, Project Manager, Office of Marine Environment and Systems and Mr. Michael N. Mervin, Project Attorney, Office of Chief Counsel.

Discussion: The purpose of this document is to retain without change the regulations published as an interim final rule on May 7, 1979 (44 FR 26740). These regulations appear as 33 CFR 164.37(b) and supplement 164.37(a) which requires all vessels of 10,000 grt or more, when operating on the navigable waters of the United States except the Panama Canal and St. Lawrence Seaway, to be equipped with two radar systems capable of independent operation. This rule was necessitated by passage of the Port and Tanker Safety Act of 1978 (PTSA), which added additional radar requirements, and excluded certain foreign vessels, including those in innocent passage or transiting an international strait. This rule applies only to vessels subject to the PTSA.

The PTSA was signed on October 17, 1978. Vessels of 10,000 grt or more carrying oil or liquid hazardous materials in bulk as cargo or as residue are required by that law to have a dual radar system with long and short range capabilities and true north features. Both of these requirements were being addressed at the time of passage of the PTSA by the Inter-governmental Maritime Consultative Organization's (IMCO) Sub-committee on Safety of Navigation as part of a revision to the existing international radar standard (A–222(VII)), and it was anticipated that the new standard would fully comply with the statutory mandate. It was decided to use the revised standards to implement the PTSA dual radar requirements as part of a minimum standard for all required radars. As the revised standard was not completed as expected, it became necessary to issue an interim rule which added to the existing dual radar requirements the additional PTSA requirements. When the revised international radar standard became available, it had been the Coast Guard's intention to implement the new standards in § 164.37.

The new IMCO Performance Standards for Radar Equipment (A.477) were approved by that organization on 15 January 1982. These standards were adopted to apply to radar installations made on or after 1 September 1984, and specified that installations made before 1 September 1984 should conform at least to the performance standards set in A.222. The new standards did incorporate the true north features and range scales that are within the parameters for long and short range capability (16 and 3 miles) which the Coast Guard accepts as compliance with the interim rule.

On May 25, 1980, the International Convention for the Safety of Life at Sea, 1974 (SOLAS 74) came into force, thereby replacing and abrogating the old 1960 Safety Convention. Regulation 12 of Chapter V (as revised) of the Convention requires that all ships of 10,000 grt or more be fitted with two radar installations, of the type approved by the administration (in this case the government of the United States).

The Federal Communications Commission (FCC) has been charged in Section 303(r) of the Communications Act of 1934 as amended, with responsibility for making "such rules and regulations * * * as may be necessary to carry out the provisions of * * * any treaty or convention insofar as it relates to the use of radio, to which the United States is or may hereafter become a party." Radar which is an acronym for Radio Detection And Ranging, has been judged to be "radio" within the meaning of Section 303(r) of the Act and was so understood by the U.S. Senate when, as part of the ratification process, if granted its Advice and Consent on the occasion of compulsory radar requirements' initial introduction and integration into the Safety Convention. The FCC is the U.S. government agency responsible for insuring that radar installations made on U.S. flag vessels meet adopted standards. Radar installations made on foreign vessels are the responsibility of the flag state. The Coast Guard is responsible for requiring vessels to install specified navigation equipment to insure the safety of navigation.

As the existing regulations are satisfactory for meeting the requirements of the PTSA no expansion or modification of the existing rule will be undertaken.

Evaluation

This regulation has been evaluated under Executive Order 12291 and DOT Order 2100.5 of May 22, 1980, "Policies and Procedures for Simplification,

Analysis and Review of Regulations," and has been determined to be neither major nor significant. As this rulemaking makes no changes to the Interim Rule, A Regulatory Evaluation has not been prepared. Vessels complying with SOLAS 74 will meet these requirements without additional costs. The Interim Rule being reaffirmed by this document was published before the effective date of the Regulatory Flexibility Act (94 Stat. 1165); however, this rule should not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 164

Coast Guard, Marine safety, Navigation (water).

PART 164—NAVIGATION SAFETY REGULATIONS

Accordingly, the "Interim Final Rule," is hereby adopted without any changes, as set forth below.

§ 164.37 Equipment: Vessels of 10,000 gross tons or more.

* * * * *

(b) On each tanker of 10,000 gross tons or more that is subject to Section 5 of the Port and Tanker Safety Act of 1978 (46 U.S.C. 391a), the dual radar system required by this part must have a short range capability and a long range capability; and each radar must have true north features consisting of a display that is stabilized in azimuth.

(46 U.S.C. 391a; 49 CFR 1.46(n)(4))

Dated: July 13, 1982.

B. F. Hollingsworth,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 82-21267 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Circular No. 2509]

43 CFR Part 1780

Cooperative Relations; Amendment Extending Terms of Advisory Committee Members

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking amends recently adopted changes in the length of terms to be served by citizens appointed to the Bureau of Land Management's many district advisory councils. Its effect is to prolong by one year the terms of all persons appointed in 1982 to the councils.

EFFECTIVE DATE: September 8, 1982.

ADDRESS: Any suggestions or inquiries should be addressed to: Director (150), Bureau of Land Management, 1800 C Street NW., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Teddy W. Roe, (202) 343-2054.

SUPPLEMENTARY INFORMATION: On February 12, 1982, the Secretary of the Interior published in the **Federal Register** (47 FR 6428) his intention to place appointments to the Bureau of Land Management's district advisory councils on staggered 1-, 2- and 3-year terms ending December 31 of 1982, 1983 and 1984, respectively.

Due to delays in the appointing process, there is a need to advance by one year the termination of all terms. Under this rulemaking the terms will end on December 31 of 1983, 1984 and 1985 instead of ending in 1982, 1983 and 1984 as provided in the existing regulations.

The change made by this proposed rulemaking pertains only to those district advisory councils with 10 or more members. The exception, the 15-member California Desert District Advisory Council, has already been appointed and is currently operating.

This final rulemaking makes an administrative change in the terms of the members of 1982 Advisory Councils appointed in 1982 and will have an insignificant effect on the public. Therefore, the change is being made as a final rulemaking. All other provisions of the final rulemaking of February 12, 1982, remain unchanged.

It is hereby determined that this rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 602 et seq.).

The principal author of this final rulemaking is Teddy W. Roe of the Office of Congressional Affairs, assisted by the staff of the Office of Legislation and Regulatory Management, Bureau of Land Management.

List of Subjects in 43 CFR Part 1780

Administrative practice and procedure, Advisory committees, Public lands.

Under the authority of the Federal Advisory Committee Act (5 U.S.C. Appendix 1) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), Subpart 1784, Part 1780, Group 1700, Subchapter A, Chapter II, Subtitle B of Title 43 of the Code of Federal Regulations is amended as set forth below.

Frank A. DuBois,

Acting Assistant Secretary of the Interior.

August 2, 1982.

PART 1780—COOPERATIVE RELATIONS

§ 1784.3 [Amended]

1. Section 1784.3 is amended by changing in the second sentence of paragraph (b) the figure "1982" where it appears the second time to the figure "1983" and the figures "1983" and "1984" to the figures "1984" and "1985", respectively.

[FR Doc. 82-21478 Filed 8-6-82; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 70

[Docket No. FEMA-5909]

Larimer County, Colorado; Letter of Map Amendment Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, map correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Larimer County, Colorado. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Larimer County, Colorado, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards

Division, Federal Emergency Management Agency, Washington, D.C. 20472; (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034; Telephone (800) 638–6620. The map amendments listed below are in accordance with S 70.7(b):

Map No. H & I 080101 Panel 0135B, published on October 6, 1980, in 45 FR 66109, indicates that the South half of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 26, Township 9 North, Range 68 West of the 6th P.M., Larimer County, Colorado, recorded as Instrument Number 442002 in Book 2148, Pages 0710 and 0711, in the Office of the Recorder, Larimer County, Colorado, is located within the Special Flood Hazard Area.

Map No. H & I 080101 Panel 0135B is hereby corrected to reflect that the existing 2-story Walkout structure located on the above mentioned property is not within the special Flood Hazard Area identified on April 2, 1979. This structure is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21439 Filed 8-7-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Town of Erie, Colorado; Letter of Map Amendment Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, map correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the Town of Erie, Colorado. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the Town of Erie, Colorado, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472; (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034; Telephone (800) 638–6620. The map amendments listed below are in accordance with S 70.7(b).

Map No. H & I 080181 Panel 0002B, published on October 6, 1980, in 45 FR 66109, indicates that the East Side Industrial Tract which lies between Coal Creek and the Union Pacific Railroad in the W½ of the E½ of Section 18, Township 1 North, Range 68 West of the 6th P.M., Erie, Colorado, recorded as Reception No. 1662061 in Book 740, in the Office of the Recorder, Boulder County, Colorado is located within the Special Flood Hazard Area.

Map No. H & I 080181 Panel 0002B is hereby corrected to reflect that the above mentioned property with the exception of the area described below:

Commencing at that point which is the intersection of the East line of Kattell Avenue with the North line of Cheesman Street in the Town of Erie; running thence North 89°45'36" East, 530.41 feet along the North line of Cheesman Street and its extension easterly to the True Point of Beginning:

Thence North 89°45'36" East, 69.60 feet along the North line of Cheesman Street extended easterly;

Thence South 14°08'08" West, 404.59 feet;

Thence South 18°30'West 408.00 feet;

Thence South 01°00'West 170.00 feet;

Thence South 39°30'West 128.53 feet;

Thence Northerly 149.87 feet along the arc of a 460-foot radius curve to the right (the long chord of said arc bears North 08°50'13" East, 149.20 feet);

Thence North 18°10'13" East, 648.00;

Thence Northerly 292.07 feet along the arc of a 600-foot radius curve to the left (the long chord of said arc bears North 04°13'13" East, 289.19 feet) to the True Point of Beginning:

Is not within the Special Flood Hazard Area identified on October 17, 1978. This property is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21440 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-6139]

The City of Trenton, Michigan; Letter of Map Amendment Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, map correction.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps were published identifying Special Flood Hazard Areas. This list included the City of Trenton, Michigan. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Trenton, Michigan, that certain structures are and certain structures are not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject structures are and are not within the Special Flood Hazard Area, removes or reinforces the requirement to purchase flood insurance for those structures as a condition of Federal or federally related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472; (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034; Phone (800) 638–6620 toll free. The Map amendments listed below are in accordance with § 70.7(b):

Map No. 260244, Panel No. 0004B, published on September 25, 1981, in 46 FR 47227, indicates that the residential structures located on Lots Nos. 30 through 33 and Lots Nos. 47 and 63, Bates Meadows Subdivision, City of Trenton, Wayne County, Michigan, as recorded in Liber 77 of Plats, Pages 16 and 17, in the Office of the Register of Deeds of Wayne County, Michigan, are located within the Special Flood Hazard Area.

In addition, the above-mentioned Map and Panel Number indicates that the residential structures located on Lots Nos. 101 through 104 of the above-mentioned property are located in Zone C.

Map No. 260244, Panel No. 0004B, is hereby corrected to reflect that the residential structures located on Lots Nos. 30 through 33 and Lots Nos. 47 and 63 are not within the Special Flood Hazard Area identified on August 17, 1981. The structures are in Zone B.

Furthermore, the above-mentioned Map and Panel Number is hereby corrected to reflect that the residential structure located on Lot No. 104 is in Zone A and the residential structures located on Lots Nos. 101 through 103 are in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated Special Flood Hazard Areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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 Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21441 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

The City of Beatrice, Nebraska; Letter of Map Amendment Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, map correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the city of Beatrice, Nebraska. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Beatrice, Nebraska, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472; (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda,

Maryland 20034; Telephone (800) 638–6620. The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 310091 Panel 0003A, published on October 6, 1980, in 45 FR 66108, indicates that an area 23.0 feet by 73.5 feet south of and adjacent to the Drive-in Bank located in the Indian Creek Mall, Beatrice, Nebraska, as recorded in Book 215 of Deeds, Pages 319 through 321, in the Office of the Register of Deeds, Gage County, Nebraska, is located within the Special Flood Hazard Area.

Map No. H & I 310091 Panel 0003A is hereby corrected to reflect that the above mentioned property is not within the Special Flood Hazard Area identified on September 30, 1977. This property is in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21442 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

44 CFR Part 64

[Docket No. FEMA 6359]

List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

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

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

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 3429, Bethesda, Maryland 20034, phone: (800) 638–6620.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division, (200) 287–0270, 500 C Street Southwest, Donohoe Building, Room 505, Washington, D.C. 20472.

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

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

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

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A–95.

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

List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.

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

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

§64.6 List of Eligible Communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
New York: Essex	Minerva, town of	361153A	June 21, 1982, emergency	Dec. 20, 1974, and July. 9, 1976.
North Dakota: Richland	Lidgerwood, city of	380237	June 22, 1982, emergency	Feb. 14, 1975.
Michigan: Bay	Beaver, township of	260357A	June 25, 1982, emergency	Aug. 5, 1977.
Ohio: Fulton	Unincorporated areas	390182B	do	Jan. 20, 1978, and Nov. 30, 1979.
Oklahoma: Johnston	Ravia, town of	400320	do	Aug. 13, 1976.
Indiana: Warrick	Boonville, city of	180273B	June 25, 1982, emergency; June 25, 1982, regular.	Dec. 28, 1973, May 28, 1976, and May 17, 1982.
Wisconsin: Calumet	Unincorporated areas	550035B	Nov. 26, 1976, emergency; May 3, 1982, regular; May 3, 1982, suspended; June 24, 1982, reinstated.	Jan. 21, 1977.
Minnesota: Chisago	Chisago, city of	270707	June 28, 1982, emergency	Do.
West Virginia: Kanawha	South Charleston, city of	540223A	June 5, 1974, emergency; June 15, 1982, regular; June 15, 1982, suspensed; June 28, 1982, reinstated.	May 9, 1976.
Michigan: Ionia	Easton, township of	260727—new	June 28, 1982, emergency	Do.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
North Carolina: Graham	Unincorporated areas	370105A	June 29, 1982, emergency	July 17, 1981
North Dakota: Cass	Walburg, township of	380652—new	do	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: July 2, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21461 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6378]

List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

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

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

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insuance Program (NFIP) at: P.O. Box 3429, Bethesda, Maryland 20034, Phone: (800) 638–6620.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division, (200) 287–0270, 500 C Street Southwest, Donohoe Building, Room 505, Washington, DC 20472.

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

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

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

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A–95.

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

List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.

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

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

§ 64.6 List of Eligible Communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Connecticut: New London	Salem, town of	090156A	July 1, 1982, emergency	Feb. 21, 1975, and Feb. 3, 1982.
Pennsylvania: Beaver	Daugherty, township of	422313A	Feb. 4, 1976, emergency; June 1, 1982, regular; June 1, 1982, suspended; July 2, 1982 reinstated.	Dec. 27, 1974.
West Virginia: Kanawha	Chesapeake, town of	540074C	May 22, 1975, Emergency; June 1, 1982, regular; June 1, 1982, suspended; July 2, 1982 reinstated.	Do.
New Jersey: Middlesex	Cranbury, township of	340258B	June 12, 1975, emergency; May 17, 1982, regular; May 17, 1982, suspended; July 13, 1982 reinstated.	May 10, 1974, and Dec. 27, 1974.
North Dakota:				
Traill	Belmont, township of	380653 new	July 12, 1982, emergency	Do.
McLean	Unincorporated areas	380057	do	Do.
Richland	Mooreton, township of	380654 new	do	Do.
Cass	Prairie Rose, city of	380655 new	do	Do.
Massachusetts: Hampden	Longmeadow, town of	250143B	Aug. 8, 1975, emergency; Sept. 1, 1978, regular; Sept. 1, 1978, suspended; July 12, 1982, reinstated.	Mar. 22, 1974, Mar. 11, 1977, and Sept 1, 1978.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Illinois: McHenry	Crystal Lake, city of	170476B	Oct. 21, 1974, emergency; June 15, 1982, regular; June 15, 1982, suspended; July 15, 1982, reinstated.	Mar. 22, 1974, and July 9, 1976.
North Dakota: Richland	Nansen, township of	380656 new	July 15, 1982, emergency	Do.
Alabama:				
Choctaw	Butler, city of	010033B	July 5, 1982, suspension withdrawn	Sept. 24, 1976, and Oct. 26, 1979.
Cleburne	Heflin, city of	010043A	do	Nov. 1, 1974.
Calhoun	Jacksonville, city of	010022B	do	May 17, 1974, and Jan. 9, 1976.
Walker	Unincorporated areas	010301B	do	June 9, 1978.
Arizona: Apache	Unincorporated areas	040001B	do	Dec. 20, 1974, and May 16, 1978.
Connecticut:				
Litchfield	Thomaston, town of	090055B	do	May 31, 1974, and Dec. 17, 1976.
New Haven	Wolcott, town of	090093B	do	May 3, 1974, and Nov. 26, 1976.
Iowa:				
Linn	Center Point, city of	190439A	do	Oct. 29, 1976.
Do	Marion, city of	190191B	do	Mar. 1, 1974, and Dec. 10, 1976.
Linn	Robins, city of	190443A	do	Mar. 26, 1976.
Maine: York	Buxton, town of	230146A	do	Jan. 14, 1977.
Massachusetts:				
Middlesex	Arlington, town of	250177B	do	June 28, 1974, and Jan. 14, 1977.
Do	Cambridge, city of	250186B	do	June 21, 1974, and Nov. 19, 1976.
Berkshire	Clarksburg, town of	250020B	do	July 26, 1974, and Nov. 19, 1976.
Do	Dalton, town of	250021B	do	Sept. 20, 1974, and Jan. 21, 1977.
Franklin	Erving, town of	250116B	do	June 28, 1974, and July 30, 1976.
Middlesex	Groton, town of	250194B	do	Sept. 6, 1974, and Nov. 22, 1977.
Middlesex	Hopkinton, town of	250196B	do	July 19, 1974, and Oct. 8, 1976.
Berkshire	Merrimac, town of	250092B	do	Oct 18, 1974, and Sept. 3, 1976.
Franklin	Orange, town of	250125B	do	May 31, 1974, and May 27, 1977.
Plymouth	Rochester, town of	250280B	do	July 19, 1974, and Nov. 26, 1976.
Worcester	Webster, town of	250343B	do	July 19, 1974, and Mar. 4, 1977.
Norfolk	Wrenthan, town of	250258B	do	July 19, 1974, and Feb. 4, 1977.
Montana:				
Beaverhead	Dillon, city of	300088B	do	Nov. 3, 1974, and July 30, 1976.
Granite	Drummond, town of	300033B	do	Mar. 18, 1977.
Granite	Unincorporated areas	300141A	do	Do.
Beaverhead	Lima, town of	300177A	do	Do.
Granite	Philipsburg, town of	300117A	do	Sept. 26, 1975.
New Jersey:				
Bergen	Leonia, borough of	340045A	do	July 11, 1975.
Morris	Mendham, township of	340511B	do	Sept. 17, 1976, and Dec. 15, 1978.
Salem	Penns Grove, borough of	340419B	do	June 28, 1974, and Mar. 5, 1976.
Gloucester	Swedesboro, borough of	340519B	do	Nov. 1, 1974, and May 28, 1976.
New York: Westchester	Ossining, village of	361021B	do	July 19, 1974, and Jan. 30, 1976.
Ohio:				
Stark and Mahoning	Alliance, city of	390508B	do	June 7, 1974, and June 18, 1976.
Stark	Massillon, city of	390517C	do	Aug. 22, 1975, May 18, 1979, and Jan. 9, 1974.
Stark, Carroll, and Columbiana	Minerva, village of	390518B	do	July 23, 1976, and Mar. 30, 1979.
Stark	Waynesburg, village of	390667B	do	Mar. 29, 1974, and June 11, 1976.
New Mexico:				
Valencia	Grants, city of	350090A	do	Nov. 12, 1976.
Do	Milan, village of	350093B	do	June 28, 1974, and June 11, 1976.
Lincoln	Ruidoso Downs, village of	350034B	do	May 3, 1974, and June 11, 1976.
South Carolina:				
Chester	Unincorporated areas	450047B	do	Oct. 18, 1974, and Nov. 25, 1977.
Do	Chester, city of	450048B	do	June 28, 1974, and Apr. 2, 1976.
Lancaster	Lancaster, city of	450121B	do	May 24, 1974, and Sept. 24, 1976.
Texas:				
Bell	Belton, city of	480028B	do	Mar. 8, 1974, and Jan. 23, 1976.
Tarrant and Denton	South Lake, city of	480612B	do	June 7, 1977, and Feb. 15, 1974.
Vermont: Chittenden	Richmond, town of	500040B	do	June 4, 1976, and Mar. 22, 1974.
Virginia: Southampton	Courtland, town of	510152B	do	Mar. 15, 1974, and May 7, 1976.
Texas: Jackson	Edna, city of	485465C	do	Nov. 11, 1971, July 1, 1974, and Apr. 18, 1975.
Washington: Skagit	Mount Vernon, city of	530158A	do	May 7, 1976.
Illinois: Scott	Village of Naples	170609B	do	Apr. 2, 1976, and Jan. 9, 1974.
Indiana: Porter	Unincorporated areas	180425B	do	Apr. 14, 1978, and Apr. 1, 1982.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: July 15, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21462 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6379]

List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

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

EFFECTIVE DATES: The date listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division, (200) 287–0270, 500 C Street Southwest, Donohoe Building, Room 505, Washington, DC 20472.

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

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

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

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A–95.

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

List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.

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

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective date of authorization of sale of flood insurance for area[1]	Hazard area identified
New York:				
Chautauqua County	Cherry Creek, town of	361107	800708, emergency; 820702, regular	780512
Cattaraugus County	Napoli, town of	360086	770420, emergency; 820702, regular	770225
Pennsylvania:				
Crawford County	Athens, township of	421562	801128, emergency; 820702, regular	761105
Fulton County	Ayr, township of	422428	770309, emergency; 820702, regular	750207
Washington County	Blaine, township of	422141	790425, emergency; 820702, regular	741018
Monroe County	Jackson, township of	421889	810122, emergency; 820702, regular	750103
Alabama:				
Choctaw County	Butler, city of	010033	750807, emergency; 820705, regular	760924
Cleburne County	Heflin, city of	010043	750528, emergency; 820705, regular	741101
Calhoun County	Jacksonville, city of	010022	741231, emergency; 820705, regular	740517
Walker County	Walker county[2]	010301	790702, emergency; 820705, regular	780609
Arkansas: Columbia County	Magnolia, city of	050041	741220, emergency; 820705, regular	731026
Arizona: Apache County	Apacme County[2]	040001	750411, emergency; 820705, regular	741220
California: San Luis Obispo County	San Luis Obispo County[2]	060304	740626, emergency; 820705, regular	750103
Connecticut:				
Litchfield County	Thomaston, town of	090055	750716, emergency; 820705, regular	740531
New Haven County	Wolcott, town of	090093	750806, emergency; 820705, regular	740503
Iowa:				
Linn County	Center Point, city of	190439	771027, emergency; 820705, regular	761029
Linn County	Marion, city of	190191	750630, emergency; 820705, regular	740301
Linn County	Robins, city of	190443	780116, emergency; 820705, regular	760326
Kansas: Cowley County	Arkansas City, city of	200070	730809, emergency; 820705, regular	731123
Kentucky: Rowan County	Morehead, city of	210204	750604, emergency; 820705, regular	740524
Massachusetts:				
Middlesex County	Arlington, town of	250177	740116, emergency; 820705, regular	740628
Middlesex County	Cambridge, city of	250186	750724, emergency; 820705, regular	740621
Berkshire County	Clarksburg, town of	250020	750811, emergency; 820705, regular	740726
Berkshire County	Dalton, town of	250021	741118, emergency; 820705, regular	740920
Franklin County	Erving, town of	250116	751010, emergency; 820705, regular	740628
Middlesex County	Groton, town of	250194	751030, emergency; 820705, regular	740906
Plymouth County	Halifax, town of	250265	750811, emergency; 820705, regular	740726
Middlesex County	Hopkinton, town of	250196	751203, emergency; 820705, regular	740719
Worcester County	Lancaster, town of	250312	750307, emergency; 820705, regular	740222
Worcester County	Leicester, town of	250313	750722, emergency; 820705, regular	740719
Berkshire County	Lenox, town of	250029	750318, emergency; 820705, regular	740614
Essex County	Merrimac, town of	250092	750207, emergency; 820705, regular	741018
Worcester County	North Brookfield, town of	250323	751014, emergency; 820705, regular	740621
Franklin County	Orange, town of	250125	791214, emergency; 820705, regular	770527

State and county	Location	Community No.	Effective date of authorization of sale of flood insurance for area[1]	Hazard area identified
Plymouth County	Plympton, town of	250279	740812, emergency; 820705, regular	740913
Plymouth County	Rochester, town of	250280	750908, emergency; 820705, regular	740719
Berkshire County	Stockbridge, town of	250042	740730, emergency; 820705, regular	740531
Worcester County	Webster, town of	250343	750728, emergency; 820705, regular	740719
Norfolk County	Wrentham, town of	250258	741210, emergency; 820705, regular	740719
Maine: York County	Buxton, town of	230146	760401 emergency; 820705, regular	740405
Michigan: Ottawa County	Allendale, charter township of	260490	771230, emergency; 820705, regular	770325
Montana:				
Beaverhead County	Dillon, city of	300088	751121, emergency; 820705, regular	741108
Granite County	Drummond, town of	300033	770804, emergency; 820705, regular	770318
Granite County	Granite County[2]	300141	761008 emergency; 820705, regular	0
Beaverhead County	Lima, town of	300177	751022, emergency; 820705, regular	0
Granite County	Philipsburg, town of	300117	760429, emergency; 820705, regular	750926
North Dakota: Cass County	Stanley, township of	380258	760507, emergency; 820705, regular	0
New Jersey:				
Bergen County	Leonia, Borough of	340045	750825, emergency; 820705, regular	750711
Morris County	Mendham, township of	340511	750422, emergency; 820705, regular	760917
Salem County	Penns Grove, borough of	340419	750807, emergency; 820705, regular	740628
Gloucester County	Swedesboro, borough of	340519	750723, emergency; 820705, regular	741101
New Mexico:				
Valencia County	Grants, city of	350090	740725, emergency; 820705, regular	761112
Valencia County	Milan, village of	350093	750425, emergency; 820705, regular	740628
Lincoln County	Ruidoso Downs, village of	350034	750218, emergency; 820705, regular	740531
New York: Westchester County	Ossining, village of	361021	741018, emergency; 820705, regular	740719
Ohio:				
Mahoning County	Alliance, city of	390508	750731, emergency; 820705, regular	740607
Stark County	Canal Fulton, village of	390511	750623, emergency; 820705, regular	740109
Stark County	Massillon, city of	390517	750410, emergency; 820705, regular	740109
Stark County	Minerva, village of	390518	750512, emergency; 820705, regular	760723
Stark County	Navarre, village of	390520	750319, emergency; 820705, regular	740116
Stark County	Waynesburg, village of	390667	750422, emergency; 820705, regular	740329
Oregon: Washington County	Gaston, town of	410242	811124, emergency; 820705, regular	0
South Carolina:				
Chester County	Chester County [2]	450047	750820, emergency; 820705, regular	741018
Chester County	Chester, city of	450048	750707, emergency; 820705, regular	740628
Lancaster County	Lancaster, city of	450121	731207, emergency; 820705, regular	740524
South Dakota: Lake County	Madison, city of	460044	750515, emergency; 820705, regular	740802
Texas:				
Bell County	Belton, city of	480028	740702, emergency; 820705, regular	740308
Tarrant County	South Lake, city of	480612	740930, emergency; 820705, regular	740215
Virginia: Southampton County	Courtland, town of	510152	750319, emergency; 820705, regular	740315
Vermont: Chittenden County	Richmond, town of	50040	741108, emergency; 820705, regular	740322
Washington: Skagit County	Sedro Woolley, city of	530159	740826, emergency; 820705, regular	761029
Wisconsin: Waukesha County	Mukwonago, village of	550485	750218, emergency; 820705, regular	731217
Arkansas:				
Pope County	Atkins, city of	050304	750807, emergency; 820706, regular	750718
Logan County	Paris, city of	050132	741218, emergency; 820706, regular	740531
Oklahoma:				
Washington County	Dewey, city of	400221	750806, emergency; 820706, regular	740531
Logan County	Langston, town of	400297	760818, emergency; 820706, regular	750919
Cotton County	Walters, city of	400249	760819, emergency; 820706, regular	760702
Texas:				
Robertson County	Calvert, city of	480989	780812, emergency; 820706, regular	760813
Robertson County	Franklin, town of	480990	770721, emergency; 820706, regular	760716
Hill County	Itasca, city of	480860	770610, emergency; 820706, regular	761105
Limestone County	Kosse, town of	481151	801119, emergency; 820706, regular	760611
Leon County	Normangee, city of	480436	761008, emergency; 820706, regular	740816
Georgia:				
Clinch County	Homerville, city of	130051	750724, emergency; 820709, regular	740607
Rabun County	Mountain City, town of	130252	800130, emergency; 820709, regular	750117
Haralson County	Tallapoosa, city of	130337	760107, emergency; 820709, regular	750425
Montgomery County	Uvalda, town of	130361	800228, emergency; 820709, regular	750425
Dooly County	Vienna, city of	130073	750505, emergency; 820709, regular	750418
Illinois: Grundy County	East Brooklyn, village of	170873	810624, emergency; 820709, regular	750321
New York:				
Wayne County	Butler, town of	361445	800201, emergency; 820709, regular	741129
Allegany County	Grove, town of	361005	761126, emergency; 820709, regular	740628
Allegany County	Independence, town of	361008	810715, emergency; 820709, regular	740906
Pennsylvania:				
Lawrence County	Bessemer, borough of	422627	750801, emergency; 820709, regular	771104
Schuylkill County	Norwegian, township of	422015	750421, emergency; 820709, regular	750110
Arkansas:				
Faulkner County	Greenbrier, city of	050328	751119, emergency; 820713, regular	750725
Pope County	London, town of	050340	750917, emergency; 820713, regular	750829
Logan County	Magazine, city of	050344	760602, emergency; 820713, regular	750711
Yell County	Ola, city of	050357	760114, emergency; 820713, regular	750110
Louisiana: St. James Parish	St. James Parish [2]	220261	740308, emergency; 820713, regular	770524
Oklahoma:				
Roger Mills County	Hammon, town of	400386	780421, emergency; 820713, regular	760813
Caddo County	Lookeba, town of	400025	760218, emergency; 820713, regular	741025

[1] Key for reading 4th column (effective date): First two digits designate the year. Middle two digits designate the month. Last two digits designate the day.
[2] Total is: 101.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1968 (33 FR 17804, Nov. 28, 1968), as amended 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: July 19, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21463 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 65

[Docket No. FEMA-6380]

Communities With No Special Hazard Areas for the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency, after consultation with local officials of the communities listed below, has determined, based upon analysis of existing conditions in the communities, that these communities would not be inundated by 100-year flood. Therefore, the Agency 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 No Special Flood Hazards.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: In these communities, there is no reason not to make full limits of coverage available. The entire community is now classified as Zone C. In a Zone C, insurance coverage is available on a voluntary basis at low actuarial nonsubsidized rates. For example, under the Emergency Program in which your community has been participating the rate of a one-story 1-4 family dwelling is $.40 per $100 of coverage. Under the Regular Program, to which your community has been converted, the equivalent rate is $.10 per $100 coverage. Contents insurance is also available under the Regular Program at low actuarial rates. For example, when all contents are located on the first floor of a residential structure, the premium is $.15 per $100 of coverage.

In addition to the less expensive rates, the maximum coverage available under the Regular program is significantly greater than that available under the Emergency Program. For example, a single family residential dwelling now can be insured up to a maximum of $185,000 coverage for the structure and $60,000 coverage for contents.

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

The effective date of conversion to the Regular Program would not appear in the Code of Federal Regulations except for the page number of this entry in the **Federal Register.**

Pursuant to the provision of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice regarding the completed stage of engineering tasks in delineating the special flood hazard areas of the specified community and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance, Flood plains.

The entry reads as follows:

§ 65.8 List of communities with no special flood hazard areas.

State	County	Community	Date of conversion to regular program
New York	Seneca	Village of Lodi	July 23, 1982.
New York	Monroe	Village of Pittsford	July 23, 1982.
New York	Allegany	Town of Ward	July 23, 1982.

(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 Associate Director, State and Local Programs and Support)

Issued: July 26, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21444 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

National Flood Insurance Program; Final Flood Elevation Determinations; Florida and Wisconsin

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below 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).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base (100-year) flood elevations, for the community. This date may be obtained by contacting the office where the maps are available for inspection indicated on the table below.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Federal Emergency Management Agency, National Flood Insurance Program, (202) 287-0230, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the final determinations of flood elevations for each community listed.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection 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. An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided, and the Agency has resolved the appeals presented by the community.

The Agency has developed criteria for flood plain management in flood-prone areas in accordance with 44 CFR Part 60.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the final flood elevation

determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the flood plain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts flood plain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the flood plain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

List of Subjects in 44 CFR Part 67

Flood insurance, Flood plains.

The final base (100-year) flood elevations for selected locations are:

FINAL BASE (100-YEAR) FLOOD ELEVATIONS

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. * Elevation in feet (NGVD)
Florida	Unincorporated areas of Leon County (FEMA-5920).	Munson Slough	Just downstream of Oak Ridge Road	*21
			Just upstream of Crawfordville Highway	*29
			Just upstream of Springhill Road	*38
		Bradford Brook	Approximately 500 feet downstream of Aenon Church Road.	*47
		West Branch Gum Creek	Just downstream of the Seaboard Coast Line Railroad	*59
			Just downstream of Aenon Church Road	*69
		North Branch Gum Creek	Just downstream of Gum Road	*59
		Alford Arm Tributary	Just upstream of U.S. Highway 90	*59
			Just upstream of I-10	*60
			Just upstream of Centerville Road	*81
		West Arm Tributary	Just upstream of Weems Road	*51
			Just upstream of U.S. Highway 90	*56
			Just upstream of Centerville Road	*76
		West Arm Tributary 1	Just downstream of Centerville Road	*75
		Ochlockonee River	Just downstream of I-10	*81
			Just upstream of Tower Road	*89
			Just upstream of U.S. Highway 27	*92
			Just upstream of Old Bainbridge Road	*100
		Lake Lafayette	Just downstream of Weems Road	*51
		Megginnis Arm Tributary	Just upstream of Lakeshore Drive (I-10)	*98
			Just downstream of Allen Road	*115
Maps available for inspection at Leon County Planning Department, Lewis State Bank Building, Second Floor, and Leon County Department of Public Works, 1123 Thomasville Road, Tallahassee, Florida 32301.				
Wisconsin	(C) River Falls Pierce and St. Croix Counties (Docket No. FI-3166).	Kinnickinnic River	At the downstream corporate limits	*814
			Just downstream of dam near Park Street	*815
			Just upstream of dam near Park Street	*832
			Approximately 320 feet downstream of dam located downstream of Falls Street.	*833
			Just upstream of dam located downstream of Falls Street.	*875
			Approximately 200 feet upstream of Maple Street	*877
			At upstream corporate limits	*884
		South Fork Kinnickinnic River	At the confluence with Kinnickinnic River	*837
			Approximately 120 feet upstream of South Main Street	*879
			Approximately 350 feet upstream of Sixth Street	*885
			Approximately 120 feet downstream of Wasson Lane (upstream corporate limits).	*893
		Unnamed Tributary No. 1	At confluence with South Fork Kinnickinnic River	*884
			Just upstream of Cascade Avenue	*896
			Just upstream of Spring Street	*900
			Just upstream of Ninth Street	*903
			Approximately 200 feet upstream of Hazel Street	*904
			Just downstream of Divison Street	*909
Maps available at City Hall, 123 Elm Street, River Falls, Wisconsin.				

(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 Associate Director)

Issued: July 14, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21476 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-6155]

National Flood Insurance Program; Final Flood Elevation Determination; Kansas

AGENCY: Federal Emergency Management Agency.

ACTION: Deletion of final rule for the City of Arkansas City, Cowley County, Kansas.

SUMMARY: The Federal Emergency Management Agency has erroneously published the final flood elevation determination for the City of Arkansas City, Cowley County, Kansas. This notice will serve to delete that publication. Following an engineering analysis and review, a revised notice of proposed flood elevation determination will be issued.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: As a result of a recent engineering analysis, the Federal Emergency Management Agency has determined that the notice of final flood elevation determination for the City of Arkansas City, Cowley County, Kansas, published at 45 FR 48957, on October 5, 1981, should be deleted. After a technical evaluation, a revised notice of proposed flood elevations will be issued, with a ninety-day period specified for comments and appeals.

(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 Emergency Management Agency)

Issued: July 7, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21475 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-6224]

National Flood Insurance Program

Final Flood Elevation Determinations; Correction

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule; correction.

SUMMARY: This document corrects a Notice of Final Determinations of base (100-year) flood elevations for selected locations in the unincorporated areas of Florence County, South Carolina, previously published 47 FR 17490 on April 23, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the correction to the Notice of Final Determinations of base (100-year) flood elevations for selected locations in the unincorporated areas of Florence County, South Carolina, previously published at 47 FR 17490 on April 23, 1982, 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)).

Under the source of flooding of Polk Swamp, the first location incorrectly reads "Just upstream of National Cemetery Road" at elevation of 78 feet NGVD. The correct location for that elevation is "Just upstream of Byrnes Boulevard". Under the source of flooding of Tributary 1 to McCall Branch, the location incorrectly reads "Just downstream of Douglas Street" at elevation of 99 feet NGVD. The correct location is "Just upstream of Douglas Street". Under the source of flooding of Cane Branch, the location incorrectly reads "Just upstream of Claussen Road" at elevation of 86 feet NGVD. The correct location is "Just downstream of Claussen Road".

Pursuant to the provisions of 5 USC 605(b), the Associate Director to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the final flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the floodplain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts floodplain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the floodplain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

List of Subjects in 44 CFR, Part 67

Flood Insurance, Floodplains.

The listing appears correctly as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
South Carolina	Unincorporated Areas of Florence County.	Polk Swamp	Just upstream of Byrnes Boulevard	*78
		Tributary 1 to McCall Branch	Just upstream of Douglas Street	*99
		Cane Branch	Just downstream of Claussen Road	*86

(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 Associate Director)

Issued: July 2, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21480 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the Village of River Hills, Wisconsin Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, map correction.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps were published identifying Special Flood Hazard Areas. This list included the Village of River Hills, Wisconsin. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the Village of River Hills, Wisconsin, that a certain structure is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject structure is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that structure as a condition of Federal or federally related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638-6620 toll free. The Map amendments listed below are in accordance with S70.7(b):

Map No. 550280, Panel No. 0002B, published on October 6, 1980, in 45 FR 66089, indicates that Lot No. 2 of Certified Survey Map No. 114 recorded as Document No. 3876478 in Volume 1 of Certified Survey Maps, Pages 235 and 236, in the Office of the Register of Deeds of Milwaukee County, Wisconsin, is located within the Special Flood Hazard Area.

Map No. 550280, Panel No. 0002B, is hereby corrected to reflect that the existing structure located on the above-mentioned property is not within the Special Flood Hazard Area identified on April 15, 1980. The structure is in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated Special Flood Hazard Areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood Insurance, Flood plains.

(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 Associate Director, State and Local Programs and Support)

Issued: July 16, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21479 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 65

[Docket No. FEMA-6381]

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

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency, 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 foreseeable 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 Agency 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 Hazards Areas.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: In these communities, the full limits of flood insurance converage 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 coversion 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.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have significant economic impact on a substantial number of small entities. This rule provides routine legal notice regarding the completed stage of engineering tasks in delineating the special flood hazards areas of the specified community and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance and flood plains.

The entry reads as follows:

§ 65.7 List of Communities with minimal flood hazard areas.

State and county	Community	Date of conversion to regular program
Arkansas:		
Little River	City of Ashdown	Aug. 3, 1982.
Hempstead	Town of Fulton	Do.
Lafayette	City of Lewisville	Do.
Lafayette	City of Stamps	Do.
Oklahoma:		
Jackson	Town of Blair	Do.
Tillman	Town of Manitou	Do.
Kiowa	Town of Mountain Park.	Do.
Jackson	Town of Olustee	Do.
Texas:		
Cochran	City of Morton	Do.
Lubbock	City of Slaton	Do.
New York:		
Allegany	Town of Belfast	Aug. 6, 1982.
Chautauqua	Town of Dunkirk	Do.
St. Lawrence	Town of Governeur	Do.
St. Lawrence	Town of Morristown	Do.
Wayne	Village of Palmyra	Do.
Wayne	Town of Savannah	Do.
Pennsylvania: Washington.	Township of Hopewell.	Do.
Virginia:		
Mecklenburg	Town of Clarksville	Do.
Carroll	Town of Hillsville	Do.
Georgia: Habersham and Rabun.	City of Tallulah Falls.	Aug. 13, 1982.
New York:		
Chemung	Town of Erin	Do.
Cattaraugus	Town of Humphrey	Do.
Albany	Town of Knox	Do.
Cattaraugus	Town of Leon	Do.
St. Lawrence	Town of Pitcairn	Do.
Pennsylvania: Schuylkill.	Township of New Castle.	Do.
Oklahoma: Tillman	Town of Tipton	Aug. 17, 1982.
New York:		
Allegany	Town of Caneadea	Aug. 20, 1982.
Monroe	Village of East Rochester.	Do.
Cattaraugus	Town of Machias	Do.
Allegany	Town of New Hudson.	Do.
Arkansas:		
Randolph	Town of Biggers	Aug. 24, 1982.
Benton	City of Centerton	Do.
Washington	City of Farmington	Do.
Benton	City of Gravette	Do.
Lawrence	Town of Lynn	Do.
Randolph	City of Reyno	Do.
Texas:		
Hale and Lubbock.	City of Abernathy	Do.
Hockley	City of Anton	Do.
Crosby	City of Crosbyton	Do.
Foard	City of Crowell	Do.
Crosby	City of Lorenzo	Do.
Hardeman	City of Quanah	Do.
Georgia: Greene	City of Greensboro	Aug. 27, 1982.
New York:		
Livingston	Village of Geneseo	Do.
Ulster	Town of Kingston	Do.
Livingston	Village of Leicester	Do.
Albany	Town of Rensselaerville.	Do.
Livingston	Town of Sparta	Do.
Sullivan	Town of Tusten	Do.
Arkansas:		
Clay	City of Pollard	Aug. 31, 1982.
Lawrence	Town of Portia	Aug. 31, 1982
Clay	City of Rector	Aug. 31, 1982.
Clay	Town of Success	Do.

(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 Associate Director, State and Local Programs and Support)

Issued: July 20, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21443 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 70

[Docket No. FEMA-59059]

Letter of Map Amendment for the City of Jacksonville, Arkansas Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Jacksonville Arkansas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Jacksonville, Arkansas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 050180 Panel 0005C, published on October 6, 1980, in 45 FR 66091, indicates that Lot 36, Westwood Subdivision, Phase II, Jacksonville, Arkansas, as recorded in Plat Book 33, Page 95, in the Office of the County Clerk, Pulaski County, Arkansas, is located within the Special Flood Hazard Area.

Map No. H & I 050180 Panel 0005C is hereby corrected to reflect that the existing structure located on the above-mentioned property is not within the Special Flood Hazard Area identified on January 29, 1980. This structure is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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 Associate Director, State and Local Programs and Support)

Issued: July 27, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21420 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Phoenix, Arizona Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published

a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Phoenix, Arizona. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Phoenix, Arizona, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 040051 Panel 0050B, published on October 6, 1980, in 45 FR 66116, indicates that Lots 2, 8 through 10, 12 through 15, 26 through 30, 57 through 63, and 81 through 90, Coral Gables Estates, Units One, Two, and Three, Phoenix, Arizona, recorded as Instrument Number 111592 in Book 189, Page 20; Instrument Number 440992 in Book 206, Page 40; and Instrument Number 440993 in Book 206, Page 41, respectively, in the Office of the Recorder, Maricopa County, Arizona, are located within the Special Flood Hazard Area.

Map No. H & I 040051 Panel 0050B is hereby corrected to reflect that Lots 57 through 60 of the above mentioned property are not within the Special Flood Hazard Area, identified on December 4, 1979. These lots are in Zone C.

Map No. H & I 040051 Panel 0050B is also corrected to reflect that Lots 2, 8 through 10, 12 through 15, 26 through 30, 61 through 63, and 81 through 90 of the above-mentioned property are not within the Special Flood Hazard Area identified on December 4, 1979. These lots are in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 21, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21419 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for Hillsborough County, Florida Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Hillsborough County, Florida. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Hillsborough County, Florida, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 120112, Panel 0395 B, published on October 6, 1980, in 45 FR 66059, indicates that 543 Vonderburg Drive, Brandon, Florida, also known as Unit 543, Building A, The Brandon Professional Building Phase I, a Condominium according to the Declaration of Condominium recorded in O.R. Book 3894, Page 1186 and according to the Condominium Plat Book 4, Page 18 of the Public Records of Hillsborough County, Florida, is located within the Special Flood Hazard Area.

Map Number H & I 120112, Panel 0395 B is hereby corrected to reflect that the existing structure located on the above-mentioned property is not within the Special Flood Hazard Area, identified on June 18, 1980. The structure is located in Zone C. However, portions of the property would still be inundated by a flood having a one-percent chance of occurrence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the

Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70.

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 21, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21421 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for Volusia County, Florida Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Volusia County, Florida. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Volusia County, Florida, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federally or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP), P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H and I 125155 B, Panel 19 published on October 6, 1980 in 45 FR 66061 indicates that the property located south of State Road 40, in the eastern ⅛ of the Southeast quarter of Section 30, Township 14 South, Range 31 East, Volusia County, Florida, as recorded in Deed Book 2196, Page 518 in the Office of the Clerk of Circuit Court, Volusia County, Florida is located within the Special Flood Hazard Area.

Map Number H and I 125155 B, Panel 19 is hereby corrected to reflect that the existing structure on the above-mentioned property is not within the Special Flood Hazard Area identified on July 1, 1977. The existing structure is located in Zone C. However, the lot would still be inundated by a flood having a one-percent chance of occurrence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70.

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 21, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21427 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–6237]

Letter of Map Amendment for Pasco County, Florida Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Pasco County, Florida. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Pasco County, Florida, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or

broker who sold the policy, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H and I 120230, Panel 0195 B published on January 25, 1982 in 47 FR 3355 indicates that Lot Number 9, Crane's Roost Unit One in Pasco County, Florida, as recorded in Plat Book 22, Pages 86 and 87 of the Public Records of Pasco County, is located within the Special Flood Hazard Area.

Map Number H and I 120230, Panel 0195 B is hereby corrected to reflect that the portions of the above-mentioned property that are at or above 20 feet National Geodetic Vertical Datum of 1929 (NGVD) as shown on the Topographic Survey of Lot 9, Crane's Roost Unit One, dated February 1, 1982 prepared by Casson Engineering Company are not within the Special Flood Hazard Area identified on November 18, 1981. Those portions of the property are in Zone C. However, the property would still be inundated by a flood having a 1-percent chance of occurrence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 21, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21422 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for the City of Atlanta, Georgia, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Atlanta, Georgia. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Atlanta, Georgia, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP): P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 135157A, Panel 14, published on October 6, 1980, in 45 FR 66062 indicates that the property located at 155 Avery Drive, N.E., also known as Lot 5 of Block 30 of Ansley Park Subdivision, City of Atlanta, Georgia recorded in Deed Book 6975, Page 22, Fulton County Records, is located within the Special Flood Hazard Area.

Map Number H & I 135157A, Panel 14 is hereby corrected to reflect that the above-mentioned property is not within the Special Flood Hazard Area identified on November 12, 1976. The existing structures on this property are located in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 21, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21423 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

44 CFR Part 70

[Docket No. FEMA–6048]

Letter of Map Amendment for the Borough of Harrington Park, New Jersey, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the Borough of Harrington Park, New Jersey. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the Borough of Harrington Park, New

Jersey, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP): P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 340040, Panel 0001 B published on May 12, 1981 in 46 FR 26307 indicates that Lot 8 of Block 112, Lots 1 and 3 of Block 113 and Lot 2 of Block 115 as shown on a map entitled "Final Subdivision Plat, Harrington Mews, Borough of Harrington Park, Bergen County, New Jersey," filed in the Bergen County Clerk's Office, June 26, 1979 as Map No. 7756 are located within the Special Flood Hazard Area.

Map Number H & I 340040, Panel 0001 B is hereby corrected to reflect that the existing structures on the above-mentioned lots are not within the Special Flood Hazard Area identified on April 15, 1981. The structures on Lot 8 of Block 112, Lot 3 of Block 113 and Lot 2 of Block 115 are located in Zone B. The structure on Lot 1 of Block 113 is located in Zone C. Portions of the above-mentioned lots would still be inundated by a flood having a one-percent chance of occurence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21424 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for the Town of Tarboro, North Carolina, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the Town of Tarboro, North Carolina. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the Town of Tarboro, North Carolina, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP), P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7 (b):

Map Number H & I 370094, Panel 0001 C published on October 6, 1980 in 45 FR 66068 indicates that the K-Mart store owned by the Eastern Realty and Investment Corporation and located in Parkhill Mall in the Town of Tarboro, North Carolina as recorded in Book 745, Pages 541 through 543 in the Office of the Register of Deeds of Edgecombe County is located within the Special Flood Hazard Area.

Map Number H & I 370094, Panel 0001 C is hereby corrected to reflect that the above-mentioned structure is not within the Special Flood Hazard Area identified on January 5, 1978. The existing structure is located in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 16, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21435 Filed 8-6-82, 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Fargo, North Dakota, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Fargo, North Dakota. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Fargo, North Dakota, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, telephone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 385364 Panel 0020C, published on October 6, 1980, in 45 FR 66112, indicates that Lot 2, Block 1; and Lots 6 through 9, and 14 and 15, Block 2, Birnamwood Addition, Fargo, North Dakota, recorded as Document Number 519513 in Book K of Plats, Page 36, in the Office of the Recorder, Cass County, North Dakota, are located within the Special Flood Hazard Area.

Map No. H & I 385364 Panel 0020C is hereby corrected to reflect that Lot 2, Block 1; and Lots 14 and 15, Block 2 of the above mentioned property are not within the Special Flood Hazard Area identified on January 19, 1982. These lots are in Zone C.

Map No. H & I 385364 Panel 0020C is also corrected to reflect that the existing structures located on Lots 6 through 9, Block 2 of the above-mentioned property are not within the Special Flood Hazard Area identified on January 19, 1982. These structures are in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21436 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Oklahoma City, Oklahoma, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Oklahoma City, Oklahoma. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Oklahoma City, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda Maryland 20034, Telephone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 405378A Panel 124,

published on October 6, 1980, in 45 FR 66095, indicates that Lots 24 through 27, Block 1; Lots 1 through 52, Block 2; Lots 1 through 28 and 44 through 63, Block 3; Lots 1 through 38, Block 4; and Lot A, Spring Creek Acres, Oklahoma City, Oklahoma, as recorded in Book 49, Page 43, in the Office of the Recorder, Oklahoma County, Oklahoma, are located within the Special Flood Hazard Area.

Map No. H & I 405378A Panel 124 is hereby corrected to reflect that Lots 24 through 27, Block 1; Lots 27 and 28, Block 2; Lots 3 through 28 and 44 through 63, Block 3; and Lots 1 through 38, Block 4 of the above-mentioned property are not within the Special Flood Hazard Area identified on February 2, 1979. These lots are in Zone C.

Map No. H & I 405378A Panel 124 is also corrected to reflect that Lots 1 through 26 and 29 through 52, Block 2; Lots 1 and 2, Block 3; and Lot A of the above-mentioned property, with the exception of the areas designated for Drainage Easement as shown on the recorded plat map cited above, are not within the Special Flood Hazard Area identified on February 2, 1979. These lots are in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21437 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Stillwater, Oklahoma, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Stillwater, Oklahoma. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Stillwater, Oklahoma, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 405380 Panel 0004C, published on October 6, 1980, in 45 FR 66095, indicates that Lots 1 through 8, Block 1, Westbrook Estates, Third Section recorded as Instrument Number 02485 in Book 427, Pages 418 through 420, in the Office of the Clerk, Payne County, Oklahoma are located within the Special Flood Hazard Area.

Map No. H & I 405380 Panel 0004C is hereby corrected to reflect that the existing structures located on Lots 1 through 8, Block 1, Westbrook Estates, Third Section are not within the Special Flood Hazard Area identified on June 1, 1982. These structures are in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21438 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Tulsa, Oklahoma, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Tulsa, Oklahoma. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map

for the City of Tulsa, Oklahoma, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034. Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 405381D Panel 81, published on October 6, 1980, in 45 FR 66095, indicates that Lot 10, Block 2, Braden Heights Addition, Tulsa, Oklahoma, recorded as Plat No. 761, in the Office of the County Clerk, Tulsa County, Oklahoma, is located within the Special Flood Hazard Area.

Map No. H & I 405381D Panel 81 is hereby corrected to reflect that the above mentioned lot is not within the Special Flood Hazard Area identified on August 14, 1979. This lot is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21430 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendent for the City of Tulsa, Oklahoma Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Tulsa, Oklahoma. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Tulsa, Oklahoma, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620. The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I amendments 405381D Panel 112, published on October 6, 1980, in 45 FR 66095, indicates that Lot 2, Block 1, Arrowwood, Tulsa, Oklahoma, recorded as Plat No. 1773, Record No. 120495, in the Office of the County Clerk, Tulsa County, Oklahoma, is located within the Special Flood Hazard Area.

Map No. H & I 405381D Panel 112 is hereby corrected to reflect that the above mentioned property is not within the Special Flood Hazard Area identified on August 14, 1979. This property is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21425 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Tulsa, Oklahoma Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Tulsa, Oklahoma. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Tulsa, Oklahoma, that certain property is within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is within the Special Flood Hazard Area, reinforces the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 405381D Panel 105, published on October 6, 1980, in 45 FR 66095, indicates that Lots 35 through 38, 41 through 43, 46 through 49, and 55 through 71, Block 2, Tamarac, Tulsa, Oklahoma, recorded as Instrument No. 904876, Plat No. 4048, in the Office of the County Clerk, Tulsa County, Oklahoma, are not located within the Special Flood Hazard Area.

Map No. H & I 405381D Panel 105 is hereby corrected to reflect that although the existing structures located on the above-mentioned lots are not within the Special Flood Hazard Area, portions of the property are within the Special Flood Hazard Area identified on August 14, 1979. These portions of the above-mentioned lots are in Zone A.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 27, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21417 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for Commonwealth of Puerto Rico Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the Commonwealth of Puerto Rico. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the Commonwealth of Puerto Rico, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638-6620. The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 720000 Panel 0025 A published on August 1, 1978 in 45 FR 66037 indicates that a tract of land comprising 31.85 acres located at Corraizo Ward of the Municipality of Hatillo, Puerto Rico, as recorded in Tomo 533, Folio 03, Asiento 05 in the Registry of Property of the Municipality of Hatillo, Puerto Rico is located within the Special Flood Hazard Area.

Map Number H and I 720000 Panel 0025 A is hereby corrected to reflect that those portions of the above property that are at or above 1.6 meters Mean Sea Level (MSL) as shown on the map entitled "Existing Topography, Corales De Hatillo Development, Carrizales Ward, Hatillo, Puerto Rico," dated April 14, 1982, are not within the Special Flood Hazard Area. These portions are located in Zone C. However, those portions below 1.6 meters (MSL) would still be inundated by a flood having a one-percent chance of occurrence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 27, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21426 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5977]

Letter of Map Amendment for Greenville County, South Carolina Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Greenville County, South Carolina. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Greenville County, South Carolina, that certain properties are not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject properties are not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for these properties as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If the property owners were required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lenders now agree to waive the property owners from maintaining flood insurance coverage on the basis of this map amendment, the property owners may obtain a full refund of the premium paid for the current policy year, provided that no claims are pending or have been paid on the policies in question during the same policy year. The premium refunds may be obtained through the insurance agent or broker who sold the policies, or from the National Flood Insurance Program (NFIP). P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620. The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 450089, Panel 0205 A, published on January 23, 1981 in 46 FR 7352 indicates that Lots 58 and 62 of the Holly Tree Plantation, Greenville County, South Carolina as recorded in Plat Book 4–X, Pages 36 and 34, respectively, in the Records of Mesne Conveyance Office at Greenville County, South Carolina, are located within the Special Flood Hazard Area.

Map Number H & I 450089, Panel 0205 A, is hereby corrected to reflect that the existing structures on the above-mentioned lots are not located within the Special Flood Hazard Area identified on December 2, 1980. However, the lots would still be partially inundated by a flood having a one-percent chance of occurrence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 21, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21429 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for Knox County, Tennessee, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Knox County, Tennessee. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Knox County, Tennessee, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP): P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 475433 A, Panel 16 published on October 6, 1980 in 45 FR 66071 indicates that 7200 Harrell Road, District 6, Knox County, Tennessee as recorded in Deed Book 1334 on Pages

628 through 630 in the Knox County Register's Office is located within the Special Flood Hazard Area.

Map Number H & I 475433 A, Panel 16 is hereby corrected to reflect that the existing structure located on the above-mentioned property is not located within the Special Flood Hazard Area as identified on March 18, 1977. The existing structure is in Zone C. However, the lot would still be inundated by a flood having a one-percent chance of occurrence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 21, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21428 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Arlington, Texas Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Arlington, Texas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Arlington, Texas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 485454 Panel 0020B, published on October 6, 1980, in 45 FR 66097, indicates that Lots 28 and 29, Block 18, Lots 2, 32, and 33, Block 21; and Lot 1, Block 22, Proposed Spring Valley, Fifth Section, being a 52.0284 acre tract of land out of a 169.63 acre tract of land in the T. B. Elliott Survey, A–480, Arlington, Texas, as recorded in Volume 6273, Pages 10 through 14, in the Office of the County Clerk, Tarrant County, Texas, are located within the Special Flood Hazard Area.

Map No. H & I 485454 Panel 0020B is hereby corrected to reflect that the above mentioned lots are not within the Special Flood Hazard Area identified on June 20, 1980. These lots are in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21431 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for the City of Brownsville, Texas Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, map correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Brownsville, Texas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Brownsville, Texas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 480103 Panel 0005B, published on October 6, 1980 in 45 FR 66097, indicates that Lots 8 through 10 and 23 through 28, Block 4; Lots 8 through 10, Block 5; and Lots 11 and 18, Block 6, El Chaparral Subdivision, Section Two, recorded as File No. 175–43–042 in Volume I, Page 261–B, in the Office of the Clerk, Cameron County, Texas, are located within the Special Flood Hazard Area.

Map No. H & I 480103 Panel 0005B is hereby corrected to reflect that the above mentioned lots are not within the Special Flood Hazard Area identified on December 1, 1978. These lots are in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21432 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for Cameron County, Texas Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, map correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Cameron County, Texas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Cameron County, Texas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 480101 Panel 0350A, published on October 6, 1980, in 45 FR 66097, indicates that Lots 1 through 3, and 8 through 13, Block 6; all of Block 7; Lots 4 through 6, 12 and 13, Block 8; and Lots 12 through 19, Block 9, Mission Trails Subdivision, Section I, recorded as File No. 175–43–043 in Cabinet I, Page 248–B of Map Records, in the Office of the Clerk, Cameron County, Texas, are located within the Special Flood Hazard Area.

Map No. H & I 480101 Panel 0350A is hereby corrected to reflect that the above mentioned lots are not within the Special Flood Hazard Area identified on June 15, 1979. these lots are in Zone B.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant econmic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21433 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for the City of Garland, Texas, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Garland, Texas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Garland, Texas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 485471 Panel 0015B, published on October 6, 1980, in 45 FR 66098, indicates that Lots 6 through 13, Block 1; Lots 3 through 9, Block 3; and Lots 2 through 6, Block 4, Replat, Arbor Creek Addition, Garland, Texas, as recorded in Volume 82085, Page 2254, in the Office of the Clerk, Dallas County, Texas, are located within the Special Flood Hazard Area.

Map No. H & I 485471 Panel 0015B is hereby corrected to reflect that Lots 6 through 13, Block 1; Lots 3 through 9, Block 3; and Lots 3 through 6, Block 4 of the above mentioned property are not within the Special Flood Hazard Area identified on November 1, 1979. These lots are in Zone C.

Map No. H & I 485471 Panel 0015B is also corrected to reflect that the existing structure located on Lot 2, Block 4 of the above mentioned property is not within the Special Flood Hazard Area identified on November 1, 1979. This structure is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued July 27, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-21416 Filed 8-6-82; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 70

[Docket No. FEMA-5909]

Letter of Map Amendment for Harris County, Texas, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included Harris County, Texas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for Harris County, Texas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982..

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638-6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 480287 Panels 0075C and 0200C, published on October 6, 1980, in 45 FR 66098, indicates that Lots 2, 4 through 7, and 12 through 14, Block 12, Spring Creek Oaks, Phase I, Harris County, Texas, recorded as File Number H028165 in Volume 303, Page 61, in the Office of the Clerk, Harris County, Texas, are located within the Special Flood Hazard Area.

Map No. H & I 480287 Panels 0075C and 0200C is hereby corrected to reflect that the existing structures located on the above mentioned lots are not within the Special Flood Hazard Area identified on February 24, 1981. These structures are in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas

on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 13, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21434 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for the City of Plano, Texas Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included City of Plano, Texas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Plano, Texas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E. Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 480140 Panel 0020A, published on October 6, 1980 in 45 FR 66099, indicates that Buildings X, Y, Z, and AA, Collin Greene Condominiums, being a 9.505 acre tract of land in the William Fitzhugh Survey, Abstract No. 308, Plano, Texas, recorded as Document No. 29964 in Volume 1306, Pages 749 through 751, in the Office of the County Clerk, Collin County, Texas, are located within the Special Flood Hazard Area.

Map Number H & I 480140 Panel 0020A is hereby corrected to reflect that the above mentioned structures are now within the Special Flood Hazard Area identified on January 2, 1980. These structures are in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 27, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21414 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for the City of Houston, Texas, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule, Map Correction.

SUMMARY: The Federal Emergency Management Agency (FEMA) published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list Pincluded the City of Houston, Texas. It has been determined by the Associate Director, State and Local Programs and Support, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Houston, Texas, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Telephone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 480296 Panel 0115B published on October 6, 1980, in 45 FR 66098, indicates that a 6.0065 acre tract of land out of Block 90, Dairy

Subdivision, Houston, Texas, recorded as Instrument Number D421334 in Film Code Numbers 134–27–1585 through 134–27–1589, in the Office of the Clerk, Harris County, Texas, is located within the Special Flood Hazard Area.

Map No. H & I 480296 Panel 0115B is hereby corrected to reflect that the above-mentioned property is not within the Special Flood Hazard Area identified on December 11, 1979. This property is in Zone C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 27, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21415 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

---

44 CFR Part 70

[Docket No. FEMA–5909]

Letter of Map Amendment for the City of Montpelier, Vermont, Under National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule.

SUMMARY: The Federal Emergency Management Agency published a list of communities for which maps identifying Special Flood Hazard Areas have been published. This list included the City of Montpelier, Vermont. It has been determined by the Associate Director, State and Local Programs and Support after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Montpelier, Vermont, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally-related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0230.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally-related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP), P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638–6620.

The map amendments listed below are in accordance with § 70.7(b):

Map Number H & I 505518, Panel 0002A published on October 6, 1980, in 45 FR 66025, indicates that the property located at and known as 20 Court Street, Montpelier, Vermont, and recorded in Book 163, Pages 233 and 234 of the City of Montpelier Land Records is located within the Special Flood Hazard Area.

Map Number H & I 505518 Panel 0002A is hereby corrected to reflect that the structure on the above-mentioned property is not located within the Special Flood Hazard Area as identified on February 17, 1982. The structure is located in Zone B. However, portions of the property would still be inundated by a flood having a one-percent chance of occurrence in any given year.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 70

Flood insurance, Flood plains.

(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; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: July 27, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82–21418 Filed 8–6–82; 8:45 am]

BILLING CODE 6718–03–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 90

[Gen. Docket No. 80–135; RM–3378; FCC 82–332]

Amendment To Permit Inland Assignment of Certain MHz Frequencies for Non-Government Radiolocation

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Federal Communications Commission has revised its regulations to permit assignment of frequencies in the 420–435 segment of the 420–450 MHz band to non-Government radiolocation stations that utilize spread spectrum technology. The need for accurate radio positioning for inland agricultural and forestry type applications makes the 420–450 MHz band particularly suitable since line of sight constraints are reduced, thus enhancing air safety. The revision relaxes the requirement that non-Government radiolocation use of the band be limited only to shoreline areas of the U.S. and allows operation using spread spectrum technology in the contiguous 48 states and Alaska.

EFFECTIVE DATE: September 3, 1982.

ADDRESS: Federal Communications Commission, 2025 "M" Street NW., Washington, D.C. 20554, (202) 653–8167.

FOR FURTHER INFORMATION CONTACT: Mr. Sam Tropea, Office of Science and Technology, 2025 "M" Street NW., Washington, D.C. 20554, (202) 653–8167.

SUPPLEMENTARY INFORMATION:

Second Report and Order

Adopted: July 22, 1982.

Released: July 30, 1982.

By the Commission: Commissioner Fogarty absent.

Summary

1. This action amends the Commission's rules to allow non-Government radiolocation stations to use spread spectrum technology [1] in the 420–435 MHz portion of the 420–450 MHz band in the contiguous 48 states and Alaska. Permitted non-Government radiolocation operations will be authorized on a noninterference basis to higher priority users [2] of the band.

Background

2. On June 30, 1981 the Commission adopted a Further Notice of Proposed Rule Making (46 FR 39185) in the above captioned matter in response to a petition filed on May 10, 1979, by Del Norte Technology, Inc. (hereinafter "Del Norte"). [3] The Further Notice proposed that § 2.106, Footnote US217 and § 90.103(c)(21) of the rules be amended to delete the requirement that non-Government radiolocation operation in the 420–450 MHz band be restricted to the shoreline areas of Alaska and the contiguous 48 states. Further, the action proposed a new US Footnote 228 to § 2.106 and amendment of § 90.177(e) of the rules to provide protection for certain geographic areas utilized for Government test purposes. The Further Notice was duly published in the **Federal Register** on July 31, 1981 (46 FR 39185). Comments were due by September 21, 1981, and Reply Comments by October 21, 1981. An extension of time until October 21, 1981 for Comments and to November 20, 1981 for Reply Comments was granted.

3. Non-Government radiolocation operation in the 420–450 MHz band resulted from Commission action in Docket 20147 [4] to accommodate old SHORAN type radiolocation systems that were required to vacate frequencies in the 220–310 MHz band. Docket 20147 established a January 1, 1981, cut-off date for non-Government radiolocation use of the 420–450 MHz band and also limited operations to shoreline areas since usage primarily involved offshore oil exploration. The Commission in its first proceeding in this docket deleted the January 1, 1981 cut-off date. [5] Allowing non-Government radiolocation usage of the 420–450 MHz band demonstrated its practicability for offshore oil exploration and mapping of the surface waters for navigational purposes. Furthermore, it fostered the possibility of applying the benefits derived from the accurate radio positioning techniques to inland applications such as the spraying of agricultural chemicals for food production and related forestry needs. Accordingly, the Further Notice proposed that non-Government radiolocation operation be permitted within the contiguous 48 states and Alaska as well as a long the shorelines on a noninterference basis to the primary Government Radiolocation Service and the secondary Amateur Radio Services.

Summary of Comments and Reply Comments

4. Comments were submitted by Del Norte, the American Radio Relay League (ARRL), and various other amateur radio organizations and operators. Reply Comments were filed by Del Norte, the ARRL, the Southern California Repeater and Remote Base Association (SCRRBA) and John Moran. A list of all commentors in the proceeding is contained in Appendix A.

5. The ARRL, which represents more than 150,000 amateur radio members, in its comments and reply comments expressed some support for the inland radiolocation usage if certain of its concerns could be satisfied. First the League agrees that some radiolocation operations using spread spectrum techniques can be accommodated in inland areas if the 420 to 430 MHz segment of the band is utilized. However, it objects to any inland usage that would use P0 type emission and requests that P0 be prohibited. Also, the ARRL suggests that a fixed power limitation be specified for inland radiolocation usage such as a power output of 50 watts and that any higher power requirements be granted on a waiver basis only. In addition, the ARRL contends that some means of identifying and locating radiolocation stations is necessary to determine sources of interference. In this regard, it states that it would be helpful if records of radiolocation stations were maintained at Commission monitoring stations rather than at District Offices. Moreover, the League requests that equipment manufacturers be required to warn buyers that equipment operation is authorized on a noninterference basis only. Finally, the ARRL states that the introduction of non-Government radiolocation systems in the band should not prohibit possible future use of spread spectrum by radio amateurs.

6. Various radio amateur operators and amateur radio clubs submitted comments and reply comments all of which objected to the proposed non-Government inland operation mainly because of alleged problems of potential interference and of difficulty in identifying interfering stations. The primary concern appeared to be anticipated interference to amateur satellite and repeater operations which could result in equipment shutdowns and disruption of amateur communications due to interference from the radiolocation service. Other comments stated that there is insufficient operational information regarding the interference potential of spread spectrum usage and more study is necessary before authorizing its use. Further, it was stated that inadequate regulations were proposed for the operation of radiolocation equipment. It was suggested, for example, that to limit interference, specific rules be adopted stating that stations are authorized to transmit only when distance measurements are needed. Several commenters reiterated the ARRL request that power output be limited to 50 watts, that some indentification be required for radiolocation transmissions including possible transmission of the station call sign in Morse Code, that equipment manufacturers inform equipment users that operation is to be on a noninterference basis, and that equipment be labeled to reflect the noninterference basis required for operation. Finally, the Southern California Repeater and Remote Base Association suggested that as an alternative to allowing non-Government radiolocation in the 420–450 MHz band that frequencies in the 406–420 MHz band be considered for allocation for radiolocation usage.

7. Del Norte states its belief that non-Government radiolocation can fully and

[1] The textbook "Spread Spectrum Systems" by R. C. Dixon defines spread spectrum as any of a group of modulation formats in which an RF bandwidth much wider than necessary is used to transmit an information signal so that a signal-to-noise improvement may be gained in the process. The Del Norte System complies with this definition.

[2] The primary allocation of the band is for Government Radiolocation Service. Amateur Service and Amateur-Satellite Service operations have secondary allocation status in the band. Non-Government radiolocation must not cause interference to these services.

[3] A company engaged in the development and manufacture of radiolocation equipment.

[4] Commission Action in Docket 20147 consisted of a Notice of Proposed Rule Making (39 FR 31533) adopted on August 21, 1974 and a Report and Order (41 FR 11517) adopted on March 10, 1976.

[5] The first Commission Action in Docket 80–135 consisted of a Notice of Proposed Rule Making (45 FR 25412) adopted on March 31, 1980 and a Report and Order (45 FR 83231) adopted on November 6, 1980.

compatibly co-exist with other inland users of the band. To achieve this, however, it states that operation should be limited to spread spectrum techniques and that P0 modulation used by pulse-ranging systems should not be permitted for inland usage. Del Norte points out that while field tests have indicated that spread spectrum operations result in only a very small potential for interference to priority users, a much higher probability of interference would exist if P0 modulation is employed. It also opposes a strict limitation on power and frequency selection for spread spectrum radiolocation operations. Del Norte regards such limitations as unnecessary and as restricting system flexibility to adapt operations to the needs and constraints of different areas. Further, it supported the concept of facilitating identification of potentially interfering stations by requiring licensees to notify the FCC Engineer in Charge of the area of operation where transmissions are contemplated. Del Norte pointed out that such a notification procedure could also benefit radiolocation users by confirming that they are not as fault if a priority user is interfered with. Finally, Del Norte commented on the joint tests with the ARRL designed to determine the effect on various types of amateur operations including CW, SSB, RTTY, FM and television. Del Norte points out that the test results confirm that there is only a small potential for interference to amateur operations. This fact, together with the low probability that amateur and radiolocation operations will be conducted in the same area, leads Del Norte to believe that their operations are compatible.

8. In its reply comments Del Norte paid particular attention to the questions of alleged interference, identification of transmissions and the alleged need for operational regulations to control non-Government radiolocation operations. Regarding interference from spread spectrum systems, Del Norte pointed out that, both theoretically and experimentally, it had demonstrated how spread spectrum would present a very low interference potential to Government and amateur radio users in the 420–450 MHz band. In its petition filed in May, 1979, it theoretically demonstrated that because spread spectrum radiolocation systems operate at such low average power levels they should not impact other users of the band. In addition, Del Norte states that the joint tests conducted by itself and the ARRL in Newington, Connecticut and at the FCC Laboratory confirmed that the interference potential is minimal. Accordingly, Del Norte concludes that the use of the entire 420–450 MHz band by spread spectrum radiolocation users is warranted.

9. Concerning the question of station identification, Del Norte states that if radiolocation stations were required to transmit a separate carrier signal using a Morse Code identifier, the resulting signal would have a much greater interference potential than the spread spectrum signal itself. Del Norte agrees that notification by radiolocation stations to the Engineer in Charge of the local Commission District Office when operation commences, could assist in identifying transmissions if necessary. As to the need for additional regulations to insure responsible operation by non-Government radiolocation users, Del Norte believes that case-by-case[6] licensing provides the Commission maximum flexibility to limit, curtail or modify the conditions of operation based on the merit of each application. In addition, Del Norte disagrees with the accusation that radiolocation users would not be responsible Commission licensees but that they would, by and large, conform to the rules, procedures and subject, as all other licensees, to appropriate legal sanctions. Finally with regard to the suggested use of the 406–420 MHz band, Del Norte replied that the issue is not whether that band should be used inland for radiolocation operations but whether the 420–450 MHz band should be made available.

Discussion

10. The Commission is aware of the usefulness of radiolocation operations in the 420–450 MHz range for offshore oil exploration and the precise determination of possible drilling locations. Also, radiolocation operations have been useful in the measurement, description and mapping of water surfaces for navigational purposes. Use of the 420–450 MHz band is particularly suited for the needs of accurate radio positioning for inland aerial applications since line of sight constraints are reduced, thus enhancing air safety. Also, inland expansion of non-Government radiolocation for agricultural, forestry, aerial surveying and similar type operations could assist in the maintenance and management of our country's natural resources and thus benefit the national interest. In addition, the usual rural nature of the inland operations should enhance compatibility with the higher priority users of the band and, thus, provide for increased spectrum utilization and efficiency.

11. Prior to issuance of the Commission's Further Notice, members of the Commission's staff, Del Norte and the ARRL conducted interference tests on January 29, 1981 at the Commission's Laboratory in Laurel, Maryland. Identical tests were conducted by Del Norte and the ARRL at the latter's headquarters in Newington, Connecticut on January 27, 1981, and provided comparative data for analysis. The measurement procedures employed were selected to provide data on desired signal (amateur) to the undesired signal (Del Norte) ratios needed to establish various levels of interference to amateur equipment. Interference to amateur single sideband, Morse Code, FM and amateur fast scan television were examined and measured data was compiled to show actual signal level measurements at the imputs of the various amateur receivers. Test results demonstrated that, under controlled conditions, the spread spectrum signal can co-exist with amateur transmissions but a small potential for interference does exist. For example, amateur television reception was affected in a fashion similar to interference from auto-ignition noise, i.e. broken horizontal lines on the screen. However, in most cases, no noticeable interference to amateur equipment would be present if a separation of one mile or more exists between the amateur and radiolocation station. While a small interfering signal was measurable when the radiolocation signal was transmitted in close proximity to the amateur equipment, in actual operation, the temporary nature of the radiolocation operations such as during spraying applications and the generally remote areas where inland activities will be conducted should result in a lower probability of harmful interference. Therefore, the Commission agrees that some accommodation should be made for inland non-Government radiolocation operations in the 420–450 MHz band, notwithstanding the objections raised by the radio amateur.

12. To help alleviate the interference concerns of the amateur community, the Commission is persuaded that inland radiolocation usage should be limited to systems using spread spectrum technology. Conventional pulse ranging operations using P0 type emissions will continue to be allowed only along shoreline areas where radiolocation antennas are generally oriented offshore. Accordingly, in view of ARRL and amateur operator objections, and, since Del Norte agrees that P0 emissions

[6] Case-by-case licensing means that each application request is reviewed by the Commission and coordinated with IRAC for system evaluation to determine if an authorization can be granted.

could result in higher interference potentials to priority users of the band, non-Government radiolocation operation at inland locations will be limited to spread spectrum type systems. In addition, the Commission agrees that a maximum output power limitation of 50 watts is reasonable for spread spectrum operation. A rule waiver of the power limitation could be requested if powers greater than 50 watts are required. Further, stations using spread spectrum techniques will also be subject to minimum and maximum bandwidth limitations of 10 MHz and 15 MHz, respectively, and to the applicable general technical standards set forth in Part 90 for radiolocation stations. Also, the Commission at some future time may revisit such questions as technical standards for spread spectrum usage by radiolocation systems if additional information warrants or if the need arises. While Del Norte is proposing to use a relatively simple type spread spectrum system, other types of spread spectrum systems could require additional technical standards to insure compatible operations. In the meantime, the standards proposed can be supplemented if necessary by additional requirements and conditions specified as a part of the case-by-case authorization.

13. With regard to limiting non-Government radiolocation usage to only a portion of the 420–450 MHz band, such a consideration is believed to have merit in view of the limited information available and of the concerns expressed regarding the effects of spread spectrum systems on other users in an operational environment. In addition, the Commission's Inquiry on spread spectrum and other wideband systems (Docket 81–413) is still in progress and there remain many unanswered questions regarding technical and operational matters concerning spread spectrum operation. Also the frequencies between 440–450 MHz are heavily utilized for amateur repeater activities and avoidance of this segment of frequencies would further reduce the possibility of harmful interference to amateur licensees. Limiting operations to the band segment 420–430 MHz as suggested by the amateurs, comments would not, however, be realistic in view of the wide bandwidth required for spread spectrum operations in general and the 14.7 MHz bandwith needed for the Del Norte system in particular. Accordingly, to accommodate both the needs of the radiolocation users and the amateur concerns, the 15 MHz segment from 420 to 435 MHz is being allocated for radiolocation systems using spread spectrum technology in the contiguous 48 states and Alaska. Priority users of the 420–435 MHz band will continue to be protected by the condition that non-Government radiolocation use is on a secondary, noninterference basis and that non-Government radiolocation operation must cease if interference occurs. With regard to the comment to assign frequencies outside the 420–450 MHz band, for non-Government radiolocation use, such consideration is beyond the scope of this proceeding and could not be acted upon without first providing an opportunity for public comment. Non-Government radiolocation has been operating in the 420–450 MHz band since 1974 with virtually no interference complaint to the Commission by Government or amateur users. Amateur comments theorize that this may be due to limiting operation only to shoreline areas of the U.S. or to the fact that no identification is transmitted by radiolocation users so there has not been a way to identify the source of interference. In addition to amateur concerns, the Commission acknowledges it has only limited experience in monitoring spread spectrum signals and agrees that some means of locating and identifying station transmission is warranted. Comments received concerning the question of station identification suggested such measures as transmitting the station call sign in Morse Code, notifying the local EIC or monitoring station of scheduled radiolocation transmissions, and publishing a Public Notice to announce the issuance of authorizations and their area of operation. The Commission does not propose to require the continuous filing of notices regarding scheduled radiolocation operations since such action would not only burden the radiolocation service but would also increase the administrative workload of the Commission while providing no certain means of identifying interfering stations. Likewise, the suggested issuing of public notices would only increase the administrative burden without providing a definite means of identifying an interfering station.

14. Historically, the transmission of a radio station's call sign has served as the most certain method of locating and identifying originating stations. However, radiolocation stations operating above 3400 kHz have not normally been required to identify since a separate signal would have to be transmitted to provide identification capability. Transmission of the identification signal imposes additional requirements on equipment design as well as on the frequency spectrum. Del Norte and the ARRL in their comments reflected their concerns that the required transmission of a separate carrier frequency for identification purposes could in fact result in a greater interference potential than the spread spectrum signal being transmitted. A solution to providing a means of identification was presented to the Commission in an *ex parte* demonstration provided by Del Norte to the Commission staff at its laboratory in Laurel, Maryland on April 7, 1982.[7] The demonstration showed that a manufacturer's identification could be transmitted by the radiolocation equipment as it chirps or sweeps across the band as a part of the spread spectrum signal. In this instance the manufacturer's identification consisted of the letters "DN" transmitted in Morse Code from the system interrogator at discrete time intervals and was capable of being received and identified by Commission and Amateur radio receiving equipment. This method of identification, while it does not furnish the complete station call sign, does provide a distinct and recognizable signal for locating the small number of stations that would operate in this manner using spread spectrum technology. Further, the transmission of a separate, higher powered, signal is not required. Also, the nature of this identification should provide a type of self policing ability, since it can be copied in Morse Code by amateurs who may be in close proximity and operating in the 420–435 MHz band. The low potential for interference from spread spectrum signals, the requirement for operating on a noninterference basis, a transmitter output power limit of 50 watts and the required transmission of a manufacturers identification which can be approved as a part of the type acceptance process, should provide sufficient safeguards for compatible spread spectrum operation at this time. As with technical standards, the question of station identification could also be revisited at some later date if necessary. Accordingly, the transmission of a manufacturer's ID will be required for spread spectrum operation and the specific provision are set forth in the Appendix.

15. Concerning the comments calling for specific and stricter regulations for non-Government radiolocation operation and equipment labeling, we feel that such concerns are not warranted based on the past

[7] A report dated *April 23, 1982* concerning the Ex Parte demonstration has been included in the Public file in this proceeding.

performance of radiolocation users of the band. Licensing on a case-by-case basis has proven very satisfactory by permitting the Commission to have maximum licensing flexibility and allows applicants to request licensing based on operational requirements rather than regulatory constraints. Further, based on the virtual absence of any interference related complaints or legal action having arisen against non-Government radiolocation operators using the 420–450 MHz band, the Commission is of the opinion that users have exercised great care and respect for the required conditions for operation on a noninterference basis. Also, the necessity of mounting a label on the equipment to specify that equipment operation is permitted on a noninterference basis is not considered necessary since the same condition is clearly set forth on the license authorization for the station and has proven suitable in reminding licensees to exercise caution when operating. The metal label currently affixed to equipment type accepted by the Commission primarily contains the type acceptance number assigned and is not designed or intended to contain equipment operating conditions. Further, the Commission is not convinced that it should further commit its limited resources to initiating and enforcing regulations on equipment manufacturer's particularly in light of the past performance of equipment users.

16. Finally, comments were supportive of the proposal to list the protection zones for Government operation in the rules. Based on additional information supplied by IRAC, we are modifying the conditions of operation by non-Government radiolocation users whose operations may fall within the restricted zones. In this regard, we are modifying the conditions that entirely excludes authorization from the restricted zones to point out that applicants should not expect to be accommodated within those zones. This action leaves open the possibility that in some instances, the case-by-case evaluations may show that operations may be accommodated within the restricted zones. Accordingly, we are making the following changes to US 228 based on information supplied by IRAC:

A. The radius of restrictive operation around Beale Air Force Base is 240 km instead of 160 km.

B. The site designation in the state of Alaska is specified as Clear, Alaska.

C. The site designation in the state of North Dakota is specified as Concrete, North Dakota.

Action

17. In view of the public comments and considerations discussed herein, we are amending the Commission's Rules in response to the Further Notice. Accordingly, to provide for the continued use of pulse-ranging radiolocation systems for a shoreline operation and for the new use of spread spectrum technology for shoreline and inland operations, the following rule changes are implemented.

A. Section 2.106, Footnote US 217 and § 90.103(c)(21) are amended to provide for the new use of spread spectrum technology for shoreline and inland use in the contiguous 48 states and Alaska.

B. Section 2.106, Footnote US 228 is added and § 90.177(e) is modified to indicate the geographic locations where non-Government radiolocation operations probably will not be authorized. The Table of Frequency Allocations in § 2.106 is also amended to include US 228 in column 6.

C. A new paragraph is added to § 90.209 to set forth bandwidth limitations for spread spectrum systems.

D. A new § 90.425(c)(3) is added to set forth the identification requirements for spread spectrum usage.

Specifically, the above rule changes will provide for:

A. The new inland and shoreline usage of spread spectrum systems in the band 420 to 435 MHz by non-Government radiolocation stations.

B. The use of a maximum output power of 50 watts for spread spectrum systems and compliance with applicable Part 90 technical standards for radiolocation operation.

C. Radiolocation stations using spread spectrum techniques to transmit a manufacturer's identifier as a part of the signal. The identifier will be sent at the beginning and ending of transmission and at 15 minute intervals during continuing operation.

D. Authority to operate on a secondary noninterference basis to the Government Radiolocation Service and the Amateur Radio Services. Authorizations will be granted on a case-by-case basis and operations that fall within the specified Government zones probably will not be approved.

E. No change to existing non-Government radiolocation operations along shorelines that use conventional pulse-ranging systems.

18. For further information regarding matters covered in this document contact Sam Tropea, (202) 653–8167.

19. Accordingly, it is ordered, that, pursuant to the authority contained in sections 4(i) and 303(c) of the Communications Act of 1934, as amended, the Commission's Rules are amended as set forth in the attached Appendix B, effective September 3, 1982.

20. It is further ordered that this proceeding is terminated.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

List of Subjects

47 CFR Part 2

Frequency allocations, Non-governmental radio.

47 CFR Part 90

Radiolocation services.

Appendix A

Parties Filing Comments and/or Reply Comments in General Docket 80–135

American Radio Relay League (ARRL)
Del Norte Technology, Inc.
Richard Doering
Roy Dolley
Jerold Johnson
John Moran
Schenectady Amateur Radio Association, Inc.
Donald Smith
Southern California Repeater and Remote Base Association

Appendix B

For the reasons set forth in the preamble, Parts 2 and 90 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

A. 1. In § 2.106, column 6 of the allocation table for the band 420–450 MHz is revised to add the new Footnote designator US 228 and under the heading U.S. Footnotes, Footnote US 217 is modified and a new Footnote US 228 is added as follows:

§ 2.106 Table of Frequency Allocations.

UNITED STATES

Band (MHz)	Allocation
5	6
• • •	• • •
420–450	G, NG (320A) (US 7) (US 35) (US 87) (US 217) (US 228).
• • •	• • •

U.S. Footnotes

* * * * *

US 217 Pulse-ranging radiolocation systems may be authorized for government and non-Government use in the 420–450 MHz band along the shorelines of Alaska and the contiguous 48 states. Spread spectrum radiolocation systems may be authorized in the 420–435 MHz portion of

the band for operation within the contiguous 48 States and Alaska. Authorizations will be granted on a case-by-case basis; however, operations proposed to be located within the zones set forth in US 228 should not expect to be accommodated. All stations operating in accordance with this provision will be secondary to stations operating in accordance with the allocation table.

* * * * *

US 228 Applicants for operation in the band 420 to 450 MHz under the provisions of US 217 should not expect to be accommodated if their area of service is within the following geographic areas:

(a) All areas listed in Footnote US 7.

(b) In the State of Massachusetts within a 160 kilometers (100 mile) radius around the locations of Otis Air Force Base, Massachusetts (latitude 41° 45′ North, longitude 70° 32′ West).

(c) In the State of California within a 240 kilometer (150 mile) radius of Beale Air Force Base, California (latitude 39° 08′ North, longitude 121° 26′ West).

(d) In the State of Alaska, within a 160 kilometer (100 mile) radius of Clear, Alaska (latitude 64° 17′ North, longitude 149° 10′ West).

(e) In the State of North Dakota, within a 160 kilometer (100 mile) radius of Concrete, North Dakota (latitude 48° 43′ North, longitude 97° 54′ West).

(f) Those portions of Texas and New Mexico bounded on the south by latitude 31°45′ North, on the east by longitude 104° 00′ West, on the north by latitude 34° 30′ North, and on the West by longitude 107° 30′ West.

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

B. 1. In § 90.103 paragraph(c)(21) is revised as follows:

§ 90.103 Radiolocation service.

* * * * *

(c) * * *

(21) Non-Government radiolocation stations in the band are secondary to the Government Radiolocation Service, the Amateur Radio Service and the Amateur-Satellite Service. Pulse-ranging radiolocation stations in this band may be authorized along the shorelines of Alaska and the contiguous 48 states. Radiolocation stations using spread spectrum techniques may be authorized in the band 420–435 MHz for operation within the contiguous 48 states and Alaska. Also, stations using spread spectrum techniques shall be limited to a maximum output power of 50 watts, shall be subject to the applicable technical standards in § 90.209 until such time as more definitive standards are adopted by the Commission and shall identify in accordance with § 90.425(c)(3). Authorizations will be granted on a case-by-case basis; however, operations proposed to be located within the zones set forth in § 90.177(e) should not expect to be accommodated.

* * * * *

2. The introductory text of § 90.177 is revised and a new paragraph (e) is added as follows:

§ 90.177 Protection of certain radio receiving locations.

This section pertains to applications for new or modified authorizations in the vicinity of the National Radio Astronomy Observatory, Green Bank, Pocahontas County, W. Va., the Naval Radio Research Observatory, Sugar Grove, Pendleton County, W. Va., the Table Mountain Radio receiving zone, Boulder, Colo., the Federal Communications Commission monitoring stations and other protected sites.

* * * * *

(e) In the band 420 to 450 MHz, applicants should not expect to be accommodated if their area of service is within 160 kilometers (100 miles) of the following locations:

(1) 41°45′ N, 70°32′ W,
(2) 64°17′ N, 149°10′ W,
(3) 48°43′ N, 97°54′ W,

within 240 kilometers (150 miles) of the following location:

(1) 39°08′ N, 121°26′ W

within 320 kilometers (200 miles) of the following locations:

(1) 28°21′ N, 80°43′ W,
(2) 30°30′ N, 86°30′ W,
(3) 34°09′ N, 119°11′ W,

or in any of the following locations:

(1) the state of Arizona,
(2) the state of Florida,
(3) portions of California and Nevada south of 37°10′ N,
(4) and portions of Texas and New Mexico bounded by 31°45′ N, 34°30′ N, 104°00′ W and 107°30′ W.

3. Section 90.209(b) is revised by redesignating the current paragraph (b)(6) as (b)(7) and by adding a new paragraph (b)(6) as follows:

§ 90.209 Bandwidth limitations.

* * * * *

(b) * * *

(6) The maximum authorized bandwidth for non-Government radiolocation stations using spread spectrum techniques is 15 MHz, in the frequency range 420–435 MHz. The minimum authorized bandwidth is 10 MHz and the power of the spread spectrum emission shall be evenly distributed over the band.

* * * * *

4. Section 90.425 is revised by adding a new paragraph (c)(3) as follows:

§ 90.425 Station identification.

* * * * *

(c) * * *

(3) Stations in the radiolocation service operating on frequencies above 3400 kHz that employ spread spectrum techniques shall transmit a two-letter manufacturer's designator, authorized by the Commission on the station authorization, at the beginning and ending of each transmission and once every 15 minutes during periods of continuing operation. The designator shall be transmitted in International Morse Code at a speed not exceeding 25 words per minute, and the spread spectrum mode of operation shall be maintained while the designator is being transmitted. The identifying signal shall be clearly receivable in the demodulated audio of a narrow-band FM receiver.

* * * * *

[FR Doc. 82–21409 Filed 8–6–82; 8:45 am]

BILLING CODE 6712–01–M

---

47 CFR Part 15

[Gen. Docket No. 81–786; RM–3832; RM–3126; FCC 82–331]

Amendment Regarding Auditory Training Devices

AGENCY: Federal Communications Commission.

ACTION: Final Rule (Report and Order).

SUMMARY: The Commission has adopted a Report and Order expanding the use of auditory assistance devices beyond the previous limitation of operating in educational institutions. The growing demand and expanding uses for these devices to assist handicapped persons has prompted the Commission to reconsider this limitation. Removal of this limitation will permit the use of auditory devices in many environments and thus allow maximum benefit to be derived by the handicapped from these devices.

DATE: Effective: September 3, 1982.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Mr. Herman Garlan, Office of Science and Technology, Authorization and Standards Division, (202) 653–8247.

SUPPLEMENTARY INFORMATION:

Report and Order

Adopted: July 22, 1982.

Released: July 30, 1982.

By the Commission: Commissioner Fogarty absent.

Introduction

1. On December 14, 1981, the Commission released a *Notice of Proposed Rule Making* (*Notice*)[1] in the instant proceeding in response to the following two petitions:

RM–3126 filed May 1, 1978 by Williams Sound Corp.

RM–3832 filed January 12, 1981 by Phonic Ear, Inc.

The *Notice* specified that comments shall be received on or before January 15, 1982 and reply comments on or before February 1, 1982. These dates were extended to February 26, 1982 and March 20, 1982, respectively, by order of the Chief Scientist under delegated authority, released January 21, 1982.[2]

2. Both petitions sought a change in the Commission's Rules for Auditory Training Devices (hereafter auditory assistance devices) to extend the permitted area of use.[3] Section 15.331 presently limits the area of use of such devices to instructional programs in educational institutions.[4] The petitions sought to extend the area of use to encompass operation at public gathering places such as churches, auditoria, theatres, concert halls and others. Phonic Ear, Inc. stated that the technical standards now in Part 15 Subpart G were adequate for the extended area of use requested in its petition. Williams Sound Corp., on the other hand, asked the Commission to permit an auditory assistance device to operate on 530 kHz and 1610 kHz.[5] It suggested that suitable technical standards for operation at these frequencies would be a power input to the final RF stage not to exceed 250 milliwatts, out of band emissions to be suppressed 20 dB, and antenna systems not to exceed 3 meters in length.

[1] 47 FR 216; January 5, 1982.

[2] FCC mimeo number 1725, adopted January 20, 1982; released January 21, 1982.

[3] 47 CFR Part 15 Subpart G. Since these petitions sought to extend use of these devices beyond educational programs, which the Commission is granting herein, the designation auditory training device is no longer suitable and is being changed to auditory assistance device.

[4] Section 15.331 reads as follows:

"This subpart provides rules under which a restricted radiation device may be operated without individual license as an auditory training system in institutional education programs for auricular instruction of persons having speech or hearing handicaps. The facilities provided under these rules permit an enlarged scope of operation beyond that permitted by the regulations in Subpart E of this part."

[5] 530 kHz and 1610 kHz had been made available for the Travelers Information Station (see 47 CFR 90.242) on the grounds that these frequencies are readily receivable on a standard AM broadcast receiver. Williams sought to benefit from the same situation.

Commission Response

3. In response to the petitioners' request to extend the area of use of an auditory assistance device, the Commission issued the related *Notice*. A definition for an auditory assistance device was proposed to take the place of the existing definition of an auditory training device and the scope of Subpart G was proposed to be expanded. No change was proposed in the technical standards that apply to an auditory assistance device. In addition, pursuant to our overall policy of reducing the regulatory burden on manufacturers and in view of our experience with these devices, the Commission proposed to change the equipment authorization required for the transmitter part of the auditory assistance system from type approval to certification.[6]

4. Our *Notice* proposed to grant the Williams petition in part by expanding the scope of Subpart G to include use "at places of public gatherings such as theatres, auditoriums and churches". The Commission, however, had reservations concerning the frequencies requested by Williams and the technical standards that Williams had suggested.[7]

5. The *Notice* made it clear (paragraph 13) that an auditory assistance device could also be used to help visually impaired persons as requested by the Washington Ear Inc. in its comment on the petition for rule making. One example of such operation is to have a "reader" describe the action on the stage of the theatre during a performance for the benefit of blind persons. In proposing to authorize this extension of use, the Commission stated that it did not anticipate any significant increase in the interference potential of the auditory assistance device. The words "auditory assistance" are therefore to be construed to go beyond the mere amplification of sounds, and to include any aural assistance that may be given to a handicapped person.

[6] Type approval is an equipment authorization issued on the basis of an examination and measurement made by the Commission in its own laboratory. Certification is an equipment authorization issued after an evaluation of a report of measurements and other material submitted by the applicant. The details of the type approval and certification procedures are set out in 47 CFR Part 2 Subpart J.

[7] Similar concerns were expressed by a majority of commenters. Williams itself has identified its preference for the 72–76 MHz band and in its comments to the *Notice* has withdrawn its request for use of the AM frequencies. As a result of these comments and our original concerns, we will no longer consider the Williams request to use the 530 and 1610 kHz frequencies for auditory assistance devices, and are dismissing that petition as moot.

Discussion

6. Other than the cautionary remarks of the Federal Aviation Administration (FAA)[8] and the mild reservation and suggested notice procedure by the Association of Maximum Service Telecasters (MST), none of the comments addressed the technical standards now in Subpart G. We have concluded that these standards are satisfactory and that no change is required. Comments were received from numerous persons and organizations actively engaged in assisting the handicapped. These comments all enthusiastically supported the Commission for proposing a use of radio that would assist a handicapped person. Several commenters requested that the area of operation be extended to include use by individuals on a person-to-person basis such as a parent to a child at home or for recreational activities. The comments also point out that these devices could be used on the job. In the *Notice* we alluded to such possible use of these devices and requested specific comments as to the need and ways for restricting such uses so as to maintain a low interference potential.

7. As mentioned above, MST is the only party commenting on the need for safeguards to prevent interference. MST raises the question of interference to TV reception on channels 4 (66–72 MHz) and 5 (76–82 MHz) and suggests that the Commission require and collect information on the locations where auditory assistance devices will be used. This information, according to MST, would be useful to help locate the source of interference when complaints of interference to TV channel 4 or 5 are received. The collection and distribution system suggested by MST would require an extensive recordkeeping system by the Commission and impose an additional paperwork burden on manufacturers, distributors, or users. In view of the lack of complaints of interference received to date that are attributable to auditory training devices, we cannot find it necessary at this time to impose such a reporting requirement. Moreover, imposing such a burden would be contrary to one of the stated objectives of this rulemaking, namely to eliminate restrictions on the use of these

[8] FAA speaking through the Interdepartment Radio Advisory Committee (IRAC) pointed out the need to avoid use of frequencies in the band 74.6–75.4 MHz to protect the aeronautical beacons on 75 MHz. We agree that this is necessary and can point out that the frequencies available for auditory assistance devices now in Subpart G (Section 15.351) all fall outside the aeronautical beacon guard band at 74.6–75.4 MHz. As pointed out above, no change in these frequencies is proposed.

devices to aid the handicapped. We continue to believe that the present technical standards alone are sufficient to satisfy concerns over interference.

8. In regard to the use of auditory devices by the handicapped for personal assistance, such as in the home environment, we believe that use should be permitted. We recognize that the potential for interference from such use is greater than if the devices were used only in confined areas. However, there are several factors which either keep the potential for interference low or justify the flexibility provided. First, personal use of these devices would most likely involve wearing the transmitter on the body resulting in an absorption and detuning of the signal, thus reducing the actual field strength levels and subsequent interference potential. Second, maintaining the restriction that these devices be used only by and for the handicapped will significantly restrict the extent of use. We, therefore, do not see a need at this time to impose any restriction on place-of-use of auditory devices. Use of these devices, however, is subject to the general requirement of operation on the basis of non-interference to licensed services. (See § 15.3 of the Commission's Rules.)

9. The Notice in this proceeding had proposed using the less stringent certification procedure in place of type approval as the equipment authorization procedure (Notice paragraph 14). This proposal was based on our experience in type approving auditory training devices which showed that the 4–5 manufacturers marketing these devices had mastered the techniques required to produce a complying device. Accordingly, we are reducing the equipment authorization requirement from type approval to the less stringent procedure—certification. If a new manufacturer enters the field, we retain the prerogative of calling in his product for testing in our laboratory as a prerequisite to acting on the application for certification.

10. Pursuant to Section 605 of the Regulatory Flexibility Act of 1980, we certified in paragraph 17 of the NPRM that the action proposed therein would not have a significant economic impact on a substantial number of small entities. None of the comments received in this proceeding questioned this statement.

Ordering Clauses

11. Pursuant to the above and under the authority of sections 4(i), 302 and 303(r) of the Communications Act of 1934, as amended, it is ordered that Part 15 is amended as set out in Appendix A to this Order.

12. It is further ordered, that RM–3126 is dismissed as moot.

13. It is further ordered, that this amendment shall become effective on September 3, 1982, and this proceeding is terminated.

14. For further information about this order, contact Mr. Herman Garlan, Office of Science & Technology, Federal Communications Commission, Washington, DC 20554, phone 202–653–8247.

List of Subjects in 47 CFR Part 15

Radio.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix A

Part 15 of the FCC Rules (47 CFR Part 15) is amended as follows:

1. Paragraph (l) of § 15.4 is revised to read as follows:

§ 15.4 General definitions.

* * * * *

(l) *Auditory assistance device.* A restricted radiation device used to provide auditory assistance to a handicapped person or persons. Such a device may be used for auricular training in an educational institution, for auditory assistance at places of public gatherings such as church, theatre, auditorium, and for auditory assistance to handicapped individuals only, in other locations.

2. The title of Subpart G of Part 15 is changed to "Auditory Assistance Devices".

3. The term "auditory training" is removed and the term "auditory assistance" is inserted in place thereof, in the following sections:

15.332	15.355(a)
15.333(b)	15.361
15.337 (a) and (b)	15.363
15.341 (a) and (b)	15.365
15.345	15.367
15.347 (b) and (c)	15.375 (a) and (b)
15.351 (a), (b) and (c)	15.377
15.353	

4. Section 15.331 is revised to read as follows:

§ 15.331 Scope of this subpart.

This subpart provides rules under which a restricted radiation device may be operated without individual license as an auditory assistance device for a handicapped person or persons. Such devices may be used for auricular training in educational institutions, for auditory assistance at places of public gatherings, such as theatres, auditoriums and churches, and for auditory assistance to handicapped individuals in any location. The provisions herein are in addition to the general provisions for low power communications devices in Subpart D of this Part.

5. In § 15.333, paragraph (a) is revised to read as follows:

§ 15.333 Operation in the band 72–76 MHz.

(a) A transmitter may be operated as a part of an auditory assistance system on the frequencies listed in § 15.351 provided it meets the technical specifications in §§ 15.353–15.359 inclusive and is certificated.

* * * * *

6. In § 15.335, paragraph (a) is revised to read as follows:

§ 15.335 Operation in the band 88–108 MHz.

(a) An auditory assistance system may be operated in the band 88–108 MHz provided the transmitter meets the technical specifications in § 15.162 (a), (b), (c) and (d), and the receiver meets the technical specifications in § 15.63 and both the transmitter and receiver are certificated.

* * * * *

7. In § 15.347, paragraph (a) is revised to read as follows:

§ 15.347 Equipment authorization for transmitters.

(a) A transmitter operating in the band 72–76 MHz or the band 88–108 MHz as part of an auditory assistance system shall be certificated pursuant to Subpart B of this Part.

* * * * *

8. Section 15.375 is revised to read as follows:

§ 15.375 Identification of auditory assistance equipment (72–76 MHz).

Each transmitter and each receiver operated as part of an auditory assistance system in the band 72–76 MHz, for which applications for certification are filed on or after May 1, 1981 shall be individually identified pursuant to §§2.925, 2.926 and 2.1045. The FCC Identifier for such equipment will be validated by the grant of certification issued by the Commission. The nameplate or label of the transmitter and receiver shall contain the following statement:

This device complies with FCC Rules Part 15. Operation is subject to the following two conditions: (1) This device may not cause harmful interference and (2) this device must accept any interference that may be recieved

including interference that may cause undesired operation.

[FR Doc. 82-21408 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 82-123; RM-3976]

Radio Broadcast Services, FM Broadcast Station in Prescott Valley, Ariz.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 292A to Prescott Valley, Arizona, in response to a petition filed by Yavapai Broadcasting Company. The assigned channel could provide a first FM service to Prescott Valley.

DATE: Effective October 12, 1982.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio Broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations (Prescott Valley, Arizona), BC Docket No. 82-123, RM-3976.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 47 FR 11046, published March 15, 1982, proposing the assignment of Channel 292A to Prescott Valley, Arizona, as that city's first FM assignment. The *Notice* was issued in response to a petition filed by the Yavapai Broadcasting Company ("petitioner"). Comments in support of the proposal were filed by the petitioner. No opposition to the proposal was received.

2. In its comments, petitioner restated the need for an FM assignment to Prescott Valley, and reaffirmed its intention to apply for the channel, if assigned.

3. Mexican coordination has been received.

4. The Commission has determined that the public interest would be served by assigning Channel 292A to Prescott Valley, Arizona, since it would provide the community with an opportunity for its first local aural broadcast service.

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.281 and 0.204(b) of the Commission's Rules, it is ordered, that effective October 12, 1982, § 73.202(b) of the Commission's Rules is amended with respect to the following community:

City	Channel No.
Prescott Valley, Ariz	292A

6. It is further ordered, that this proceeding is terminated.

7. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-21490 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 82-171; RM-4025]

FM Broadcast Station in Springerville, Ariz.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 269A to Springerville, Arizona, in response to a petition filed by Round Valley Broadcasting Association. The assigned channel could provide a first FM service to Springerville.

DATE: Effective October 12, 1982.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations (Springerville, Arizona), BC Docket No. 82-171, RM-4025.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration the *Notice of Proposed Rule Making*, 47 FR 16665, published May 17, 1982, proposing the assignment of Channel 269A to Springerville, Arizona, as that community's first FM assignment in response to a petition filed by Round Valley Broadcasting Company ("petitioner"). Petitioner submitted comments restating its intention to apply for the channel, if assigned.[1] The channel can be assigned in compliance with the Commission's minimum distance separation requirements. No opposition to the proposal was received.

2. Mexican concurrence has been received.

3. After careful consideration of the proposal, we believe that the public interest would be served by assigning Channel 269A to Springerville, since it would provide a first local FM broadcast service to that community.

4. Accordingly, pursuant to the authority contained in §§ 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.204(b) and 0.281 of the Commission's Rules, it is ordered, that effective October 12, 1982, § 73.202(b) of the Commission's Rules is amended with respect to the following community:

City	Channel No.
Springerville, Ariz	269A

5. It is further ordered, that this proceeding is terminated.

6. For further information, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-21491 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

[1] Petitioner also provided additional supporting data for the assignment. However, in view of the action taken in the *Second Report and Order*, BC Docket 80-130, 47 FR 26624, published June 21, 1982, this information was not needed.

47 CFR Part 73

[BC Docket No. 82-172; RM-4047]

FM Broadcast Station in Ashdown, Ark.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 221A to Ashdown, Arkansas, in response to a petition filed by Floyd W. White. The assigned channel could provide a second FM service to Ashdown.

DATE: Effective October 12, 1982.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR 73 Affected

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Ashdown, Arkansas), BC Docket No. 82-172, RM-4047.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration the *Notice of Proposed Rule Making*, 47 FR 15376, published April 9, 1982, proposing the assignment of Channel 221A to Ashdown, Arkansas, as that community's second FM assignment in response to a petition filed by Floyd W. White ("petitioner"). Petitioner submitted comments restating his intention to apply for the channel, if assigned. The channel can be assigned in compliance with the minimum distance separation requirements. No opposition to the assignment was received.

2. As requested in the *Notice*, petitioner submitted a preclusion study for Channel 221A listing alternate channels available to the communities precluded by the proposed assignment. However, this information is no longer required in view of the action taken in BC Docket 80-130, *Second Report and Order*, 47 FR 26624, published June 21, 1982.

3. After careful consideration of the proposal, we believe that the public interest would be served by assigning Channel 221A to Ashdown, Arkansas, since it could provide a second local FM service to that community.

4. Accordingly, pursuant to the authority contained in sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.204(b) and 0.281 of the Commission's Rules, it is ordered, That effective October 12, 1982, § 73.202(b) of the Commission's Rules is amended with respect to the following community:

City	Channel No.
Ashdown, Ark.	221A, 280A

5. It is further ordered, that this proceeding is terminated.

6. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-21492 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 82-179; RM-4024]

FM Broadcast Station in Hayden, Colorado; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 240A to Hayden, Colorado, in response to a petition filed by Z Broadcasters, Inc. The assigned channel could provide a first FM service to Hayden.

EFFECTIVE DATE: October 12, 1982.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Hayden, Colorado), BC Docket No. 82-179 RM-4024.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration the *Notice of Proposed Rule Making*, 47 FR 16657, published April 19, 1982, proposing the assignment of Channel 240A to Hayden, Colorado, as that community's first FM assignment in response to a petition filed by Z Broadcasters, Inc. ("petitioner"). The petitioner submitted comments which merely restate its intention to apply for the channel, if assigned. The channel can be assigned in compliance with the minimum distance separation requirements.

2. After careful consideration of the proposal, we believe that the public interest would be served by assigning Channel 240A to Hayden, Colorado, since it would provide a first local FM broadcast service to that community.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.281 and 0.204(b) of the Commission's Rules, it is ordered, that effective October 12, 1982, the FM Table of Assignments, § 73.202(b) of the Commission's rules, is amended with respect to the following community:

City	Channel No.
Hayden, Colorado	240A

4. It is further ordered, that this proceeding is terminated.

5. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 82-21493 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 82-148; RM-3988]

FM Broadcast Station Belzoni, Mississippi; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 296A to Belzoni, Mississippi, in response to a petition filed by Humphreys County Broadcasting

Company. The assigned channel could provide a first FM service to Belzoni.

EFFECTIVE DATE: October 12, 1982.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Belzoni, Mississippi), BC Docket No. 82–148; RM–3988.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration the *Notice of Proposed Rule Making*, 47 FR 13843, published April 1, 1982, proposing the assignment of Channel 296A to Belzoni, Mississippi, as that community's first FM assignment in response to a petition filed by Humphreys County Broadcasting Company ("petitioner"). The petitioner filed comments restating its interest in applying for the channel, if assigned. The channel can be assigned in compliance with the Commission's minimum distance separation requirements.

2. After careful consideration of the proposal, we believe that the public interest would be served by assigning Channel 296A to Belzoni since it would provide a first FM service to that community.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§0.204(b) and 0.281 of the Commission's Rules, it is ordered that effective October 12, 1982, § 73.202(b) of the Commission's Rules is amended with respect to the following community:

City	Channel No.
Belzoni, Mississippi	296A

4. It is further ordered, that this proceeding is terminated.

5. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632–7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82–21494 Filed 8–6–82; 8:45 am]

BILLING CODE 6712–01–M

---

47 CFR Part 73

[BC Docket No. 82–62; RM–3959]

TV Broadcast Station in Natchez, Mississippi; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: Action taken herein corrects the *Report and Order* in the proceeding for Natchez, Mississippi, adopted June 23, 1982, (July 9, 1982, 47 FR 29846) which inadvertently listed the amendment to the TV Table of Assignments as a proposal.

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

FOR FURTHER INFORMATION CONTACT: Mark, N. Lipp, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Television.

Released: August 2, 1982.

1. On June 23, 1982, the Commission adopted in this proceeding the *Report and Order* for Natchez, Mississippi, and inadvertently listed the amendment to the TV Table of Assignments as a proposal. Paragraph 4 of the *Order* should read as follows:

City	Channel No.
Natchez, Mississippi	* 42+, 48

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82–21411 Filed 8–6–82; 8:45 am]

BILLING CODE 6712–01–M

---

47 CFR Part

[BC Docket No. 82–173; RM–4020]

FM Broadcast Station in Hughesville, Pennsylvania; Changes Made in Table of Assignments

AGENCY: Federal communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 280A to Hughesville, Pennsylvania, in response to a petition filed by Victor August Michael, Jr. The assigned channel could provide a first FM service to Hughesville.

EFFECTIVE DATE: October 12, 1982.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Hughesville, Pennsylvania), BC Docket No. 82–173 RM–4020.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration the *Notice of Proposed Rule Making*, 47 Fed. Reg. 15379, published April 9, 1982, proposing the assignment of Channel 280A to Hughesville, Pennsylvania, as that community's first FM assignment in response to a petition filed by Victor August Michael, Jr. ("petitioner"). Petitioner submitted comments restating his intention to apply for the channel, if assigned. The channel can be assigned in compliance with the Commission's minimum distance separation requirements. No oppositions to the proposal were received.

2. Petitioner submitted community data showing the need for assignment of the channel. However, in view of the action taken in the *Second Report and Order*, 47 FR 26624, published June 21, 1982, this information is no longer required.

3. Canadian concurrence has been received.

4. After careful consideration of the proposal, we believe that the public interest would be served by assigning Channel 280A to Hughesville, since it would provide a first local FM service to that community.

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.204(b) and 0.281 of the Commission's Rules, it is ordered, that effective October 12, 1982, the FM Table of Assignments, § 73.202(b) of the Commission's Rules, is amended with respect to the following community:

City	Channel No.
Hughesville, Pennsylvania	280A

6. It is further ordered, that this proceeding is terminated.

7. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 82-21495 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 82-128; RM-3984]

FM Broadcast Station in Plainview, Texas; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 280A to Plainview, Texas, in response to a petition filed by D. M. Walters and F. R. Morton. The assigned channel could provide a second FM service to Plainview.

EFFECTIVE DATE: October 12, 1982.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Plainview, Texas), BC Docket No. 82-128; RM-3984.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 47 FR 11730, published March 18, 1982, proposing the assignment of Channel 280A to Plainview, Texas, as that community's second FM assignment in response to a petition filed by D. M. Walthers and F. R. Morton ("petitioners"). Comments in support of the proposal were filed by the petitioners.[1] Petitioners reaffirmed their interest in applying for the channel, if assigned.

2. The Commission has determined that the public interest would be served by assigning Channel 280A to Plainview, Texas, since it would provide the community with its second local FM service.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.281 and 0.204(b) of the Commission's Rules, it is ordered, that effective October 12, 1982, § 73.202(b) of the Commission's Rules is amended with respect to the following community:

City	Channel No.
Plainview, Texas	247,280A

4. It is further ordered, that this proceeding is terminated.

5. For further information, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-21496 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

[1] In response to the *Notice*, petitioners submitted preclusion and community data. However, in view of the action taken in BC Docket No. 80-130, 47 FR 26624, published June 21, 1982, this information is no longer required.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 661

[Docket No. 2729-145]

Ocean Salmon Fisheries off the Coasts of California, Oregon, and Washington

Correction

This correction is to inform readers that the emergency interim rule on ocean salmon fisheries off the costs of California, Oregon, and Washington (FR Doc. 82-20986) published August 4, 1982 at 47 FR 33709 was published in error. The National Oceanic and Atmospheric Administration submitted and filed for public inspection a timely letter withdrawing that rule from publication in accordance with the provisions of 1 CFR 18.13.

BILLING CODE 1505-01-M

50 CFR Part 661

[Docket No. 2715-130]

Ocean Salmon Fisheries off the Coasts of California, Oregon, and Washington

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of closure.

[Editorial Note.—The following document, FR Doc. 82-20905 was filed for public inspection with the Office of the Federal Register on Friday, July 30, 1982 at 8:45 a.m. It was withdrawn in error from the issue of Thursday, August 4, 1982.]

SUMMARY: The Secretary of Commerce issues this notice to close the commercial salmon fishery in the fishery conservation zone off the coast of Washington north of Leadbetter Point (subarea A) on July 30, 1982. The Director of the Northwest Region, National Marine Fisheries Service, has determined that the commercial quota of 204,000 coho salmon for this subarea will be reached by that date. This action is to ensure that quotas for coho salmon are not exceeded in 1982.

EFFECTIVE DATES: Closure of subarea A to commercial salmon fishing is effective from 1200 hours Pacific Daylight Time (PDT), July 30, 1982, until 2400 hours, Pacific Standard Time, December 31, 1982.

FOR FURTHER INFORMATION CONTACT: H. A. Larkins (Director, Northwest Region, National Marine Fisheries Service), 7600 Sand Point Way, BIN C15700, Seattle, Washington 98115; telephone 206-527-6150.

SUPPLEMENTARY INFORMATION: Emergency regulations to implement a 1982 amendment to the fishery management plan for the Commercial and Recreational Fisheries off the Coasts of Washington, Oregon, and California were published in the **Federal Register** (47 FR 21256) for the commercial fishery north of Cape Blanco, Oregon, and the coastwide recreational fisheries. These emergency regulations were effective on May 14, 1982, for a 45-day period and were extended for an additional 45 days on June 28, to be effective through August 11, 1982 (47 FR 28105).

These regulations specify at § 661.22(a)(2) that when a subarea quota is projected by the Director, Northwest Region, National Marine Fisheries Service (Regional Director), to be reached by a certain date, the Secretary of Commerce (Secretary) shall, by publishing a field order in the **Federal Register**, close the commercial fishery as of the date the quota will be reached in that subarea.

The coho quota for the commercial fishery in subarea A is 204,000 coho salmon, as stated in § 661.22(a)(1). The Regional Director has determined not to adjust this quota as provided for in § 661.22(b)(1), with respect to the contribution of private hatchery coho to established quotas. Based on information supplied by the Washington Department of Fisheries (WDF), the commercial fishery in subarea A will reach the 204,000 coho salmon quota by July 30, 1982. The Secretary therefore issues this notice that the commercial fishery in subarea A will be closed effective noon , July 30, 1982. This notice does not affect seasons for other subareas specified in the 1982 regulations.

The Regional Director consulted with the Directors of WDF and the Oregon Department of Fish and Wildlife, and with representatives of the Pacific Fishery Management Council regarding this closure.

As provided under § 661.22(c), all information and data relevant to this notice of closure have been compiled in aggregate form and are available for public review at the above address during normal working hours.

This action is taken under the authority of 50 CFR 661.22, and is taken in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 661

Fish, Fisheries, Fishing, Indians.

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

Dated: July 29, 1982.

William G. Gordon,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 82-20905 Filed 7-30-82; 8:45 am]
BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 47, No. 153
Monday, August 9, 1982

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

Food Safety and Inspection Service

9 CFR Part 381

[Docket No. 81-051P]

Disposition of Condemned Poultry Carcasses and Parts

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposal would amend § 381.78 of the Federal poultry products inspection regulations by eliminating the requirement that poultry carcasses and any parts of carcasses condemned for disease, in an official establishment, be kept separate from carcasses and parts of carcasses that are condemned for other causes. Under this proposal, official establishments would be permitted to keep all condemned poultry carcasses and parts of carcasses in the same container except those lots of poultry suspected of containing biological residues. This proposal would remove the burdensome requirement that official establishments keep separate containers for condemned diseased poultry and other condemned poultry and would allow more efficient operations by these official establishments.

DATE: Comments must be received on or before October 8, 1982.

ADDRESS: Written comments to: Regulations Office, Attn: Annie Johnson, FSIS Hearing Clerk, Food Safety and Inspection Service, Room 2637, South Agriculture Building, U.S. Department of Agriculture, Washington, DC 20250. Oral comments to: Dr. John C. Prucha, (202) 447-3219. (See also "Comments" under **SUPPLEMENTARY INFORMATION.**)

FOR FURTHER INFORMATION CONTACT: Dr. John C. Prucha, Director, Slaughter Inspection Standards and Procedures Division, Meat and Poultry Inspection Technical Services, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447-3219.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The Agency has made an initial determination that this proposed rule is not a major rule under Executive Order 12291. It would not result in an annual effect on the economy of $100 million or more; 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.

Effect on Small Entities

The Administrator, Food Safety and Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act, Pub. L. 96-354 (5 U.S.C. 601). If promulgated, the proposal would remove certain restrictions imposed on the regulated industries. Establishments would not be required to maintain separate containers for carcasses condemned because of disease and carcasses condemned for other reasons. Under the present regulations, possible production delays may result due to an establishment's failure to comply with the requirement. If two containers are not present during pre-operative sanitation inspection, the Federal inspector may not permit the use of the establishment's work area. This proposal would eliminate the separate container requirement and thus eliminate the possibility of any production delays due to an unnecessary requirement.

Comments

Interested persons are invited to submit comments concerning this proposal. Written comments must be sent in duplicate to the Regulations Office and should bear reference to the docket number located in the heading of this document. Any person desiring opportunity for oral presentation of views must make such request to Dr. Prucha so that arrangements may be made for such views to be presented. A transcript shall be made of all views orally presented. All comments submitted pursuant to this proposal will be made available for public inspection in the Regulations Office between 9:00 and 4:00 p.m., Monday through Friday.

Background

Section 6 of the Poultry Products Inspection Act (21 U.S.C. 455) requires that all poultry carcasses and parts of carcasses found to be adulterated must be condemned and destroyed for human food purposes under the supervision of an inspector. Section 11 of the Poultry Products Inspection Act (PPIA) (21 U.S.C. 460) prohibits the sale, purchase, transportation, offer for sale or transportation, or receipt for transportation in commerce or import of any poultry carcasses, parts or products not intended for use as human food unless such articles are denatured or otherwise identified as required by regulations or are naturally inedible by humans.

Under these and other provisions of the PPIA, the Agency has promulgated regulations specifying the handling and disposal of condemned poultry in official establishments. Section 381.95 of the poultry products inspection regulations (9 CFR 381.95) lists the methods by which condemned poultry carcasses, parts or products must be disposed. Poultry which has been condemned for any reason, other than because it contains biological residues, must be steam treated (rendered), incinerated, chemically denatured, or treated with any other substance or method approved by the Administrator in specific cases. Poultry carcasses and parts which have been condemned for biological residues must be either incinerated or buried under USDA supervision.

However, for the purposes of handling condemned products prior to being made inedible, the Agency established a requirement in § 381.78 of the poultry products inspection regulations (9 CFR 381.78) that poultry carcasses and parts condemned because of disease be kept separate from poultry carcasses and parts condemned for other purposes. This requires that the official establishment provide at least two containers for condemned poultry on the inspection line, with the diseased condemned poultry going into one and

the nondiseased condemned poultry in the other.

This provision requiring separation of condemned diseased poultry and nondiseased poultry was promulgated on May 16, 1972 (37 FR 9706), along with many other regulations, in an effort to comply with the extensive revision of the PPIA by the Wholesome Poultry Products Act in 1968. The original purpose for separating deseased from nondiseased condemned carcasses and parts is not set forth in the rulemaking. However, the Agency was concerned at that time that handling procedures in some establishments might allow diseased poultry carcasses and parts to spread infectious agents to healthy flocks if commingled with other condemned poultry which would be used for animal feed. Avian influenza, pullorum-typhoid, and other such deseases are highly infectious, and, given the frequent practice of using condemned carcasses, parts and products for animal feed purposes, separating the condemned carcasses and parts was deemed appropriate to permit special handling as may have been required by State animal disease officials.

Currently, processors wishing to ship condemned poultry products from their establishments must obtain a letter from the animal disease control official(s) of the involved State(s) certifying that such transportation is acceptable. The USDA Food Safety and Inspection Service (FSIS) inspector responsible for that establishment maintains a copy of such certification in his or her files. In addition, some States restrict the transportation of condemned poultry carcasses, parts or products with certain infectious diseases. The separate container provision for poultry condemned because of disease provides a method by which official establishments can comply with such State restrictions.

The National Broiler Council has recommended that FSIS eliminate the requirement for two condemnation cans because such a requirement is too restrictive.

The requirement for two containers is irrelevant in most establishments for two reasons. First, most of the larger establishments find it uneconomical to make distinctions between diseased carcasses and parts and those which were condemned for other reasons, such as contamination, death by other than slaughter, decomposition, or overscald. They dispose of both diseased and nondiseased condemned product in the same way, by rendering it as provided in § 381.95(a), which destroys any disease organisms and, therefore, eliminates the threat of the spread of the diseases to live poultry through the use of the condemned poultry in animal feed. Second, most establishments are not located in States with restrictive rules on the transportation of condemned, diseased poultry.

The Agency has determined that the current requirement that all establishments separate condemned poultry carcasses and parts into two containers, one for diseased and one for nondiseased product, is overbroad in its application and unnecessary for the implementation of the PPIA. Establishments desiring to maintain two (or more) separate containers for poultry that is condemned by the inspectors, whether to facilitate compliance with State requirements or for other reasons, are free to do so. However, the needs of those establishments do not mandate a burdensome regulatory requirement on all establishments.

Therefore, the Agency is proposing to eliminate the requirement that establishments keep separate those carcasses and parts of carcasses condemned because of disease from carcasses and parts of carcasses condemned for other causes. The requirement that carcasses and parts of carcasses condemned for biological residues must be kept separate from all other condemned carcasses or parts would be retained.

This proposed change would not prevent an establishment from placing condemned material into as many different containers as it wishes to serve its special needs. For example, if an establishment wishes to set aside a specific kind of poultry condemned because of "plant error" for a specific purpose, such as animal food for a mink farm, it may have a separate container for such purpose. If an establishment wishes to appeal an inspector's disposition in accordance with § 381.35 of the Federal poultry products inspection regulations (9 CFR 381.35), it may provide a separate container to fulfill such purpose.

List of Subjects in 9 CFR Part 381

Condemned products, Poultry products inspection.

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Accordingly, it is proposed that § 381.78 of the Federal poultry products inspection regulations (9 CFR 381.78) be amended as follows:

1. The authority citation for Part 381 reads as follows:

Authority: Section 14, Poultry Products Inspection Act, as amended by the Wholesome Poultry Products Act (21 U.S.C. 451 *et seq.*); the Talmadge-Aiken Act of September 28, 1962 (7 U.S.C. 450); and subsection 21(b), Federal Water Pollution Control Act, as amended by Pub. L. 91–224 and by other laws (33 U.S.C. 1254).

2. Section 381.78 (9 CFR 381.78) would be amended by changing the title, by removing paragraph (b) and redesignating paragraph (c) as paragraph (b), and by revising the redesignated paragraph (b) to read as follows:

§ 381.78 Condemnation of carcasses and parts; separation of poultry suspected of containing biological residues.

* * * * *

(b) When a lot of poultry suspected of containing biological residues is inspected in an official establishment, all carcasses and any parts of carcasses in such lot which are condemned shall be kept separate from all other condemned carcasses or parts.

Done at Washington, D.C., on July 23, 1982.

Donald L. Houston,

Administrator, Food Safety and Inspection Service.

[FR Doc. 82–21513 Filed 8–6–82; 8:45 am]

BILLING CODE 3410–DM–M

FEDERAL AVIATION ADMINISTRATION

14 CFR Part 39

[Docket No. 82–ANE–24]

Airworthiness Directives; General Electric Co. CF6–45 Series and CF6–50 Series Model Turbofan Engines

AGENCY: Federal Avaiation Administration (FAA), DOT.

ACTION: Extension of public comment period.

SUMMARY: This action extends the closing date for the submission of comments on Docket No. 82–ANE–24, relating to the inspection for front flange cracking of the high pressure turbine (HPT) spacer/impeller in CF6–45 and CF6–50 series model engines, to September 13, 1982. The original closing date of August 13, 1982, provided insufficient time for interested parties to gather and submit data in support of their comments on the proposed airworthiness directive (AD).

DATE: Comments must now be received on or before September 13, 1982.

ADDRESS: Send comments on the proposed rule in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, New England Region, Attn: Rules Docket No. 82–ANE–24, 12

New England Executive Park, Burlington, Massachusetts 01803.

SUPPLEMENTARY INFORMATION: A notice of proposed rule making (NPRM) proposing to adopt an AD requiring inspection for front flange cracking of the high pressure turbine (HPT) spacer/impeller in CF6–45 and CF6–50 series model engines was published in the **Federal Register** on July 22, 1982 (47 FR 31701). The closing date for submission of comments by interested parties was August 13, 1982.

The FAA believes the closing date for the submission of comments on the proposed AD would be in the public interest, and would not adversely affect air safety. Such an extension, to September 13, 1982, would permit interested parties to assemble and prepare meaningful data in support of their respective positions. It will not adversely affect air safety as this extension has no effect on the proposed compliance date.

List of Subjects in 14 CFR Part 39

Engines, Air transportation, Aircraft, Aviation safety, and Safety.

Extension of Comment Period

Accordingly, pursuant to the authority delegated to me by the Administrator, the closing date for submission of comments on Docket No. 82–ANE–24 is hereby extended from August 13, 1982, to September 13, 1982.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c); 14 CFR 11.85))

Issued in Burlington, Massachusetts, on July 29, 1982.

Robert E. Whittington,

Director, New England Region

[FR Doc. 82-21377 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 39

[Docket No. 82–ANE–27]

Airworthiness Directive; Switlik Parachute Co. Inc., Life Preservers/Individual Flotation Devices

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to adopt an Airworthiness Directive (AD) to identify faulty inflation valves in Switlik Parachute Company, Inc., life preservers/individual flotation devices, and to replace them in accordance with Switlik Service Bulletin 25–00–16, dated April 1, 1982. The proposal is prompted by reports of failures of these devices to inflate properly. Failure to inflate could result in possible loss of life under emergency ditching conditions.

DATE: Comments must be received on or before September 13, 1982.

ADDRESSES: Send comments on the proposed AD in duplicate to: Federal Aviation Administration, New England Region, Office of Regional Counsel, Attn: Rules Docket No. 82–ANE–27, 12 New England Executive Park, Burlington, Massachusetts 01803.

The applicable service bulletin may be obtained from: Switlik Parachute Company, Inc., 1325 East State Street, Trenton, New Jersey 08607.

A copy of the service bulletin is contained in the Rules Docket at the above FAA address.

FOR FURTHER INFORMATION CONTACT: Kenneth Tunjian, Systems and Equipment Section, (ANE–173), New York Aircraft Certification Office, Federal Aviation Administration, JFK International Airport, Jamaica, New York 11430; telephone (212) 917–1120.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of 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 duplicate to the New England Regional Office address specificed above. All communications received on or before the closing date for comments will be considered by the Administrator 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 Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of the proposed AD, will be filed in the Rules Docket.

A complaint was received from an air carrier operator that their receiving inspection revealed a number of life preservers which failed to inflate properly when the CO_2 cartridge was activated. It was subsequently determined that a tool change by a supplier had produced some manifold valve stems with insufficient clearances for proper air check operation. To preclude future similar problems, the proposed AD requires an inspection to identify the inflation stems which may have interference, and to replace the air checks in those stems with air checks having a smaller diameter and stroke.

List of Subjects in 14 CFR Part 39

Life preservers, Air transportation, Aircraft, Aviation safety, and Safety.

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 adding the following new AD:

Switlik Parachute Company, Inc.: Applies to inflatable life preservers and individual flotation devices, all models and part numbers, manufactured between June 1, 1981, and March 22, 1982.

Compliance required within the next 18 months after the effective date of this AD, unless previoulsy accomplished.

To detect life preservers/flotation devices which have CO_2 inflation valve manifolds that may operate improperly, and to correct the deficiency, perform the Accomplishment Instructions, Paragraph 2, of Switlik Parachute Company, Inc., Service Bulletin 25–00–16, dated April 1, 1982.

An equivalent method of compliance may be approved upon request to the Chief, New York Aircraft Certification Office, Federal Aviation Administration, JFK International Airport, Jamaica, New York 11430.

Upon submission of substantiating data by an owner or operator through an FAA Maintenance Inspector, the compliance time of this AD may be adjusted upon request to the Chief, New York Aircraft Certification Office, Federal Aviation Administration, JFK International Airport, Jamacia, New York 11430.

All persons affected by this directive who have not already received the manufacturer's service bulletin may obtain a copy upon request to Switlik Parachute Company, Inc., 1325 East State Street, Trenton, New Jersey 08607. This document may also be examined at Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts.

(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 document involves a proposed regulation which is not considered to be major under Executive Order 12291 or significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). It is certified that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities because of the nominal cost of compliance. A draft regulatory evaluation prepared for this document is contained in the public docket, and a copy may be obtained by contacting the person identified under the caption "**FOR FURTHER INFORMATION CONTACT.**"

Issued in Burlington, Massachusetts, on July 28, 1982.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 82-21381 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ANE-25]

Proposed Amendment to Description of Meriden, Connecticut Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice (NPRM) proposes to amend the Meriden, Connecticut 700-foot transition area to provide additional controlled airspace to protect aircraft executing the Very High Frequency Omni Directional (VOR) Runway 36 original Standard Instrument Approach Procedure (SIAP) at Meriden-Markham Municipal Airport, Meriden, Connecticut.

DATE: Comments must be received on or before September 30, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Operations, Procedures and Airspace Branch, ANE-530, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. The docket may be examined at the following location: Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT: David Hurley, Operations, Procedures and Airspace Branch, ANE-530, Federal Aviation Administration, Air Traffic Division, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7285.

Comments Invited

Interested persons may participate in the proposed rulemaking process by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Chief, ANE-530, Operations, Procedures and Airspace Branch, ANE-530, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. All communications received on or before September 30, 1982, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue SW., Washington, D.C. 20591, or by calling (202) 426-8085. Communications must identify the number of this NPRM.

Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR 71) to amend the 700-foot transition area at Meriden-Markham Municipal Airport, Meriden, Connecticut. This action will provide additional controlled airspace protection for aircraft executing the VOR Runway 36 original SIAP.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition area.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of the the Federal Aviation Regulations (14 CFR Part 71) by amending the 700-foot transition area at Meriden-Markham Municipal Airport, Meriden, Connecticut, as follows:

MERIDEN, CONNECTICUT

After "Meriden, Conn.;" line two insert: "Within 4.5 miles each side of the Madison VORTAC 332° radial extending from the five mile radius area to 1 mile northwest of the VORTAC;" (remainder of description unchanged "and within 2 miles each side of the Runway, etc.")

(Section 307(a) of the Federal Aviation Act of 1958 [49 USC 1348(a); Section 6(c) of the Department of Transportation Act (49 USC 1655(c); Section 11.61 of the Federal Aviation Regulations (14 CFR 11.61)])

Note.—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 is certified that this: (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 Burlington, Massachusetts, on July 29, 1982.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 82-21384 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[LR-2-82]

Deposits of Individual Estimated Tax; Public Hearing on Proposed Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations relating to the requirement for individuls to deposit their estimated income tax payments through the Federal Tax Deposit (FTD) system instead of forwarding them to an Internal Revenue Service Center.

DATES: The public hearing will be held on September 28, 1982, beginning at 10:00 a.m. Outlines of oral comments must be delivered or mailed by September 22, 1982.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, N.W., Washington, D.C. The outlines should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (LR-2-82), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Charles Hayden of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202-566-3935, not a toll-free call.

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under section 6302(c) of the Internal Revenue Code of 1954. The proposed regulations appeared in the **Federal Register** for Friday, July 23, 1982 (47 FR 31889).

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have submitted written comments within the time prescribed in the notice of proposed rulemaking and also desire to present oral comments at the hearing on the proposed regulations should submit an outline of the comments to be presented at the hearing and the time they wish to devote to each subject by September 22, 1982. Each speaker will be limited to 10 minutes for oral presentation exclusive of time consumed by questions from the panel for the government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

This document does not meet the criteria for significant regulations set forth in paragraph 8 of the Treasury Directive for improving government regulations appearing in the **Federal Register** for Wednesday, November 8, 1978.

By direction of the Commissioner of Internal Revenue.

Fred T. Goldberg, Jr.,

Acting Director, Legislation and Regulations Division.

[FR Doc. 82-21538 Filed 8-6-82; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 166

[CGD 81-80A]

Shipping Safety Fairways, Amendments and Additions

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: Under the Ports and Waterways Safety Act (Pub. L. 95-474; 92 Stat. 1473; 33 U.S.C. 1223(c)), the Coast Guard is proposing to establish new shipping safety fairways and fairway anchorages in the Gulf of Mexico. This rulemaking proposes a fairway system for the mouth of the Mermentau River, and a widening of the existing fairway at the entrance to Southwest Pass. New fairway anchorages are proposed at Sabine Bank and Calcasieu Pass. The regulations will not permit fixed structures within designated fairways; while structures within fairway anchorages will be regulated by spacing criteria. These regulations implement the results of the Port Access Route Study as reported in the **Federal Register** on October 8, 1981 (46 FR 49989).

DATE: Comments must be received on or before October 8, 1982.

ADDRESS: Comments should be submitted to Commandant (G-CMC/44) (CGD81-80A), U.S. Coast Guard, Washington, D.C. 20593. Comments may be delivered to and will be available for inspection and copying at the Marine Safety Council, room 4402, between the hours of 8 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Mr. Christopher Young, Project Manager, or Commander Guy Clark, Assistant Chief, Short Range Aids to Navigation Division, Office of Navigation (G-NSR-3), room 1418, U.S. Coast Guard Headquarters, 2100 Second St., S.W., Washington, D.C. 20593. Mr. Young can be reached at (202) 245-0108; CDR Clark can be reached at (202) 426-0980.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice as CGD 81-80A, and give the reasons for the comment. Persons desiring acknowledgment that their comment has been received should inclose a stamped self-addressed postcard or envelope.

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 at a time and place to be set in a subsequent notice if written requests for a hearing are received and it is determined that opportunity to make oral presentations will be beneficial to this rulemaking.

Drafting Information: The principal persons involved in drafting this rulemaking are: Mr. Christopher Young, Project Manager, Office of Navigation, and Lieutenant Michael Tagg, Project Attorney, Office of Chief Counsel.

Discussion of Proposed Regulations

In 1978, the Ports and Waterways Safety Act (PWSA) was amended to authorize the Coast Guard to establish shipping safety fairways (Pub. L. 95-474; 92 Stat. 1473; 33 U.S.C. 1223(c). Prior to this amendment fairways were established by the Corps of Engineers. Although the Coast Guard will now designate the fairways, the authority to issue permits for structures will remain with the Corps.

A shipping safety fairway is an area or corridor of a waterway where the right of navigation is paramount over the other uses, and where no fixed structures are permitted. A fixed structure in a fairway would be considered an obstruction to navigation, and the Corps of Engineers will not issue a permit for the construction of a structure therein. The fairways exist to insure that an obstruction free corridor is available during development and production of off-shore resources. Although the proposed fairways will be indicated on navigation charts, the use of fairways by vessels is voluntary.

The authority to create a fairway may be exercised by the Coast Guard only after a study into potential traffic density and use conflicts has been conducted to determine the need for designated safe access routes for vessels proceeding to and from the U.S. ports. The study for this rulemaking was initiated by a notice in the **Federal Register** in April 1979 (44 FR 22543, modified in 45 FR 7027). The study results for the ports along the Gulf of Mexico were published on October 8, 1981 (46 FR 49989).

The study concluded that new vessel traffic fairways are necessary at the mouth of the Mermentau River and at Southwest Pass, and that fairway anchorages are needed at Sabine Bank and Calcasieu Pass. Before these findings could be implemented, it was necessary that Gulf fairways already established by the Corps of Engineers be adopted by the Coast Guard. This was accomplished by a Final Rule published in the **Federal Register** on May 13, 1982 (47 FR 20580). That action adopted the Corps' regulations with no substantive changes and the former regulations found at 33 CFR 209.135 are not contained in 33 CFR Part 166. The present rulemaking is intended to implement the study findings, and also to clarify the intent and scope of the existing regulations.

1. Text Revisions

This rulemaking proposes to revise 33 CFR Part 166 §§ 166.100 and 200 as follows:

(a) The rulemaking will establish a formal definition of a "shipping safety fairway" as an area in which fixed structures will not be permitted, but in which termporary anchor cables to structures outside a fairway may be allowed under certain conditions. A definition will also be established for a "fairway anchorage" as an anchorage

area associated with a fairway in which structures will only be permitted within certain spacing limitations. These definitions, and a statement of purpose, are included in proposed Subpart A, sections 166.100 and 166.105. Spacing limitations on structures in Gulf of Mexico fairway anchorages currently found in § 166.200(b)(3) will be transferred to the proposed Subpart B, § 166.200(c).

In the past, the Corps of Engineers established fairways in the Gulf of Mexico as areas in which no permits for structures would be issued, under authority of the Outer-Continental Shelf Lands Act, as amended (92 Stat. 635; 43 U.S.C. 1333(e)). This was to insure that the rapidly developing offshore oil and gas industry did not unreasonably obstruct vessel traffic proceeding to and from the Gulf ports. At that time (1948–78) the Corps was not operating under specific authority to designate fairways per se, but under its authority to deny permits for structures which would interfere with navigation safety. In its regulations (old 33 CFR 209.135(b)), the Corps said that any structure within a fairway would be considered an obstruction to navigation, therefore no permit would be granted for a structure within the fairway.

When the Ports and Waterways Safety Act was amended to delegate fairway designation authority to the Coast Guard, the term "fairway" was not defined. However, there is no indication in the legislative history of the Act that Congress meant anything except the fairway concept as developed by the Corps.

To clarify the regulations governing fairways under PWSA, it is proposed that the existing regulations, as transferred from the Corps, be amended to add § 166.105 to define the terms "shipping safety fairway" and "fairway anchorage". These definitions will apply to all fairways described in Part 166 and those to be proposed in the future.

(b) Revisions are also proposed to restructure § 166.200 (a) and (b) to describe conditions under which temporary anchor cables attached to structures outside a fairway will be allowed in the Gulf of Mexico fairways. This is almost identical to the rules adopted by the Corps as final rules in 46 FR 11659 (February 10, 1981) and transferred to the Coast Guard in 47 FR 20580 (May 13, 1982). The proposed new structure of the rules will make more clear that they only apply to fairways in the Gulf of Mexico. One procedural change being proposed at this time will allow the 120 day limit on a temporary anchor to be extended by the Commander, Eighth Coast Guard District rather than the Corps of Engineers. This is considered a fairway management decision and thus an appropriate function under the PWSA delegation to the Coast Guard of authority to designate fairways and to issue rules "governing the use of such designated areas" (33 U.S.C. 1223(c)). This change is made in proposed § 166.200(b)(i).

(c) As fairways are established for other coastal areas, new sections will be added to Part 166 (i.e., § 166.300) and may include conditions on the use of fairways as applicable to a particular area. At this time, it is expected that the following fairways will be added to part 166: (1) The existing fairway at Port Hueneme, California (described in Corps of Engineers regulations at 33 CFR 209.138), which will be adopted by the Coast Guard; and (2) a proposed fairway for the Gulf of Alaska (as recommended by the Port Access Route study on December 14, 1981, in 46 FR 61049). The need for a new fairway along the coast of California is being evaluated by the Port Access Route Study.

2. Sabine Bank/Port Arthur Anchorages

It is proposed that two new fairway anchorages be established in the vicinity of Sabine Bank, adjacent to the existing Sabine Pass Safety Fairway in the approach to Sabine Lake and Port Arthur, Texas (as described in 33 CFR 166.200(d)(12)). One anchorage will be available to general cargo vessels, while the other will be designated for vessels carrying Liquefied Natural and Petroleum Gas (LNG/LPG). Each anchorage will encompass an area approximately one and one half miles by two miles.

These anchorages are intended to improve navigation safety by providing areas where vessels may anchor during periods of reduced visibility or during times when scheduling of port facilities or pilot services causes a delay in arrival. Although deep draft vessel traffic in this area decreased in volume between 1980 and 1981 (from 4584 to 3992 arrivals) the decline is attributable in part to the grain embargo and oil glut during that time. This remains a major petrochemical area with a volume of vessel traffic which warrants the designation of fairway anchorage areas. Allocating LNG/LPG vessels a particular anchorage will contribute to the safe transportation of this hazardous cargo.

Siting of structures in these anchorages will be governed by the spacing limitations described currently in 33 CFR 166.200(b)(3) and being restructured in this rulemaking as 33 CFR 166.200(c).

3. Calcasieu Pass/Lake Charles Anchorage

It is proposed that a new fairway anchorage be established adjacent to the existing Calcasieu Pass Safety Fairway in the approach to Calcasieu Lake and the port of Lake Charles, Louisiana (described in 33 CFR 166.200(d)(15)). This anchorage will be available to vessels carrying LNG/LPG and will encompass an area approximately three and one half miles by one and one half miles. The volume of deep draft vessel traffic in recent years (517 arrivals in 1975; 703 in 1976; 708 in 1977; 700 in 1978; 730 in 1979; 702 in 1980; and 638 in 1981), and the operation of two LNG/LPG facilities in the Lake Charles area, have created a need for a new anchorage area in the interest of navigation safety.

Siting of structures in this anchorage will be governed by the spacing limitations described in 33 CFR 166.200(b)(3), to be restructured as 33 CFR 166.200(c).

4. Mud Lake Fairway

It is proposed that a new fairway be established at the channel entrance to Lower Mud Lake. This fairway would be approximately two miles wide and one and one half miles long. In essence, it will replace the fairway which was located at the entrance to the Mermentau River. Both the Coast Guard and the Corps of Engineers, in evaluating petitions from offshore developers, have found that since a channel has been cut between the lake and the Gulf, water traffic is using the channel rather than the Mermentau River to gain access to Mud Lake. After concluding that navigation safety would not be jeopardized by a removal of the designated fairway at Mermentau River, the Corps issued a final notice deleting the fairway from 33 CFR 209.135(d)(17) on October 29, 1981 (46 FR 53408). This was prior to the Coast Guard adoption of the Corps' fairway regulations on May 13, 1982 (47 FR 20580).

The proposed fairway, approximately five miles east of the mouth of the Mermentau River and overlaying the dredged channel into Mud Lake, will be inserted as 33 CFR 166.200(d)(17). The new fairway will guarantee an obstruction-free area for the shallow draft vessels proceeding to and from Mud Lake.

5. Southwest Pass Fairways and Anchorage

It is proposed that the existing Southwest Pass (Mississippi River) Safety fairway and anchorage (33 CFR 166.200(d)(28) and (29)) be amended by expanding a portion of the fairway and reducing the size of the anchorage at the entrance to Southwest Pass. As reported in the Port Access Route Study results (46 FR 49990), "the existing fairway * * * is insufficient in the pilot boarding area." At present, inbound and outbound vessels tend to congregate to the east of the sea buoy where they take on and let off pilots. The area west of the sea buoy is identified as a dump site and is void of soundings—a situation which encourages vessel operators to restrict maneuvering to the east of the sea buoy. Also, vessels tend to anchor at the extreme western end of the existing fairway anchorage, thus increasing the confusion and the risk to navigation safety.

As one element of the modification to the fairway, the Port Access Route Study proposed shifting the location of the Southwest Pass Entrance Mid-channel Lighted Whistle Buoy. This buoy was to be moved 100 yards, 090° True from its present position, to become the center of the proposed fairway expansion. The study report recommended a fairway of 4000 yards radius to be established from the proposed new location of the entrance buoy, with the effect of ballooning into the anchorage area to the east and to the furthest corner of the dump site to the west. However, in order to simplify the descriptions of the amended fairways and to insure that no existing structures are brought from the anchorage into the fairway proper, the modification is described in straight lines rather than arcs of a circle; therefore, the entrance buoy will not be moved. The new parameters of the Southwest Pass Fairway and Anchorage are found in proposed § 166.200(d)(28) and (29).

The proposed modification is intended to give greater identified maneuvering area for inbound vessels to the west of the pilot debarking area, and to move the boundary of the anchorage area further to the east to clear the area of outbound vessel maneuvers and other obstructions to navigation.

Regulatory Analysis

Although shipping safety fairways interfere with direct exploration for and production of oil and gas on the Outer-Continental Shelf, there is no indication that the acreage involved in the proposed fairways will obstruct OCS development. In the case of the entrance to Mud Lake, the fairway is essentially moved from Mermentau River specifically to accommodate development; and the new fairway overlays the local vessel traffic route in which a structure would be considered by the Coast Guard to be an obstruction to navigation whether or not there was a fairway. In the case of the entrance at Southwest Pass, the expansion of the fairway into the anchorage tightens the restriction on structures. The area is so heavily used by vessel traffic that any new structure would create an unacceptable hazard to navigation safety by increasing the risk of vessel/structure casualties.

Since the proposed designated fairway anchorages are governed by rules which allow structures within certain spacing limitations (proposed 33 CFR 166.110(b)) and are in areas which have been available to development in the past, no significant interference with access to oil and gas is anticipated. On the other hand, the proposed anchorages for LNG/LPG and general cargo vessels would benefit navigation safety by alerting vessels in the vicinity to areas where they can safely anchor out of the stream of traffic, or areas which they should avoid if they are in transit.

In circumstances where the Coast Guard is convinced that fixed structures must be placed in a fairway to gain access to significant quantities of oil or gas, and that navigation safety would not be jeopardized by a modification of that fairway or fairway anchorage, an application for such modification would be given the appropriate consideration in accordance with the Ports and Waterways Safety Act.

These proposed regulations are considered non-significant under guidelines set out in "Policies and Procedures for Simplification, Analysis and Review of Regulations" (DOT Order 2100.5 of 22 May 1980). The proposed regulations are also considered to be non-major under Executive Order 12291. Neither enforcement of nor compliance with the proposed regulation will involve an impact on the U.S. economy.

As no costs are imposed by these regulations, it is hereby certified, pursuant to section 605(b) of the Regulatory Flexibililty Act (94 Stat. 1164; Pub. L. 96–345), that this action will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 166

Marine safety, Shipping safety fairways, Anchorage areas.

In consideration of the foregoing, the Coast Guard proposes to amend title 33 of the Code of Federal Regulations Part 166 to read as follows:

PART 166—SHIPPING SAFETY FAIRWAYS

(Sec. 4(c), Pub. L. 95–474; 92 Stat. 1473 (33 U.S.C. 1223); 49 CFR 1.46(n)(4)).

1. Subpart A heading and Sections 166.100, 166.105, and 166.110 are added as follows:

Subpart A—General

§ 166.100 Purpose.

The purpose of these regulations is to establish and designate shipping safety fairways and fairway anchorages to provide unobstructed approaches for vessel using U.S. ports.

§ 166.105 Definitions.

(a) "Shipping safety fairway" or "fairway" means a lane or corridor in which no artificial island or fixed structure, whether temporary or permanent, will be permitted. Temporary underwater obstacles may be permitted under certain conditions described for specific areas in Subpart B. Aids to navigation approved by the U.S. Coast Guard will not be prohibited from a fairway.

(b) "Fairway anchorage" means an anchorage area contiguous to and associated with a fairway, in which fixed structures may be permitted within certain spacing limitations as described for specific area in Subpart B.

§ 166.110 Modification of Areas.

Fairways and fairway anchorages are subject to modification in accordance with 33 U.S.C. 1223(c); 92 Stat. 1473.

2. Subpart B heading is added as follows:

Subpart B—Designation of Fairways and Fairway Anchorages

In § 166.200, paragraphs (b), (c), (d)(13), (d)(16), (d)(17), (d)(28) (i) and (ii), and (d)(29) are revised as follows:

§ 166.200 Areas in the Gulf of Mexico.

* * * * *

(b) *Special Conditions for Fairways in the Gulf of Mexico.* Temporary anchors and attendant cables or chains attached to floating or semisubmersible drilling rigs outside a fairway may be placed within a fairway described in this section for the Gulf of Mexico, provided the following conditions are met:

(1) Anchors installed within fairways to stabilize semisubmersible drilling rigs shall be allowed to remain 120 days. This period may be extended by Commander, Eighth Coast Guard District provided resonable cause for such extension can be shown and the extension will not interfere with navigation safety.

(2) Drilling rigs must be outside of any fairway boundary to whatever distance is necessary to insure that the minimum depth of water over an anchor line within a fairway is 125 feet.

(3) No anchor buoys or floats or related rigging will be allowed on the surface of the water or to a depth of a least 125 feet from the surface, within a fairway.

(4) Aids to Navigation or danger markings must be installed as required by 33 CFR Subchapter C.

(c) *Special Conditions for Fairway Anchorages in the Gulf of Mexico.* Structures may be placed within an area designated as a fairway anchorage, but the number of structures will be limited by spacing as follows:

(1) The center of a structure to be erected shall not be less than two (2) nautical miles from the center of any existing structure.

(2) In a drilling or production complex, associated structures connected by walkways shall be considered one structure for the purposes of spacing, and shall be as close together as practicable having due consideration for the safety factors involved.

(3) A vessel fixed in place by moorings and used in conjunction with the associated structures of a drilling or production complex, shall be considered an attendant vessel and the extent of the complex shall include the vessel and its moorings.

(4) When a drilling or production complex extends more than five hundred (500) yards from the center, a new structure shall not be erected closer than two (2) nautical miles from the outer limit of the complex.

(5) An underwater completion installation in an anchorage area shall be considered a structure and shall be marked with a lighted buoy as approved by the United Sates Coast Guard.

(d) Designated Areas. * * *

(13) *Sabine Pass Anchorage Areas.*

(i) *Sabine Pass Anchorage Area.* The area enclosed by lines joining points at:

Latitude	*Longitude*
29°37'32"	93°48'02"
29°37'32"	93°21'25"
29°32'52"	93°43'00"
29°36'28"	93°47'14"
29°37'32"	93°48'02"

(ii) *Sabine Bank General Anchorage Area.* The area enclosed by lines joining points at:

Latitude	*Longitude*
29°26'06"	93°43'00"
29°26'06"	93°41'08"
29°24'06"	93°41'08"
29°24'06"	93°43'00"

(iii) *Sabine Bank LNG/LPG Anchorage Area.* The area enclosed by lines joining points at:

Latitude	*Longitude*
29°17'00"	93°43'00"
29°17'00"	93°41'08"
29°15'00"	93°41'08"
29°15'00"	93°43'00"
29°17'00"	93°43'00"

* * * * *

(16) *Calcasieu Pass Anchorage Areas.*

(i) *Calcasieu Pass General Anchorage Area.* The area enclosed by lines joining points at:

Latitude	*Longitude*
29°41'12"	93°19'37"
29°41'12"	93°12'28"
29°31'16"	93°12'16"
29°37'30"	93°18'15"
29°41'12"	93°19'37"

(ii) *Calcasieu Pass LNG/LPG Anchorage Area.* The area enclosed by lines joining points at:

Latitude	*Longitude*
29°16'00"	93°16'00"
29°16'00"	93°14'20"
29°13'00"	93°14'17"
29°13'00"	93°16'00"
29°16'00"	93°16'00"

(17) *Lower Mud Lake Safety Fairway.* The area between a line joining points at:

Latitude	*Longitude*
29°43'24"	93°00'18"
29°42'00"	93°00'18"
29°42'00"	93°00'18"

and a line joining points at:

29°43'33"	93°00'48"
29°42'00"	93°00'48"

* * * * *

(28) *Southwest Past (Mississippi River) Safety Fairway.*

(i) *Southwest Pass (Mississippi River) to Gulf Safety Fairway.* The areas between rhumb lines joining points at:

Latitude	*Longitude*
28°54'33"	89°26'07"
28°52'18"	89°27'18"
28°52'18"	89°28'00"
28°50'40"	89°27'06"
28°50'00"	89°27'06"
28°02'32"	90°09'28"

and rhumb lines joining points at:

28°54'18"	89°25'46"
28°53'30"	89°25'18"
28°53'30"	89°23'48"
28°50'40"	89°24'48"
28°48'48"	89°24'48"
28°47'24"	89°26'30"
28°00'36"	90°08'18"

(ii) *Southwest Pass (Mississippi River) to Sea Safety Fairway.* The areas between rhumb lines joining points at:

Latitude	*Longitude*
28°54'33"	89°26'07"
28°52'18"	89°27'18"
28°52'18"	89°28'00"
28°50'40"	89°27'06"
28°50'00"	89°27'06"
28°47'24"	89°26'30"
28°36'26"	89°18'45"

and rhumb lines joining points at:

28°54'18"	89°25'46"
28°53'30"	89°25'18"
28°53'30"	89°23'48"
28°50'40"	89°24'48"
28°48'48"	89°24'48"
28°45'06"	89°22'12"
28°43'27"	89°21'01"
28°37'54"	89°17'06"

* * * * *

(29) *Southwest Pass (Mississippi River) Anchorage.* The area between lines joining points at:

Latitude	*Longitude*
28°53'30"	89°23'48"
28°53'30"	89°21'48"
28°55'06"	89°21'48"
28°55'06"	89°19'18"
28°52'41"	89°17'30"
28°50'40"	89°21'14"
28°50'40"	89°24'48"
28°53'30"	89°23'48"

* * * * *

Dated: June 9, 1982.

R. A. Bauman,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation.

[FR Doc. 82-19204 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 82-146; RM-4042]

FM Broadcast Station, Parachute, Colorado; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Withdrawal of Proposed Rule.

SUMMARY: This action dismisses a proposal to assign FM Channel 252A to Parachute, Colorado, in response to a petition filed by Timothy G. Taylor and William Koenigh. The rule making is dismissed because of an absence of continued interest in the proposal.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: July 27, 1982.

Released: August 2, 1982.

By the Chief, Policy and Rules Division:

1. Before the Commission is a *Notice of Proposed Rule Making,* 47 FR 11901, published March 19, 1982, proposing the

assignment of Channel 252A to Parachute, Colorado, in response to a petition filed by Timothy G. Taylor and William Koenigh III.

2. The Commission did not receive comments from the petitioner (or other interested persons) and consistent with our policy and procedures set forth in the Appendix to the *Notice* we must dismiss the petition to assign a first FM channel to Parachute.

3. In view of the foregoing, it is ordered, That the petition of Timothy G. Taylor and William Koenigh III proposing the assignment of Channel 252A to Parachute, Colorado, is hereby dismissed.

4. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632–7792.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-21413 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Proposed Delisting of the Santa Barbara Song Sparrow

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to remove the Santa Barbara song sparrow (*Melospiza melodia graminea*) from Endangered status. This action is being taken because the bird has become extinct. It formerly occurred only on Santa Barbara Island, Los Angeles County, California.

DATE: All comments must be received by November 8, 1982.

ADDRESSES: Interested persons or organizations are requested to submit comments to the Regional Director (ARD/FA); U.S. Fish and Wildlife Service; 700 N.E. Multnomah Street, Suite 550; Portland, Oregon 97232 (503/231–6131).

FOR FURTHER INFORMATION CONTACT: Mr. Sanford R. Wilbur; Senior Staff Specialist; Endangered Species Program; U.S. Fish and Wildlife Service; 500 N.E. Multnomah Street; Portland, Oregon 97232 (503/231–6131).

SUPPLEMENTARY INFORMATION:

Background. The Santa Barbara song sparrow, although confined to one island only 2.6 km^2 in size, was formerly extremely abundant. Removal of native vegetation for farming and by introduced domestic goats and rabbits reduced the habitat for this species. Feral house cats probably became significant predators once dense vegetation was destroyed. Nevertheless, the species was able to maintain high numbers on certain portions of the island until a major fire in 1959 destroyed much of the remaining habitat for the sparrow. The fire was so intense that two-thirds of the island was denuded down to mineral soil. Despite regular visits to Santa Barbara Island by ornithologists in the years following the fire, including intensive surveys for this bird in 1974 and 1978, no Santa Barbara song sparrows have been seen in over 20 years. The island is easily surveyed, so it is certain that the species has not been overlooked (Stewart et al., 1974).

The Santa Barbara song sparrow was classified as Endangered on June 4, 1973 (38 FR 14678). No Critical Habitat was designated. This action will merely acknowledge the species' extinction and remove it from protection under the Endangered Species Act of 1973, as amended.

The proposed rulemaking will not have a negative effect on information collection, recordkeeping, or on small business entities. Instead, it will eliminate existing permit requirements that are no longer utilized or needed. The Department has determined that it is not a major rule as defined by Executive Order 12291; nor will it have a significant economic effect on a substantial number of small entities as described by the Regulatory Flexibility Act. This conclusion is premised on the fact that the absence of the bird for the last 20 years has generated little, if any, Section 10 permit paperwork activity and has had no economic impact under Section 7 of the Act.

The regulations at 50 CFR 424.11(d) state that a species may be delisted if it: (1) Becomes extinct, (2) recovers, or (3) if the original classification data were in error. A "sufficient period of time" must be allowed to clearly insure that a species has become extinct. The Service believes that 20 years of checking for this species on a small island is clearly sufficient to pronounce it extinct.

Effect of the Proposal if Published as a Final Rule

The proposal merely acknowledges that the Santa Barbara song sparrow has become extinct. As there were no specific preservation or management programs for the species in effect, there will be no impact on any agency or individuals.

Public Comments Solicited

The Service intends that any rule finally adopted will be as accurate and effective as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning this proposed rule are hereby solicited. The principal information that would affect this rulemaking is evidence that the species is not extinct, or that insufficient action has been taken to assure that it is extinct.

National Environmental Policy Act

A draft environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Portland Office: 700 N.E. Multnomah Street, Suite 550; Portland, Oregon, and may be examined by appointment during normal business hours. A determination will be made at the time of final rulemaking as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969 (40 CFR Parts 1500–1508).

Literature Cited

Stewart, R. M., J. Smail, W. C. Clow, and R. P. Henderson. 1974. The Status of the Song Sparrow and Berwick's Wren on San Clemente Island and Santa Barbara Island, California. Report to U.S. Fish and Wildlife Service, from Point Reyes Bird Observatory, Bolinas, California.

Primary Author

The primary author of this proposed rule is: Sanford R. Wilbur, U.S. Fish and Wildlife Service (ARD/FA), 500 N.E. Multnomah Street, Portland, Oregon 97232 (503/231–6131).

List of Subjects in 50 CFR Part 17

Endangered and Threatened Wildlife, Fish, Marine Mammals, Plants (agriculture).

Regulations Promulgation

§ 17.11 [Amended]

It is proposed to amend 50 CFR 17.11(h) by deleting the Santa Barbara song sparrow (*Melospiza melodia graminea*) from the "List of Endangered and Threatened Wildlife."

Dated: July 12, 1982.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks

[FR Doc. 82-21400 Filed 8-6-82; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

Atlantic Billfishes and Sharks Fisheries; Public Meetings

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Administrator, NOAA, has approved Amendment 2 to the Preliminary Fishery Management Plan for Atlantic Billfishes and Sharks (PMP), and has published the proposed regulations to implement the amendment. This notice presents the schedule for a series of public meetings to obtain comments on the amendment and the proposed revisions to the foreign fishing regulations.

DATES: See Supplementary Information for dates and addresses of public meetings.

FOR FURTHER INFORMATION CONTACT: Mr. Jack T. Brawner, Director, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, Florida 33702, 813/893-3141.

SUPPLEMENTARY INFORMATION: Background information on the need for the proposed regulatory revisions was published in 47 FR 33722 (August 4, 1982). In general, the regulations to the PMP are being revised to reduce gear conflicts between foreign and domestic fishermen; increase the availability of billfishes to U.S. fishermen; and promote the conservation of billfish and shark resources while, at the same time, allowing foreign nations a reasonable opportunity to fish for tunas in the fishery conservation zone. An environmental assessment has been prepared and a finding of no significant impact has been rendered.

DATES AND ADDRESSES: All the following meetings are scheduled for 7:00 p.m.:

1. August 11—Carousel Hotel, 118th Street, Ocean City, MD., Telephone: 301-524-3464;

2. August 12—Sheraton Inn/Military Circle, Military Circle Shopping Center, Norfolk, VA., Telephone: 804-461-9192;

3. August 12—Washington County Government Center, Tower Hill Road, Wakefield, RI., Telephone: 401-789-3094;

4. August 17—Holiday Inn, Route 36, West Long Branch, N.J., Telephone: 201-229-9000;

5. August 18—Holiday Inn, of Riverhead, Route 25, Riverhead, Long Island, N.Y., Telephone: 516-369-2200;

6. August 25—South Carolina Wildlife and Marine Resources Auditorium, Fort Jackson Road, Charleston, SC, Telephone: 803-795-6350;

7. August 26—Marine Resources Center Auditorium, P.O. Box 580, Morehead City (Atlantic Beach), NC, Telephone: 919-726-0121;

8. August 26—City Hall Auditorium, 300 Municipal Drive, Madeira Beach, FL., Telephone: 813-391-9951;

9. August 30—Texas A & M Research and Extension Center, Highway 44 (3 miles west of airport), Corpus Christi, TX, Telephone: 517-265-9203;

10. August 31—Best Western, 2610 Williams Boulevard, Kenner, LA, Telephone: 504-466-1401;

11. August 31—Sheraton Beach Resort, Eleventh Avenue South, Jacksonville Beach, FL, Telephone: 904-249-7231;

12. September 1—Destin Community Center, Stahlman Avenue, Highway 98 (behind Shell Station), Destin, FL, Telephone: 904-837-6714; and

13. September 2—Southeast Fisheries Center, 75 Virginia Beach Drive, Miami, FL, Telephone: 305-306-5761.

The following meetings in Puerto Rico and the U.S. Virgin Islands are scheduled from 7:30 p.m. to 9:30 p.m.

1. August 25—Yacht Haven Hotel, Long Bay, St. Thomas, Virgin Islands; and

2. August 30—Pierre Hotel, Conference Room, 105 De Diego Avenue, Santurce, Puerto Rico.

List of Subjects in 50 CFR Part 285

Fish, Fisheries, Foreign fishing.

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

Dated: August 5, 1982.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 82-21563 Filed 8-5-; 10:45 am]

BILLING CODE 3510-22-M

Notices

Federal Register
Vol. 47, No. 153
Monday, August 9, 1982

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.

CIVIL AERONAUTICS BOARD

[Docket 40639]

Aeroamerica Fitness Investigation; Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-titled proceeding will be held on August 17, 1982, at 10:00 a.m. (local time), in Room 1012, 1825 Connecticut Avenue, N.W., Washington, D.C., before Administrative Law Judge William A. Kane, Jr.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to Board Order 82–6–41 adopted June 7, 1982, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 4, 1982.

William A. Kane, Jr.,

Administrative Law Judge.

[FR Doc. 82–21529 Filed 8–6–82; 8:45 am]

BILLING CODE 6320–01–M

[Docket 40873; Order 82–7–122]

Arrow Airways, Inc.; Tampa-London; Application for Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of July, 1982.

By Order 82–7–100, we tentatively concluded that Tampa should be selected as the United States gateway choice for 1982 and requested all interested persons to show cause why this conclusion should not be made final.

An answer in support of the selection of Tampa was filed by Holland America Cruises. Responses in opposition were filed by Air Florida, the Greater Orlando Aviation Authority, the Port Authority of New York and New Jersey, the Governor of New Jersey, the Greater Newark Chamber of Commerce, and Members of the New Jersey Congressional Delegation.[1] The City of Phoenix submitted a letter stating that, while it would not answer the order, it hoped that the Board will no consider the needs of other eligible gateway cities, like Phoenix, for nonstop London service.

The Greater Orlando Airport Authority favored the selection of Orlando rather than Tampa as the 1982 pick or the postponement of a decision until a selection can be made based on a complete record. In support, it cites the traffic potential of Orlando and argues that a precipitous selection of Tampa would prejudice the long-term interest of Orlando on the basis of an inadequate record and on an application to provide a negligible level of service.

Air Florida, the Port Authority of New York and New Jersey and the New Jersey parties want the Board to reaffirm its selection of Newark as the 1982 pick by formally selecting Newark and notifying the United Kingdom of this choice by July 31, 1982. The Port Authority also urges that the United States should advise the United Kingdom that it wishes arbitration on the issue of whether British Air Tours is entitled to market development protection. In support of its position, the Port Authority argues that the Board recognized that Newark had been selected by the British when it selected Air Florida to serve the route if it became available before July 4, 1983; that the substitution of Tampa as the U.S. gateway for 1982 could foreclose any opportunity for Air Florida to immediately enter the market should the occasion arise through arbitration, or negotiation, or through the failure of British Air Tours to perform the 100 round trips required for market protection; that the selection of Tampa will weaken the U.S. negotiating position on Newark-London; that while Newark clearly has much greater traffic potential than Tampa, the issue is really the depth of the U.S. commitment to resist the clear violation of the spirit of the bilateral represented by the British designation of British Air Tours for the sole purpose of blocking Air Florida's entry into the market; that the issue should be put to arbitration; and that the seriousness of the U.S. intent could best be conveyed to the British by notifying them of the selection of Newark by the U.S. for 1982 service. Air Florida argues that it was awarded authority to serve the Newark-London market; that the Board previously chose Newark as the U.S.'s 1982 gateway pick, that negotiations are going to take place with the United Kingdom in the near future; that the failure to select Newark would weaken, if not destroy, the U.S. bargainnig position, and will send a powerful signal to the United Kingdom that the U.S. is either not interested or not prepared to pursue its Newark selection rights; and that Newark should be selected as the 1982 pick or Air Florida's Newark-London certificate should be extended at least until April 1984.

Upon consideration of all the responses, we have decided to finalize our tentative decision regarding Tampa and will recommend that the Department of State nominate that city as the 1982 gateway for new London service.

If any new service is to start this year, the United States must choose its 1982 gateway pick by July 31, 1982. Otherwise, the Bermuda 2 agreement precludes service by an additional U.S. flag carrier this year. The only applications we have received which propose the start of service this year are Arrow from Tampa and Air Florida from Newark. As we stated in Order 82–7–100, Tampa appears to be the only practical option that we have of exercising our rights under Bermuda 2 to have service at a new U.S.-London gateway implemented in 1982. The United Kingdom has picked Newark for service by British Air Tours and invoked the market developmental provisions of the Agreement. The invocation of these provisions has been challenged. As a practical matter, this situation creates considerable uncertainty about whether Air Florida will be able to implement service in 1982. The best way to preserve the option of having new gateway services implemented during 1982, therefore, is to nominate Tampa now. We have consulted informally with the Department of State on this matter and have been advised that nomination

[1] Peter W. Rodino, Jr., Nicholas F. Brady, James A. Courter, Millicent Fenwick, Edwin B. Forsythe, Harold C. Hollenbeck, William J. Hughes, Matthew J. Rinaldo, Margaret S. Roukema, Bill Bradley, Bernard J. Dwyer, James J. Florio, Frank J. Guarini, James J. Howard, Joseph G. Minish, Robert A. Roe, Christopher H. Smith.

of Tampa would not be inconsistent with U.S. international aviation policy or have an adverse impact on the upcoming negotiations with the United Kingdom.

As we pointed out in Order 82–7–100, the choice of the gateway point can be changed by the United States as long as the change is made by October 31, 1982. In addition, under the Agreement the United States has the right to nominate a new gateway in palce of any previously nominated gateway.

This order should not be construed as expressing any views on any future U.S.-London gateway designation decisions, on Arrow's requests for Tampa-London authority, or on any proceeding now pending before the Board. Nor does our action affect the question of whether British Air Tours is entitled to market protection at Newark. We will institute a proceeding to select a carrier to serve Tampa in the near future.

Accordingly,

1. We shall recommend to the Department of State that Tampa, Florida be nominated as the 1982 gateway for U.S.-London service;

2. This order will be served upon Arrow Airways, Air Florida, the United States Departments of State and Transportation; the Ambassador of the United Kingdom at Washington, the Port Authority of New York and New Jersey, the Greater Newark Chamber of Commerce, the Governor of New Jersey, the Mayor of Tampa, Florida, the Greater Orlando Aviation Authority, the City of Phoenix, Arizona, Holland America Cruises, and Peter W. Rodino, Jr., Nicholas F. Brady, James A. Courter, Millicent Fenwick, Edwin B. Forsythe, Harold C. Hollenbeck, William J. Hughes, Matthew J. Rinaldo, Margaret S. Roukema, Bill Bradley, Bernard J. Dwyer, James J. Florio, Frank J. Guarini, James J. Howard, Joseph G. Minish, Robert A. Roe, Christopher H. Smith.

We shall publish this order in the Federal Register.

By the Civil Aeronautics Board.[2]

Phyllis T. Kaylor,

Secretary.

[FR Doc. 82–21530 Filed 8–6–82; 8:45 am]

BILLING CODE 6320–01–M

Fitness Determination of Maine Air Transport d.b.a. Maine Air

AGENCY: Civil Aeronautics Board.

ACTION: Notice of commuter air carrier fitness determination—Order 82–7–104, Order to show cause.

[2] All members concurred.

SUMMARY: The Board is proposing to find that Maine Air Transport d.b.a. Maine 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 will 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 August 16, 1982, together with a summary of the testimony, statistical data, and other material relied upon to support the allegations.

ADDRESS: Responses or additional data should be filed with the Special Authorities Division, Room 915, Civil Aeronautics Board, Washington, D.C. 20428, and with all persons listed in Order 82–7–104.

FOR FURTHER INFORMATION CONTACT: Ms. Anne W. Stockvis, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428 (202) 673–5088.

SUPPLEMENTARY INFORMATION: The complete text of Order 82–7–104 is available from the Distribution Section, Room 100, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 82–7–104 to that address.

By the Civil Aeronautics Board.

Dated: July 30, 1982.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 82–21531 Filed 8–6–82; 8:45 am]

BILLING CODE 6320–01–M

COMMISSION ON CIVIL RIGHTS

Utah Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Utah Advisory Committee to the Commission will convene at 10:00 a.m. and will end at 4:00 p.m. on August 25, 1982, at the Federal Building, 125 South State Street, in Room 3421, Salt Lake City, Utah, 84138. The purpose of the meeting will be to conduct a consultation to gather information about affirmative action programs in the energy industry in Utah.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Linda M. Dupont-Johnson, 2377 East Boyes, Salt Lake City, Utah, 84117, (801) 533–4061 or Rocky Mountain Regional Office, Brook Towers, 1020 Fifteenth Street, Suite 2235, Denver, Colorado, 80202, (303) 837–2211.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 3, 1982.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 82–21488 Filed 8–6–82; 8:45 am]

BILLING CODE 6335–01–M

North Carolina Advisory Committee Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the North Carolina Advisory Committee to the Commission will convene at 1:00 p.m. and will end at 4:00 p.m. on September 10, 1982, at the Radisson Plaza, 420 Fayetteville Street Mall, in Water Oak Rooms 1 and 2, Raleigh, North Carolina, 27601. The purpose of the meeting will be to discuss the State Advisory Committee Chairperson's Conference and program planning of the Committee's activities for Fiscal Year 1983.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Dr. Oscar P. Butler, Jr., Post Office Box 1705, South Carolina State College, Orangeburg, South Carolina, 29117, (803) 536–7040 or the Southern Regional Office, Citizens Trust Bank Building, 75 Piedmont Avenue, North East, Room 362, Atlanta, Georgia, 30303, (404) 221–4391.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 2, 1982.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 82–21489 Filed 8–6–82; 8:45 am]

BILLING CODE 6335–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Pacific Coast Groundfish Fishery

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of experimental fishing permit application for Pacific groundfish and request for comment.

SUMMARY: This notice acknowledges receipt of an experimental fishing permit (EFP) application and announces a public comment period. The applicant proposes to conduct an experimental fishery to harvest 1,000 metric tons (mt) of shortbelly rockfish by domestic vessels using pelagic trawls in the fishery conservation zone (3–200 nautical miles) off the California coast. If granted, the experimental fishing permit would allow a fishery which otherwise would be prohibited by Federal regulation. This application is accompanied with an amended foreign fishing permit application to allow Soviet processing vessels to receive the shortbelly rockfish plus incidental catch harvested by these domestic vessels.

DATE: Comments on this EFP application must be received by August 24, 1982.

ADDRESS: Send comments to H. A. Larkins, Director, Northwest Region, National Marine Fisheries Service, 7600 Sand Point Way NE, BIN C15700, Seattle, Washington 98115.

FOR FURTHER INFORMATION CONTACT: H. A. Larkins at 206–527–6150.

SUPPLEMENTARY INFORMATION: The Pacific Coast Groundfish Fishery Management Plan (FMP), which will supersede the Preliminary Fishery Management Plan for the foreign trawl fisheries off Washington, Oregon, and California later in 1982, will regulate both foreign and domestic fishing activities. The FMP, approved by the Secretary of Commerce (Secretary) on January 4, 1982, specifies that EFPs may be issued to authorize fishing by U.S. vessels which otherwise would be prohibited. The procedures for issuance of EFPs appear in the proposed regulations for the FMP at 50 CFR 663.10 (see 47 FR 6053). EFP applications will be considered, but will not be granted, until the FMP regulations become final.

An EFP application to harvest shortbelly rockfish with pelagic trawl gear was received by the Director of the Northwest Region of the National Marine Fisheries Service on June 28, 1982. This application is complete according to the specifications in 50 CFR 663.10(b), although additional information has been requested from the applicant. This EFP application was submitted in conjunction with an amended foreign fishing permit application to allow as many as 16 Soviet processing vessels (of which two will be operating at a time) to receive 1,000 mt of U.S.-harvested shortbelly rockfish, plus incidental catch in the Columbia, Eureka, and Monterey subareas of the FCZ.

The Pacific Fishery Management Council (Council) discussed this EFP application at its July 14–15, 1982, meeting in El Segundo, California. The Council recommended approval of both the EFP and the amended foreign fishing permit applications.

Preliminary results of the mid-season survey of the U.S. fishing industry's needs for the rest of the year indicate that domestic annual processing (DAP) of shortbelly rockfish is less than initially anticipated in 1982, and 1,000 mt of the 10,000 mt specified for domestic annual harvest (DAH) may be available for joint venture processing (JVP). A final determination of JVP will be made later this summer. The Secretary would specify season, area, incidental allowances, and any other restrictions if an amount of shortbelly rockfish is made available for JVP. It should be noted that, under section 307(3) of the Magnuson Fishery Conservation and Management Act, it is unlawful for a U.S. vessel to transfer U.S.-harvested fish to any foreign fishing vessel in the FCZ unless the foreign vessel has been issued a permit authorizing receipt of the species concerned.

The FMP and the proposed regulations implementing it prohibit use of liners on pelagic trawl gear. This regulation was proposed to allow escapement of undersized target species and small incidental fish taken in pelagic trawls with a 3-inch mesh net. The EFP application requests use of 1½ inch mesh liners inside the 3-inch mesh codend of the pelagic trawl because shortbelly rockfish are small, elongated, and tend to gill in larger mesh. Gilled fish are difficult to untangle (and therefore time that could be spent fishing is spent cleaning the net) and, because they often are mangled, are of lower food quality. If granted, the EFP would suspend for this experimental fishery the requirements of 50 CFR 663.26(b)(4), which would prohibit the use of double-walled codends in all pelagic trawls.

Pacific whiting (whiting) is the species most likely to be harvested incidental to the proposed shortbelly rockfish experimental fishery. Juvenile whiting are found off California in the spring and were particularly abundant in 1981 and 1982. The amount of juvenile whiting likely to be intercepted in the proposed fishery is inconsequential relative to the year-class strength of these fish. The applicant has proposed that this experimental fishery be conducted in the autumn when small whiting will be less available off California.

Major fisheries conducted off central California in the autumn include the harvest of squid, herring, sablefish, jack mackerel, and bocaccio and chilipepper rockfish. Salmon fisheries in the area have substantially subsided at the time.

The EPA application is summarized as follows:

(1) *Purpose and goals.* The purposes of the experiment is to attempt to establish a marketable product and viable markets for shortbelly rockfish so that a sustained domestic fishery for this species will develop. Shortbelly rockfish will be frozen in several product forms, and those fish too small for food production will be manufactured into fish meal. The experiment would introduce shortbelly rockfish into the world market. In so doing, this experiment would also evaluate the gear and mesh-size requirements for the harvest of shortbelly rockfish, encourage new fishing technology to be developed and learned, and provide otherwise unavailable or incomplete biological and fishing data.

(2) *Signifiance.* This fishery would provide employment for crews on as many as four U.S. trawlers, develop the fishing technology for harvesting shortbelly rockfish, reduce fishing pressure on traditionally-harvested groundfish species, reduce competitive pressure among established U.S. groundfish trawlers, perhaps prove useful to domestic processors by making international markets aware of this species, contribute to the reduction of foreign deficit of payments in fish products, and enable biological and fishing data to be obtained. Consequently the impacts of the experiment are expected to extend beyond the individual goals of the applicant.

(3) *Vessels.* As many as four U.S. trawl vessels would be involve (three from Oregon and one from California), ranging from 78 to 90 feet long, 83 to 114 net tons, and 126 to 168 gross tons.

(4) *Species and amounts.* One thousand mt of shortbelly rockfish is requested.

(5) *Time, place, and gear.*

(a) Time: The applicant proposed a season of August 1 through October 30.

(b) Place: The applicant expects to operate in the Monterey subarea near 37°20′ N. latitude, the Pigeon Point area south of San Francisco, at depths of 80–120 fathoms (about 10–20 miles off-shore).

(c) Gear: The applicant intends to use pelagic trawl nets identical to those

required in the FMP for the Pacific whiting fishery, except codends would have 1½ inch mesh liners.

(6) *Additional information.* The applicant has agreed to keep specific catch logs for each permitted trawler and to accommodate observers as necessary.

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

Dated: August 5, 1982.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 82-21573 Filed 8-6-82; 8:45 am]

BILLING CODE 3510-22-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Privacy Act of 1974; Systems of Records: Amended Systems

AGENCY: Defense Department.

ACTION: Amendment of a notice for a system of records.

SUMMARY: The Office of the Secretary of Defense (OSD) proposes to amend the notice for a system of records subject to the Privacy Act of 1974. The system notice is amended as set forth below, followed by the amended system notice in its entirety.

DATES: This shall be effective without further notice on September 8, 1982, unless comments are received which would result in a contrary determination.

ADDRESS: Send any comments to the System Manager identified in the system notice.

FOR FURTHER INFORMATION CONTACT: Norma Cook, Privacy Act Officer, ODASD(A), Room 5C-315, Pentagon, Washington, D.C. 20301. Telephone: 202/695-0970.

SUPPLEMENTARY INFORMATION: The Office of the Secretary of Defense (OSD) systems of records notices as prescribed by the Privacy Act of 1974, Title 5, United States Code Section 552a (Pub. L. 93-579; 44 Stat. 1896, *et seq.*) have been published in the **Federal Register** at:

FR Doc. 82-674 (47 FR 2544) January 18, 1982
FR Doc. 82-3758 (47 FR 6462) February 12, 1982

The proposed amendments 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, Department of Defense.

August 4, 1982.

Amendments

DMRA&L 22.0

System name:

DoD Dependent Children's School Program Files (46 FR 59295, December 4, 1981).

Changes:

Routine uses of records maintained in the system including categories of users, uses, and purposes of such uses:

Internal users, uses, and purposes:

Add the following enfter paragraph C.2.i.:

"3. Used by DoD recruiting officials to determine eligibility for military service."

Add the following entry after paragraph D.2.h.:

"3. Used by DoD recruiting officials to determine eligibility for military service."

External users, uses, and purposes:

Add as third paragraph:

"Student records and test results may be used by agencies contracted by DoDDS to evaluate various aspects of the system and student population. Contractors will be informed of their obligations under the Privacy Act in accordance with current policies and procedures."

DMRA&L 22.0

SYSTEM NAME:

DoD Dependent Children's School Program Files.

SYSTEM LOCATION:

Active Students—DoD operated overseas dependents schools, regional offices, and the Office of Dependents Schools (ODS), Alexandria, Virginia.

Former High School Students—Permanent records (high school transcripts) are retained at the school for 4 years subsequent to graduation, transfer, or termination, then forwarded to the regional office for 1 year where they are compiled and forwarded to the Washington National Records Center (WNRC) except Panama. Records for the Panama region are retired to the East Point, Georgia, Federal Archives Records Center (FARC).

Former Panama Canal College Students—Permanent records (college transcripts) are retained at the college for 10 years, then retired to East Point FARC.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Students in the DoD operated overseas dependent schools.

CATEGORIES OF RECORDS IN THE SYSTEM:

A. *Enrollment files:* Documents relating to the admission, registration, and departure of dependent school students. Included are pupil enrollment applications, course preference, admission cards, drop cards, and similar or related documents.

B. *Daily attendance register files:* documents reflecting the daily attendance of pupils at dependent schools. Included are forms, printouts, bound registers and similar or related documents.

C. *Elementary school academic records:* Documents reflecting the standardized achievement, mental ability, yearly grade average, attendance of each student and the teacher's comments. Included are forms, notes, and similar or related documents.

D. *Elementary school report card files:* Documents reflecting grades, personality traits, and promotion or failure. Included are report cards and similar or related documents.

E. *Elementary school teacher class register files:* Documents reflecting daily, weekly, semester, or annual scholastic grades and averages, absence and tardiness data.

F. *Elementary school student files:* Documents pertaining to individual elementary school students. Included in each folder are reading and health records; individual education plans; intelligence quotient; achievement, aptitude, and similar test results; notes related to pupil's progress and characteristics; and similar matters used by counselors and successive teachers.

G. *Secondary school absentee files:* Documents reflecting absence of students. Included are homeroom teachers' registers, secondary school daily attendance records of absentees reported by teachers, tardy slips for admission of students to classroom, transfer slips notifying teachers of new class or homeroom assignment, notices of change by school principal to teacher upon change of classroom, student applications for permission to be absent, student pass slips, and similar or related documents.

H. *Secondary school academic record files:* Documents reflecting student grades and credits earned. Included are forms, notes, and similar or related documents.

I. *Secondary school report card files:* Documents reflecting scholastic grades, personality traits, and promotion or

failure. Included are report cards and related documents.

J. *Secondary school teacher class register files:* Documents reflecting daily, weekly, semester, or annual scholastic marks and averages, absence and tardiness, and withdrawal data. Included are class registers and similar or related documents.

K. *Secondary school class reporting files:* Documents reflecting teacher reports to principals and used as source documents for preparing secondary school academic record cards. Included are forms, correspondence, and similar or related documents.

L. *Credit transfer certificate files:* Documents reflecting secondary school scholastic credits earned. Included are certificates and similar or related documents.

M. *Secondary school student files:* Documents pertaining to individual secondary school students. Included in each folder are student health records; individual education plans; absence reports and correspondence with parents pertaining to absence; records of achievement and aptitude tests; notes concerning participation in extracurricular activities, hobbies, and other special interests or activities of the student; and, miscellaneous memorandums used by student counselors.

N. *College absence, withdrawal, and add files:* Student applications for permission to be absent from final exams. Students drop and add class records and administrative withdrawal letter.

O. *College academic record files:* Documents reflecting student grades and credits earned. Included are forms, notes, and similar or related documents.

P. *College report card files:* Documents reflecting scholastic grades and promotion or failure. Included are report cards and related documents.

Q. *College teacher class register files:* Documents reflecting daily, weekly, semester, or annual scholastic marks and averages, absence and withdrawal data. Included are class registers and similar or related documents.

R. *College class reporting files:* Documents reflecting teacher reports to Registrar and used as source documents for preparing college transcripts. Included are forms, correspondence, and similar or related documents.

S. *Credit transfer certificate files:* Documents reflecting college scholastic credits earned. Included are certificates and similar or related documents.

T. *College student files:* Documents pertaining to individual college students. Included in each folder are absence reports, records of achievement, and aptitude tests.

U. *Automated support files:* Automated data files are composed of records containing the following information (varies by regional system): student registration data-student identification number, student name, sex, grade level, bus number, date of enrollment, date of birth, course numbers and names, teachers, credit, grades received, dates of absences, and sponsor's name, status, rank, date of rotation, organization, location of unit, local address, emergency address and phone.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Recurring provisions of the DoD Appropriations Act and Department of Defense Directive 1342.6, "Department of Defense Dependents' Schools," dated October 17, 1978, with change 1.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS, AND THE PURPOSES OF SUCH USES:

Internal users, uses, and purposes:

A. Dependent children's school program files (general):

1. Records of students attending DoD operated overseas dependent schools are used by school officials, including teachers, to:

a. Determine the eligibility of children to attend these schools;

b. Schedule children for transportation;

c. Record daily and/or class attendance of students and date(s) of withdrawal;

d. Determine tuition paying students and record status of payments;

e. Determine students located in areas not serviced by dependents schools so that alternative arrangements for education can be made and payment made, as required;

f. Monitor special education services required by and received by the student; and,

g. Used to develop and maintain reading and health records, including school related medical needs.

2. Records may also be released to other officials of the Department of Defense requiring information for operation of the Department (including defense investigative agencies) on a case-by-case basis in accordance with established policies and procedures.

B. Dependent children's school program files (elementary):

1. Used by school officials, including teachers, in the current and/or gaining school to develop and provide an educational program for elementary students by school personnel cited above.

2. Used in the following manner to record:

a. Teacher or standardized test data;

b. Attendance, absences, and/or tardiness of each student;

c. Recommendations for promotion or retention including teacher comments;

d. Daily, weekly, semester, or annual grades; and,

e. Notes related to the individual pupil's progress and learning characteristics useful to professional school personnel in counseling the student and in the determination of his/her proper placement.

C. Dependment children's school program files (secondary):

1. Used by school officials, including teachers, in the current and/or gaining school to develop and provide an education program for secondary students.

2. Documents are used by school personnel cited above in the following manner to:

a. Record teacher and/or standardized test data;

b. Record attendance, absences, and/or tardiness of each student;

c. Form the basis for a decision on a student request for permission to be absent from a class or classes;

d. Determine proper class or grade placement or graduation;

e. Determine scholastic grades and/or grade point average;

f. Form the basis for school recommendations for student financial aid for postsecondary education;

g. For the basis for preparing the secondary school transcript;

h. Determine secondary school academic credits earned; and,

i. Note special interest or hobbies of the student.

3. Used by DoD recruiting officials to determine eligibility for military service.

D. Dependent children's school program files (college):

1. Used by school officials, including teachers, in the current and/or gaining school to develop and provide an educational program for college students.

2. Documents are used by school personnel cited above in the following manner to:

a. Record teacher and/or standardized test data;

b. Record attendance and absences of each student;

c. Form the basis for a decision on a student request for permission to be absent from a class or classes;

d. Determine proper class or grade placement or graduation;

e. Determine scholastic grades and/or grade point average;

f. Form the basis for school recommendations for student financial aid for college education;

g. Form the basis for preparing the college transcript; and,

h. Determine college academic credits earned.

3. Used by DoD recruiting officials to determine eligibility for military service.

E. Automated support. Automated support is used by school and regional officials (where applicable) to:

1. Provide academic data to each student upon request, provide report cards, etc., at the end of each grading period, provide transcripts upon request, and provide hard copy for manual files.

2. Provide academic data within the region and to ODS.

3. Provide data within the Department of Defense on a need-to-know basis.

4. Provide data to other government and agencies Congress when a specific authorized need requires it.

External users, uses, and purposes:

Documents of students attending the DoD overseas dependent schools may be used by authorized Federal representatives for employment purposes.

Academic data may be provided to other educational institutions and employers or prospective employers in accordance with current policies and procedures.

Student records and test results may be used by agencies contracted by DoDDS to evaluate various aspects of the system and student population. Contractors will be informed of their obligations under the Privacy Act in accordance with current policies and procedures.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Files are paper records in file folders.

RETRIEVABILITY:

A. Elementary school academic records and secondary school and college academic records (transcripts) are filed alphabetically by school, school year, and last name of student.

B. Elementary, secondary, and college teacher class register files are filed by school, school year, and last name of teacher.

C. Remaining dependent school student files are filed by school, school year, and last name of student.

D. The automated files are indexed by a variety of data, depending upon the region and school involved (some have regionally assigned student identification numbers, others are by last name of student). Also, any combination of data in the file can be used to select individual records. Only authorized personnel have required information to access the systems or process jobs.

SAFEGUARDS:

Paper records are maintained in files accessible only to authorized personnel.

Automated records:

A. Description of the automated process. Current hard copy records of all information are kept in locked file cabinets in limited access school offices. Computer-produced student records and reports become an integral part of the manual system and are retained in limited access school offices and/or locked cabinets. Computer disks, tapes, etc., are maintained in limited access areas within the various computer centers, regional offices, and/or schools. Approved special requests for data can be supported by ad hoc inquiry. Any combination of data can be used to select individual records for special processing.

B. Physical safeguards. Computer facilities and remote terminals are located in schools and regional offices throughout the school system. Particular regional systems vary; however, the same basic safeguards are employed (in various combinations) in all the systems. Computer hardware disk cards and other materials are secured in locked facilities after normal duty hours or are maintained in secure military computer centers. During school hours, storage media is stored in areas where access can be monitored. On-line access is protected by combinations of the following various factors: (1) users must have file and/or disk names; (2) users must have possession or approval to gain possession of appropriate disk(s); and, (3) users must have specifically designed codes and/or keys to permit read/write operations.

C. Storage media. Hard copy files are stored in the school offices of each participating school and regional offices. Computer files are stored on magnetic tape and disks, as outlined above.

D. Risk analysis. All personal information which is collected and/or maintained for this system is stored in locations adequately secure for such information. Administrative safeguards have been instituted to prevent access to information in the automated systems.

RETENTION AND DISPOSAL:

A. *Enrollment files:* Maintained at the respective school for 1 year after graduation, withdrawal, transfer, or death of the student, then destroyed.

B. *Daily attendance register files:* Destroyed after reviewing attendance registers for the next school year.

C. *Elementary school academic records files:* When a student transfers to another school, this file is forwarded by mail to officials of the receiving school on request in accordance with current regulations, or destroyed at the school 5 years after graduation, death, or withdrawal of the student.

D. *Elementary school report card files:* Released to parents or student at the end of the school year or on transfer of the student.

E. *Elementary school teacher class register files:* Destroyed at the school concerned after 5 years.

F. *Elementary school student files:*

1. When a student transfers to another school, the reading and health records are released to the parent or student (if over 18 years of age) for hand-carrying to the receiving school.

2. Remaining documents pertaining to the students are forwarded by mail to the officials of the receiving school or the parent/guardian on request in accordance with current regulations; if not requested, documents are destroyed at the school concerned 1 year after graduation, death, or withdrawal of the student.

G. *Secondary school absentee files:* Destroyed at the school after 1 year.

H. *Secondary school academic record files (high school transcript):*

1. Permanent file.

2. When a student transfers to another DoD dependents school, this file (transcript) is forwarded by mail to officials of the receiving school on request.

3. When a student transfers to a non-DoD school, a copy of the transcript is forwarded to the receiving school on request in accordance with current regulations.

4. Files not forwarded to another DoD school are retained at the school concerned for 4 years, the regional office for 1 year and then retired to the WNRC (or East Point FARC if in the Panama region) for an additional 60 years.

I. *Secondary school report card files:* Released to parents of students or student (if over 18 years of age) at the end of the school year or on transfer of student.

J. *Secondary school teacher class register files:* Retained at the school concerned for 5 years and then destroyed.

K. *Secondary school class reporting files:* Destroyed at the school after 1 year.

L. *Credit transfer certificate files:* Destroyed at the school after 1 year.

M. *Secondary school student files:*

1. Retained at the school concerned for 2 years after graduation, death, or withdrawal of the student.

2. When a student transfers to another school:

a. A copy of the record may be released to the parents or student (if over 18 years of age) for hand-carrying to the receiving school.

b. An official copy of the record will be forwarded to the receiving school in accordance with current regulations upon request. (The original record is retained at the school.)

N. *College absentee files:* Destroyed at the school after 1 year.

O. *College academic record files (college transcripts):*

1. Permanent file.

2. When a student transfers to another college or university, this file (transcript) is forwarded by mail to officials of the receiving school upon receipt of an authorized request.

3. Original files (transcripts) are retained at the college for 10 years then retired to East Point FARC.

P. *College report card files:* Released to student at the end of the semester or school year, or on transfer of student.

Q. *College teacher class register files:* Retained at the school for 5 years and then destroyed.

R. *College class reporting files:* Destroyed at the school after 1 year.

S. *Credit transfer certificate files:* Destroyed at the school after 1 year.

T. *College school student files:*

1. Retained at the school for 2 years.

2. When a student transfers to another school:

a. A copy of the record may be released to the parents or student (if 18 years of age) for hand-carrying to the receiving school.

b. An official copy of the record will be forwarded to the receiving school upon request pending receipt of authorized request. (The original record is retained at the school.)

U. *Automated files:* Automated files are normally retained for 1 year. However, this may vary as all information is documented in the manual files and the information in automated form may be destroyed earlier or later than 1 year for various internal purposes.

SYSTEM MANAGER(S) AND ADDRESS:

Dr. Anthony Cardinale, Director, Department of Defense Dependents Schools, 2461 Eisenhower Avenue, Alexandria, Virginia 22331, telephone: (202) 325–0188.

NOTIFICATION PROCEDURE:

Information may be obtained from officials of the school concerned or from the System Manager.

RECORD ACCESS PROCEDURES:

A. Written requests for information on the records system and for instructions concerning personal visits may be forwarded to the principal of the school within 4 years after graduation, transfer, withdrawal, or death of student.

B. The fifth year, the principal should be contacted for elementary records or the System Manager for secondary records.

C. Subsequently, all requests for secondary records may be forwarded to the Department of the Army, HQ DA (DAAG–AMR), Washington, D.C. 20310, except for information from schools in Panama. These requests should be sent to: Director, DoDDS-Panama, APO Miami 34002.

D. All requests for college records should be sent to the college for the first 10 years, then to the Director, DoDDS-Panama, address above.

CONTESTING RECORD PROCEDURES:

The Agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned are contained in 32 CFR Part 286b, and OSD Administrative Instruction 81.

RECORD SOURCE CATEGORIES:

Information is obtained from the individuals concerned and their parents/guardians, teachers, and school administrators.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 82–21537 Filed 8–6–82; 8:45 am]
BILLING CODE 3810–01–M

Defense Mapping Agency

Membership of the Defense Mapping Agency Performance Review Board

AGENCY: Defense Mapping Agency (DMA).

ACTION: Notice of membership of the Defense Mapping Agency Performance Review Board (DMA PRB).

SUMMARY: This notice announces the appointment of the members of the DMA PRB. The publication of PRB membership is required by 5 U.S.C. 4314(c)(4).

The Board provides fair and impartial review of Senior Executive Service performance appraisals and makes recommendations regarding performance and performance awards to the Director, DMA.

EFFECTIVE DATE: September 1, 1982.

FOR FURTHER INFORMATION CONTACT: James W. Willis, Defense Mapping Agency, Civilian Personnel Division, Bldg. No. 56, U.S. Naval Observatory, Washington, D.C. 20305, Telephone: (202) 254–4497.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 4314(c)(4), the following are names and titles of the executives who have been appointed to serve as members of the DMA PRB. They will serve a one-year renewable term, effective September 1, 1982.

Brig. Gen. Allen K. Rachel, USAF, Deputy Director, Headquarters, DMA
RADM L. S. Severance, Jr., USN, Deputy Director for Plans and Requirements, Headquarters, DMA
Mr. Lawrence F. Ayers, Deputy Director, Management and Technology, Headquarters, DMA
Dr. Mark M. Macomber, Deputy Director for Systems and Techniques, Headquarters, DMA
Mr. Allen E. Anderson, Deputy Director for Programs, Production and Operations, Headquarters, DMA
Mr. George D. Boale, Director of Personnel, Headquarters, DMA
Mr. John R. Vaughn, Controller, Headquarters, DMA
Dr. Charles F. Martin, Chief, Advanced Technology Division, Directorate for Systems and Techniques, Headquarters, DMA
Mr. Albert N. Rhodes, Chief, Programs/Budget Division (Deputy Comptroller), Headquarters, DMA
Mr. William P. Durbin, Assistant Deputy Director for Plans and Requirements, Headquarters, DMA
Mr. Thomas O. Seppelin, Assistant Deputy Director for Production and Distribution, Headquarters, DMA
Dr. Kenneth I. Daugherty, Technical Director, DMA Hydrographic/Topographic Center
Mr. Frank E. Roth, Technical Director, DMA Aerospace Center
Mr. Penman R. Gilliam, Director, DMA Special Program Office for Exploitation Modernization
Mr. William M. Cassell, Comptroller, Headquarters, Defense Logistics Agency
Dr. Edward E. Conrad, Deputy Director for Science and Technology, Defense Nuclear Agency
Mr. Martin A. Thompson, Associate Deputy Director, Switched Systems, Headquarters, Defense Communications Agency
Dr. Robert E. Harshbarger, Assistant Deputy Director, National Military

Command Systems ADP Directorate, Command and Control Technical Center, Defense Communications Agency

Dated: August 4, 1982.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

[FR Doc. 82-21481 Filed 8-6-82; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

Office of Energy Research

Magnetic Fusion Advisory Committee; Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given of the following meeting:

Name: Magnetic Fusion Advisory Committee.
Date and time: Monday, August 30, 1982—9:00 am to 5:00 pm; Tuesday, August 31, 1982—9:00 am to 5:00 pm
Place: U.S. Department of Energy, DOE Auditorium, Germantown, MD
Contact: Gloria Decker, Information Management Systems Branch, U.S. Department of Energy, Forrestal Building, Room 4D-024, 1000 Independence Avenue, SW., Washington, DC 20585, Telephone: 202-252-8990

Purpose of the committee: To provide advice to the Secretary of Energy on the Department's Magnetic Fusion Energy Program, including periodic reviews of elements of the program and recommendations of changes based on scientific and technological advances or other factors; advice on long-range plans, priorities, and strategies to demonstrate the scientific and engineering feasibility of fusion; advice on recommended appropriate levels of funding to develop those strategies and to help maintain appropriate balance between competing elements of the program.

Tentative Agenda

- Review of Charges to Panels Established in June 1982
- Report to MFAC on Concept Evaluation Panel Recommendations on Tandem Mirrors and Tokamaks
  Panel Recommendations on Elmo Bumpy Torus, Reverse Field Pinch, and Stellarators
  Panel Recommendations on Upgrade Options for TFTR
- Discussion
- Formulation of MFAC Recommendations/ Interim Report to DOE
- New/Renewed Charges to MFAC
- Public Comment (10 minute rule)

Public Participation

The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Gloria Decker at the address or telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation on the agenda. The Chairperson of the Committee is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes

Available approximately 30 days following the meeting.

Issued at Washington, DC, on August 3, 1982.

Howard H. Raiken,

Deputy Advisory Committee Management Officer.

[FR Doc. 82-21378 Filed 8-6-82; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. CP82-119-001]

Algonquin Gas Transmission Co.; Amendment

August 2, 1982.

Take notice that on July 9, 1982,[1] Algonquin Gas Transmission Company (Applicant), 1284 Soldiers Field Road, Boston, Massachusetts 02135, filed in Docket No. CP82-119-001 an amendment to its application filed pursuant to Section 7(c) of the Natural Gas Act on December 16, 1981, in Docket No. CP82-119-000, so as to reflect changes in its proposed facilities, services, and tariff provisions which are necessary in light of the change in the proposed point of import for the underlying Canadian gas supply from Calais, Maine, to Niagara Falls, New York, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Applicant states that in its application it requested authority to receive its Canadian gas supply as well as the Canadian gas supply of Texas Eastern Transmission Corporation (Texas Eastern) and Transcontinental Gas Pipe Line Corporation (Transco), at Calais, Maine, and to render Canadian gas sales, storage, and transportation services after receipt of such gas into its pipeline system at Burrillville, Rhode Island. It is stated that Applicant was to have received delivery of such gas at Burrillville from a new pipeline, New England States Pipeline Company (NESP), following transportation of such gas from the Calais import point. Applicant asserts that the initial proposal contemplated the receipt of 305,882 million Btu of gas per day into the eastern or market end of Applicant's system, the sale by Applicant of its share of such Canadian gas and the rendition of a related storage service to its customers, and the transportation and delivery of the Canadian gas of Texas Eastern and Transco from Burrillville to points in New Jersey, including a point near Lambertville, New Jersey.

It is stated that because of the change of the proposed import point for Applicant's Canadian gas to Niagara Falls, New York, Applicant would not be transporting gas for Texas Eastern or Transco, nor would it receive any of the Canadian gas from NESP at Burrillville, Rhode Island. Rather, Applicant states that the gas would be received at Lambertville, New Jersey, or other mutually agreed upon points in New Jersey.

Applicant further states that it proposes to install additional compressor facilities at its existing Stony Point, New York, and Cromwell, Connecitcut, compressor stations, to construct new compressor stations at Southeast, New York, and Hanover, New Jersey, to construct 23.1 miles of pipeline loop facilities in New Jersey and New York, to uprate existing facilities on Applicant's M system in Connecticut, to install regulators on Applicant's I and G systems in Massachusetts, to establish a new delivery point to an existing customer, the Connecticut Gas Company at Brookfield, Connecticut, and to make miscellaneous modifications to existing meter stations. It is stated that the total estimated cost of the proposed facilities would be $175,600,000 which would be financed from funds obtained on an interim basis through incurrence of bridge loans from commercial banks or the issuance of commercial paper supported by bank lines of credit. Applicant anticipates that these short-term obligations would be repaid periodically with takedowns from the sale of long-term debt in a private placement to institutional lenders or through public offerings.

Applicant proposes herein to render an incremental Canadian gas sales service pursuant to its Rate Schedule C-1 involving the sale for resale of 101,961 million Btu of gas daily which it would purchase from Pan-Alberta Gas Ltd. (Pan-Alberta) at a point on the

[1] The amendment was initially tendered for filing on July 9, 1982; however, the fee required by § 159.2(c) was not paid until July 13, 1982; thus, filing was not completed until the latter date.

international border near Niagara Falls, Ontario, and Niagara Falls, New York. Applicant states it would import such gas from Canada and cause it to be transported from Niagara Falls, New York, to Tamarack, Pennsylvania, by Trans-Niagara Pipeline (Trans-Niagara) to Lambertville or other mutually agreed upon points in New Jersey by Texas Eastern.

It is stated that rates for service under proposed Rate Schedule C–1 are based on the following rate components:

(1) A charge to reimburse Applicant for the cost of Canadian gas purchased from Pan-Alberta;

(2) A charge to reimburse Applicant for the transportation charge paid to Trans-Niagara;

(3) A charge to reimburse Applicant for the transportation charge paid to Texas Eastern; and,

(4) A handling charge for the transportation of gas through Applicant's system to the delivery points where the distributor-customers would receive the gas.

Applicant requests that it receive special permission to permit the tracking procedures proposed for the cost of purchased gas and for the transportation charges paid to Trans-Niagara and to Texas Eastern.

Applicant further proposes herein to render a Canadian gas storage service pursuant to its proposed Rate Schedule STC involving the purchase of a storage service from Texas Eastern or other supplier deliverable at Lambertville or other mutually agreed upon interconnections in New Jersey. It is asserted that the rates for service under proposed Rate Schedule STC would include charges to reimburse Applicant for storage service charges paid to Texas Eastern and a handling charge for the transportation of the storage gas to the delivery points where the distributor-customers would receive such gas storage.

Applicant requests that it receive special permission to permit the tracking provision proposed for storage payments to Texas Eastern.

Applicant submits that its amended proposal would afford its existing customers in New Jersey, Connecticut, Rhode Island, and Massachusetts an opportunity to honor requests for new gas service in the high-priority markets which they serve. Further, it is submitted, the proposed Canadian gas storage service, offered as an adjunct to the Canadian gas sales service, would permit Applicant's customers to maximize the high-priority use of the Canadian gas by making summertime gas available during wintertime peak periods.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before August 24, 1982, 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. 82–21514 Filed 8–6–82; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 6481–000]

Roy M. Beyer; Exemption From Licensing

August 3, 1982.

A notice of exemption from licensing of a small hydroelectric project known as Beyer Hydropower, Project No. 6481–000, was filed on July 6, 1982, by Roy M. Beyer. The proposed hydroelectric project would have an installed capacity of 24 kW and would be located on Beaver Creek, at Beyer Pond Dam, in Clackamas County, Oregon.

Pursuant to §§ 4.109(c) and 375.308(ss) of the Commission's regulations, and subject to the terms and conditions set forth in Section 4.111 of the Commission's regulations, the Director, Office of Electric Power Regulation, issues this notification that the above project is exempted from licensing as of August 5, 1982.

Robert E. Cackowski,

Acting Director, Office of Electric Power Regulation.

[FR Doc. 82–21515 Filed 8–6–82; 8:45 am]

BILLING CODE 6717–01–M

[Docket No., RO82–767–000, et al.]

Dan Crookston, d.b.a. Plaza Arco, et al.; Termination

In the matter of Dan Crookston d.b.a. Plaza Arco (Docket No. RO82–76–000), Dan Crookston d.b.a. Shelter Ridge Arco (Docket No. RO82–77–000), Dan Crookston d.b.a. Shelter Ridge Arco (Docket No. RO82–78–000) (not consolidated).

Issued: August 2, 1982.Mr. President

On May 17, 1982 the Office of Hearings and Appeals (OHA) of the Department of Energy (DOE) issued three remedial orders in the above-referenced cases. On July 1, 1982 OHA notified the Commission of the petitioners' intent to appeal the remedial orders. However, on July 26, 1982 counsel for the petitioner informed the Commission that the cases have been settled and that the appeals from the three remedial orders may be dismissed. Therefore, ten days after the issuance of this notice, these three dockets will be considered terminated.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82–21516 Filed 8–6–82; 8:45 am]

BILLING CODE 6717–01–M

[Docket Nos. CI61–1024–002, *et al.*]

Mobil Oil Corp. et al.; Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates[1]

August 2, 1982.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments 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 August 18, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. 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

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

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 or the authorization for the proposed abandonment 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 unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft.³	Pressure base
CI61-1024-002, D, July 6, 1982	Mobile Oil Corporation, Nine Greenway Plaza, Suite 2700, Houston, Texas 77046.	Natural Gas Pipeline Company of America, North Custer City field, Custer County, Oklahoma.	(1)	
CI75-475-001, C, July 22, 1982	Chevron U.S.A., Inc., P.O. Box 7309, San Francisco, California 94120.	Natural Gas Pipeline Company of America, Vermilion block 214, offshore Louisiana.	(2)	15.025
CI77-99-001, July 22, 1982	Cities Service Company, P.O. Box 300, Tulsa, Oklahoma 74102.	Natural Gas Pipeline Company of America, Burton Flat, field, Eddy County, New Mexico.	(3)	14.73
CI77-411-002, C, July 22, 1982	Cheveron U.S.A., Inc., P.O. Box 7309, San Francisco, California 94120.	Natural Gas Pipeline Company of America, Vermilion block 214-B, offshore Louisiana.	(4)	15.025
CI82-319-000, A, July 8, 1982	Texoma Production Company, P.O. Box 90996, Houston, Texas 77090.	United Gas Pipe Line Company, West Cameron block 536, offshore Louisiana.	(5)	15.025
CI82-318-000, A, July 8, 1982	Amerada Hess Corporation, 1200 Milam, 6th Floor, Houston, Texas 77002.	United Gas Pipe Line Company, High Island block A-499, offshore Texas.	(6)	14.73
CI82-320-000, A, July 9, 1982	Getty Oil Company, P.O. Box 1404, Houston, Texas 77001.	Transco Gas Supply Company, High Island block A-563 field, offshore Texas.	(7)	14.73
CI82-321-000, (CI64-1428), B, July 12, 1982.	Anadarko Production Company, P.O. Box 1330, Houston, Texas 77251.	Panhandle Eastern Pipe Line Company, Camrick field, Texas County, Oklahoma.	(8)	
CI82-323-000, F, July 16, 1982	Amoco Production Company (Partial Successor in Interest to Eastman Dillon Oil and Gas Association), Amoco Building, Room 1754, 1670 Broadway, Denver, Colorado 80202.	Northern Natural Gas Company, Mocane-Laverne gas area, Beaver County, Oklahoma.	(9)	14.65
CI82-325-000 B, July 21, 1982	Warren Pinney, Jr., 6606 L.B.J. Freeway, Suite 5155, Dallas, Texas 75240.	Transcontinental Gas Pipe Line Corporation, Conoco Driscoll field, Duval County, south Texas.	(10)	
CI82-326-000 (G-12588), B, July 21, 1982.	Mobile Oil Exploration & Producing Southeast, Inc., Nine Greenway Plaza, Suite 2700, Houston, Texas 77046.	United Gas Pipe Line Company, Lisbon field, Claiborne Parish, Louisiana.	(11)	
CI82-327-000, A, July 21, 1982	Pogo Producing Company, Post Office Box 2504, Houston, Texas 77001.	United Gas Pipe Line Company, mein pass area, block 37, offshore Louisiana.	(12)	15.025
CI82-328-000, A, July 22, 1982	Pogo Producing Company, Post Office Box 2504, Houston, Texas 77001.	United Gas Pipe Line Company, block 57, south pass area, offshore Louisiana.	(12)	15.025
CI82-329-000, A, July 22, 1982	McMoRan Exploration Co., P.O. Box 6800, Metairie, Louisiana 70009.	Trunkline Gas Company, Shell Island pass area, St. Mary Parish, Louisiana.	(12)	15.025
CI82-330-000, A, July 22, 1982	Feimont Oil Corporation, P.O. Box 2266, Midland, Texas 79702.	Transcontinental Gas Pipe Line Corporation, bolck 108, Eugene Island area, offshore Louisiana.	(12)	15.025
CI82-331-000, A, July 22, 1982	Case-Pomeroy Oil Corporation, P.O. Box 1511, Midland, Texas 79702.	Transcontinental Gas Pipe Line Corporation, block 108, Eugene Island area, offshore Louisiana.	(12)	15.025
CI82-332-000 (CI62-1508), B, July 23, 1982.	Conoco, Inc., P.O. Box 2197, Houston, Texas 77252.	Transcontinental Gas Pipe Line Corporation, North Thibodeaux field, Lafourche Parish, Louisiana.	(13)	
CI82-333-000, A, July 23, 1982	General American Oil Company of Texas, Meadows Building, Dallas, Texas 75206.	Tennessee Gas Pipeline Company, Ship Shoal block 295 field, offshore Louisiana.	(14)	15.025
CI63-464-003, D, July 21, 1982	Mobile Producing Texas & New Mexico, Inc., Nine Greenway Plaza, Suite 2700, Houston, Texas 77046.	Transcontinental Gas Pipe Line Corporation, Jim Wells , Brook County, Texas.	(15)	
CI63-470-001, D, July 21, 1982	Mobile Producting Texas & New Mexico, Inc., Nine Greenway Plaza, Suite 2700, Houston, Texas 77046.	Natural Gas Pipeline Company of America, Jim Wells, Brooks County, Texas.	(15)	
G-11952-000, D, July 21, 1982	Mobile Producing Texas & New Mexico, Inc., Nine Greenway Plaza, Suite 2700, Houston, Texas 77046.	United Gas Pipe Line Company, Cabeza Creek area, Goliad *et al.* Counties, Texas.	(15)	
G-4579-018, D, May 24, 1982	Cities Service Company, P.O. Box 300, Tulsa, Oklahoma 74102.	Northern Natural Gas Company, section 15-27S-33W, Haskell County, Kansas.	(15)	

FOOTNOTES:

[1] By Partial Assignment of Oil and Gas Lease, effective February 25, 1982, Mobile assigned to Gadsco Inc., all of its right, title and interest in and to that certain producing acreage.

[2] Applicant is filing under Gas Purchase Contract dated January 14, 1975, as amended, amended by Amendment dated May 24, 1982.

[3] Applicant is filing to change delivery point.

[4] Applicant is filing under Gas Purchase Contract dated February 16, 1977, as amended, amended by Amendment dated May 24, 1982.

[5] Applicant is filing under Gas Sales Contract dated June 17, 1982.

[6] Applicant is filing under Gas Purchase Contract dated June 10, 1982.

[7] Applicant is filing under Gas Purchase Contract dated July 6, 1982.

[8] As a result of reservoir depletion, production has ceased from acreage dedicated under Anadarko Rate Schedule No. 63, and the acreage is no longer capable, to Anadarko's knowledge of producing in commercial quantities.

[9] By lease dated November 12, 1980, Amoco Production Company acquired some but not all of the acreage subject to a Gas Purchase Contract dated September 6, 1962, between Northern Natural Gas Company, as Buyer, and Helendale Properties Inc. as Seller. Helendale was succeeded-in-interest by Eastman Dillion Oil and Gas Association.

[10] Uneconomical because of requirement to lay transmission line about 2½ miles to purchasers facilities, and also possibly dangerous route through which line would have to be installed.

[11] Date of last production was March 10, 1960 and the last well was plugged and abandoned in March, 1964.

[12] Applicant is willing to accept a certificate of public convenience and necessity conditioned in price to the applicable ceiling rates as established by the Natural Gas Policy Act of 1978.

[13] Applicant is filing by July 7, 1982 Ratification of Gas Purchase Contract dated August 1, 1968.

[14] Applicant is filing under Gas Purchase Agreement dated April 29, 1982.

[15] Conoco Inc. retains no leasehold interest subject to Rate Schedule No. 225.

[16] Applicant is filing under Gas Purchase Agreement dated March 1, 1981.

[17] Unit terminated and leases surrendered.

[18] Cessation of production; lease surrandered.

[19] Royalty owner in the Atkins "D" No. 1 well has requested that Applicant furnish natural gas for the purpose of fueling water pumping engine in order to irrigate agricultural crops growing on lands encompassed in the Atkins "D" No. 1 well proration unit. Gas purchaser has agreed to release gas for this high priority purpose subject to Commission approval.

Filing Code: A—Initial Service; B—Abandonment; C—Amendment to add acreage; D—Amendment to delete acreage; E—Total Succession; F—Partial Succession.

[FR Doc. 82-21517 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CS77-241-001, et al.]

Ocelot Oil Co., et al.; Applications for "Small Producer" Certificates [1]

August 2, 1982.

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 August 18, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. 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 unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Dated filed	Applicant
CS77-241-001	July 23, 1982 [1]	Ocelot Oil Company, The Continental Group, Inc., and NT Corporation, First City Tower, Houston, Texas 77002.
CS71-968-004	July 8, 1982 [2]	Damson Oil Corporation, Damson Resources Corporation, A and E Pipeline Company, and Damson Gas Processing Corp. (Damson Oil Corporation, Damson Resources Corporation, and A and E Pipeline Company), P.O. Box 4391, Houston, Texas 77210.
CS82-75-000	June 28, 1982	Atlahoma Mangement Corporation, 4124 North Broadland Rd. N.W., Atlanta, Georgia 30342.
CS82-76-000	June 30, 1982	Argus Energy Corporation, 4370 Captial Bank Plaza, Houston, Texas 77002.
CS82-77-000	July 2, 1982	Weaver Exploration Company, 2330 Capital Bank Plaza, Houston, Texas 77002.
CS82-78-000	July 7, 1982	Timca Resources, Ltd., 507 Springdale Road, Sterling, Colorado 80751.
CS82-79-000	July 16, 1982	Allegheny American Corporation, 3300 West Broad Street, Richmond, Virginia 23230.
CS82-80-000	July 19, 1982	The Quintin Little Company, P.O. Box 1509, Ardmore, Oklahoma 74301.
CS82-81-000	July 19, 1982	The Carrie Lou Little Company, P.O. Box 1509, Ardmore, Oklahoma 73401.
CS82-82-000	July 19, 1982	The Jud Oil Corporation, P.O. Box 1509, Ardmore, Oklahoma 73401.
CS82-83-000	July 19, 1982	The Jeps Corporation, P.O. Box 1509, Ardmore, Oklahoma 73401.
CS82-84-000	July 23, 1982	Integrated Energy, Inc., P.O. Box 61585, Houston, Texas 77208.
CS82-85-000	July 23, 1982	W. D. Culwell, Inc., P.O. Box 56203, Houston, Texas 77256.
CS82-86-000	July 23, 1982	W. D. Culwell, P.O. Box 56203, Houston, Texas 77256.
CS82-87-000	July 26, 1982	Geraldine F. Hanna, 4032 N.W. 14th, Oklahoma City, Oklahoma 73107.
CS82-88-000	July 26, 1982	Terry R. Hanna, 621 N.W. 41st, Oklahoma City, Oklahoma 73118.
CS82-89-000	July 27, 1982	David A. Hanna, 8512 Crestline, Oklahoma City, Oklahoma 73132.

FOOTNOTES:

[1] Letter received dated July 21, 1982 requesting that The Continental Group Inc. and NT Corporation be added as holders of the small producer certificate.

[2] Letter received dated July 8, 1982 requesting the Commission to change its name from Damson Oil Corporation, Damson Resources Corporation, and A and E Pipeline Company to Damson Oil Corporation, Damson Resources Corporation, A and E Pipeline Company and Damson Gas Processing Corp.

[FR Doc. 82-21518 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4490-001]

Richvale Irrigation District; Intent To Act

August 2, 1982.

On March 19, 1982 the Richvale Irrigation District ("Applicant") filed an application for an exemption from licensing for its proposed Sutter-Butte Power Project, FERC Project No. 4490-001. The Applicant seeks an exemption from licensing under the Commission's Small Conduit Hydroelectric Facilities exemption regulations, 18 CFR 4.90-4.94 (1981).

The Commission accepted the applications for filing on May 5, 1982. Under § 4.93(d) of the regulations, the exemption will be deemed granted if the Commission does not act by August 3, 1982.

The Commission intends to act on the exemption application. Additional time, however, is necessary to consider the issues raised by the application. Accordingly, the 90-day period for action under § 4.93(e)(1)-(3) is suspended, and the application for exemption shall not be deemed granted pursuant to § 4.93(d).

By direction of the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-21519 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF82-175-000]

Siskiyou County Flood Control and Water Conservation District; Application for Commission Certification of Qualifying Status of a Small Power Production Facility

August 2, 1982.

On July 14, 1982, Siskiyou County Flood Control and Water Conservation District filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The facility will be a 5,000 kilowatt hydroelectric installation located at the Box Canyon Dam on the Sacramento

River, in Mount Shasta, California. There are no other such facilities located at the same site. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status 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 must be filed on or before September 8, 1982, and must be served on the applicant. 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. 82-21520 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. SA82-32-000]

South Jersey Exploration Co.; Application for Adjustment

August 2, 1982.

On July 19, 1982, South Jersey Exploration Company, Piedmont Exploration Company, Inc., Dover Exploration Company, PSNC Production Corporation, Rockingham Exploration Company, UCG Energy Corporation, NCNG Exploration Corporation, and Delmarva Energy Company (Applicants) filed with the Federal Energy Regulatory Commission an application for an adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C. 3301–3432 (Supp. IV 1980), and § 1.41 of the Commission's Rules of Practice and Procedure. Applicants seek an adjustment to permit the original purchasers of certain NGPA section 102(c) gas produced by Applicants to waive the requirements imposed upon Applicants by 18 CFR Part 277 of the Commission's regulations, more than one year in advance of the expiration of the gas sales contracts in issue.

Applicants allege the following: Specifically, Applicants produce gas from the Peterson well located in the Northeast Trawick Field, Nacogdoches County, Texas, which is transported by Natural Gas Pipeline Company of America (Natural). Because production from the Peterson well can no longer "buck" Natural's line of pressure, Applicants' seek to resell the gas rather than leave the well shut-in or add compression facilities which the Applicants have determined to be economically infeasible. To resell the subject gas to a new purchaser, Applicants must comply with the Commission's regulations promulgated in Order No. 95, Docket No. RM80–8 (issued July 28, 1980), 18 CFR 277.201 *et seq.* (1980). These regulations implement the "bona fide offer of sale" and "right of first refusal" requirements of section 315(b) of the NGPA. Applicants seek an adjustment from these regulations to avoid suffering a "special hardship, inequity or unfair distribution of burdens."

The procedures applicable to the conduct of this adjustment proceeding are found in § 1.41 of the Commission's Rules of Practice and Procedure, Order No. 24, issued March 22, 1979, (44 FR 19861, March 30, 1979).

Any person desiring to participate in this adjustment proceeding shall file a petition to intervene in accordance with the provisions of § 1.41(e) . All petitions to intervene must be filed on or before August 23, 1982.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-21521 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER82-427-001 and ER82-427-002]

Southern California Edison Co.; Order Denying Rehearing

Issued: August 2, 1982.

On June 25, 1982, the Cities of Anaheim, Riverside, Banning, Colton, and Azusa, California ("Cities") filed for rehearing of an order issued on May 28, 1982, in this docket which, *inter alia*, suspended Southern California Edison Company's (Edison) proposed Step 1 rates for one day, suspended its Step 2 rates until the earlier of November 2, 1982, or the in-service date of the San Onofre Nuclear Generating Station Unit No. 2 (SONGS 2) and established hearing procedures. In addition, the City of Vernon, California ("Vernon") applied for rehearing of the May 28 order.

Cities contend in their application for rehearing: (1) That under the Commission's suspension policy announced in *West Texas Utilities Company*, 18 FERC ¶ 61,189 (1982), the first rate increase should be suspended for five months instead of one day; (2) that because new evidence shows the in-service date of SONGS 2 will not occur until at least January, 1983, the suspension period for the second rate increase should be changed to the later of November 2, 1982 or the in-service date of SONGS 2; (3) that the rates permitted to go into effect should be required to reflect the three errors in Edison's cost of service study which Edison has admitted to in its May 10, 1982 answer; (4) and that the Commission should reconsider the policy announced in its *West Texas* order.

Vernon asks that the Commission reconsider its denial of Vernon's earlier request that Edison be directed to refile its cost of service to eliminate all costs projected beyond April 30, 1983, unless Edison files a binding commitment not to file a subsequent rate increase with a proposed effective date earlier than August 15, 1983 or, in the alternative, that the Commission clarify its May 28 order by a statement that the failure on the part of the Commission to grant the requested directive requiring Edison to refile is not to be deemed a ruling on the merits of the issue and that the issue will be determined after it has been explored in a hearing.

In support of its request that the Commission suspend Edison's proposed Step 1 rate increase for five months, Cities argue that for purposes of determining whether Edison's proposed rates were substantially excessive as defined in the *West Texas* order, three nuclear units [1] scheduled to commence service during the test year should be excluded from Edison's cost of sevice, a 14.95% rate of return on equity should be used, and a number of cost of service adjustments should be made, including three adjustments which Edison conceded in its May 10 pleading were necessary. These arguments were all considered by the Commission in determining the length of the suspension period in this docket.

It is obvious that, by making various adjustments to the cost of service program, the Cities may arrive at a different result than the Commission does regarding the percentage of excess revenues. In clarifying our suspension policy, we expressed no intention to open up the Commission's preliminary analysis to debate. As recognized by the courts,[2] the Commission's preliminary

---

[1] SONGS 2 (scheduled for August 15, 1982), Palo Verde No. 1 (scheduled for May, 1983), and SONGS 3 (scheduled for August, 1983).

[2] *Municipal Light Boards* v. *FPC*, 450 F.2d 1341 (D.C. Cir. 1971) *cert. denied*, 405 U.S. 989; *Papago Tribal Authority* v. *FERC*, 610 F.2d 914 (D.C. Cir. 1979).

analysis of a rate filing is a rough first cut review performed within a limited statutory period on the basis of then available information. This analysis takes into account factors deemed relevant by the Commission in determining whether to proceed to hearing and for how long to suspend. These issues involve numerous questions of judgment regarding which experts may reasonably differ. Moreover, an extended discussion of this analysis would involve an inappropriate prejudgment of the merits of these issues at this stage of the proceeding. We therefore shall not, now or in the future, debate the merits of alternative cost-of-service adjustments to the preliminary analysis. In this case, the Commission has considered all of the arguments raised by Cities and has reached a different conclusion.

Cities also argue that placing the Step 1 rates into effect any earlier than September 1, 1982, which is the beginning of the Period II test year, is inconsistent with the future test year filing, regulations and also the requirement of the Federal Power Act that rates be cost supported. However, Section 35.13 of the Commission's Regulations permits the filing of a Period II which begins no later than three months after the proposed effective date. Edison's proposed June 1, 1982 effective date and Period II beginning September 1, 1982 meet these requirements of Section 35.13.

The Cities' argument amounts to a collateral attack on Order No. 91, Docket No. RM79–64 (issued June 27, 1980), which adopted the definition Period II permitting the period to begin no later than three months after the rate is proposed to be effective; such arguments should have been made in that rulemaking proceeding. We agree with Cities that one day suspensions became more frequent after Order No. 91 was issued as a result of the Commission's determination to change its suspension policy in the summer of 1980. See Boston Edison Company, Docket No. ER80–508 (August 29, 1980); *West Texas Utilities Company*, 18 FERC ¶61,189 (1982). However, the Commission did sometimes order and clearly could order one day suspensions during the period the rulemaking proceeding in which Order No. 91 was adopted was pending. The Cities could have raised this argument in that proceeding. We shall not now entertain collaterial attacks on our regulations. As we stated in Order No. 91, even if the test period begins as late as three months after the effective date, we believe that the costs are still "representative" of the costs that a utility will incure during the period that the rates will be in effect. We therefore find no need to adjust our suspension policy as suggested by Cities.

Cities also argue that the suspension policy set forth in *West Texas* is not valid because it represented a change in policy that was not adequately explained and should have been made in a rulemaking proceeding. Contrary to Cities' argument, we did not change our policy in *West Texas;* Rather the order constituted a restatement and clarification of our policy on the basis of our experience with its operation. As the Commission noted:

> We therefore believe it is appropriate to restate our electric rate suspension policy and to clarify how it is applied in determining "substantially excessive" increases in order to provide more guidance to parties filing and challenging electric rate increases.

West Texas, mimeo at 5.

Cities request summary disposition on three issues on which Edison has admitted errors in its May 10 pleading in this docket and requests that Edison be required to refile its rates to correct these errors. While Edison has indicated three areas in which adjustments need to be made, there still remain issues of fact to be resolved concerning the correct amount of such adjustments and their effect, if any, on Edison's revenue requirement. Therefore, the Commission will not grant Cities' motion for summary judgement on those issues or require that the rates be refiled.

Finally, Cities request that the May 28 order be modified to permit the Step 2 increase to become effective on the later of the commercial operation date of SONGS 2 or November 2, 1982 because of a decision by an Administrative Law Judge for the California Public Utilities Commission determining that SONGS 2 will not be commercially operable prior to February 21, 1983, or, depending on certain contingencies, January 2, 1983. We have considered these arguments and they do not alter our conculsions as to the appropriate suspension period for the Step 2 rates as explained in the May 28 order.

Vernon requests in its protest that, if the Commission does not summarily reject costs associated with Palo Verde 1 and SONGS 3 or direct Edison to refile its cost of service to eliminate all costs projected beyond April 30, 1983, that acceptance of Edison's filing be conditioned upon a binding commitment by Edison to refrain from filing any additional rate increase with a proposed effective date prior to August, 1983. Vernon argues in its rehearing application that this request was based on its allegation that Edison intends to make its next wholesale rate filing in November 1982 and that, if this occurs, a substantial overrecovery of costs will result, certain costs will be collected twice, and certain plants will not have been in service during the locked in period created by that filing. The Commission determines rates based on projected costs during an annual time period; the fact that such rates might be collecte during a locked-in period of less than a year as a result of a subsequent rate filing is not determinative of the rate which Edison is entitled to collected during this period. For these reasons, Vernon's request to condition acceptance of Edison's filing must be denied. However, Vernon may present evidence on any matter which the administrative law judge determines to be relevant to this proceeding.

The Commission orders:

(A) The applications for rehearing of the May 28, 1982 order filed by Cities and Vernon are hereby denied.

(B) The Secretary shall promptly publishe this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82–21522 Filed 8–6–82; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP82–122–000]

Transwestern Pipeline Co.; Proposed Changes in FERC Gas Tariff

July 30, 1982.

Take notice that Transwestern Pipeline Company (Transwestern) on July 23, 1982 tendered for filing as a part of its FERC Gas Tariff, Second Revised Volume No. 1, the following sheets:

Second Revised Sheet No. 73
Seventh Revised Sheet No. 74

The above listed tariff sheets were issued for the sole purpose of revising § 19.2B(2), *Cost of Gas Adjustment* and Section 19.2B(3), *Surcharge Adjustment*, of the General Terms and Conditions of Transwestern's FERC Gas Tariff to enable the use of the most recent balances in the determination of the Cost of Gas and Surcharge Adjustments.

The proposed effective date of these tariff sheets is August 23, 1982.

A copy of this filing was served on each party to the agreement.

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 August 11, 1982. 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. 82-21523 Filed 8-6-82; 8:45 am]

BILLING CODE 6717-01-M

FEDERAL COMMUNICATIONS COMMISSION

[Gen. Docket No. 80-184]

Inquiry Relating to Preparation for an International Telecommunication Union World Administrative Radio Conference for the Mobile Services; Correction

AGENCY: Federal Communications Commission.

ACTION: Report and Order; Correction.

SUMMARY: This document corrects errors of omission in the Report and Order published in this proceeding concerning an International Telecommunication Union World Administrative Radio Conference for the Mobile Services.

FOR FURTHER INFORMATION CONTACT: Lawrence M. Palmer, Office of Science and Technology, (202) 653-8102.

On July 16, 1982, the Commission published in the **Federal Register** a Report and Order in the above-captioned proceeding (47 FR 31064). Inadvertently, the docket number and FCC number were omitted from the heading of this document. The docket number should read: *Gen. Docket No. 80-184* and the FCC number should read: *FCC 82-284.*

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 82-21401 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

North American Philips Lighting Corp.; Petition for Waiver of Certification Requirement for an RF Excited Mercury Discharge Lamp

North American Philips Lighting Corp. (NAPLC), 330 Lynnway, Lynn, Massachusetts 01901, 607-599-7500, has developed an energy efficient light bulb using RF excitation of a low pressure mercury discharge lamp technology. This new light source is stated to have the equivalent light output of a 75 watt incandescent bulb while using only ¼ of the input energy.

Such a lamp is classified as a piece of miscellaneous equipment subject to the regulations in Part 18 of our rules. NAPLC alleges that the detailed certification of § 18.142(b) and the 3-year recertification requirement of § 18.142(c) are unnecessarily burdensome and hinder the marketing of the lamp to the general public. Accordingly, a waiver of these requirements is requested. In this connection, NAPLC alleges further that its lamp meets all the technical requirements of Part 18.

Comments on this petition are requested and should be submitted by August 20, 1982 to the Chief, RF Devices Branch, Office of Science and Technology, Federal Communications Commission, Washington, DC 20554. The petition is available for inspection in the office of the Chief, RF Devices Branch, Room 8302 at 2025 M St., NW., Washington, DC 20554.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 82-21376 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection and Recordkeeping Requirements Submitted to Office of Management and Budget for Review

August 2, 1982.

On August 2, 1982 the Federal Communications Commission submitted the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511.

Copies of these submissions are available from Richard D. Goodfriend, Agency Clearance Officer, (202) 632-7513. Comments should be sent to Edward H. Clarke, Office of Management and Budget, OIRA, Room 3201 NEOB, 726 Jackson Place, NW, Washington, D.C. 20503.

Title: Application for Authority to Construct or Make Changes In a Noncommercial Educational Broadcast Station
Form No.: FCC 340
Action: Extension
Estimated Annual Burden: 161 Responses; 12,880 hours.
Title: Application for License in the Private Operational Fixed Microwave Radio Service
Form No.: FCC 402
Action: Revision
Estimated Annual Burden: 7,225 Responses; 57,800 hours.
Title: Application for Ground Station Authorization in the Aviation Services
Form No.: FCC 406
Action: Revision
Estimated Annual Burden: 2,715 Responses; 3,393 hours.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 82-21375 Filed 8-6-82; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR § 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than the date indicated for each application.

A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *The Chase Manhattan Corporation,* New York, New York (finance, servicing, and leasing activities; Western U.S.): To engage through its indirect subsidiary, Chase Commercial Corporation, in making or acquiring, for its own account or for the account of others, loans and other extensions of credit such as would be made by a commercial finance, equipment finance or factoring company, including factoring accounts receivable, making advances and over-advances on receivables and inventory and business installment lending as well as unsecured commercial loans; servicing loans and other extensions of credit; leasing personal property on a full payout basis and in accordance with the Board's Regulation Y, or acting as agent, broker or advisor in so leasing such property, including the leasing of motor vehicles. These activities would be conducted from an office in Newport Beach, California serving the states of California, Arizona, Idaho, Nevada, Oregon and Washington. Comments on this application must be received not later than September 2, 1982.

B. Federal Reserve Bank of Philadelphia (Thomas K. Desch, Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:

1. *Philadelphia National Corporation,* Philadelphia, Pennsylvania (commercial finance and factoring; Orange County, California): To engage, through its subsidiary, Congress Financial Corporation, in commercial finance and factoring activities including the solicitation and making of loans to businesses and corporations secured by accounts receivable, inventory, machinery and equipment and/or other commercial finance collateral and the factoring of accounts receivable. These activities would be conducted from an office located in Newport Beach, California, serving Orange County, California. Comments on this application must be received not later than September 2, 1982.

C. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr, Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *The Wachovia Corporation,* Winston-Salem, North Carolina (mortgage banking and insurance activities; Georgia): To engage, through its subsidiary, Wachovia Mortgage Company, in providing mortgage banking services, including the origination and processing of residential, construction, development, and income property mortgage loans, the purchase and sale or placement of mortgage loans, the administration and servicing of mortgage loans, the management and sale of properties acquired through foreclosure or transfers in lieu of foreclosure, and acting as agent for credit life and accident and health insurence and for property and casualty insurance related to extensions of credit. These activities would be conducted from an office located in Atlanta, Georgia, serving the Atlanta SMSA. This notification is for the relocation of an existing office in Decatur, Georgia. Comments on this application must be received not later than September 2, 1982.

D. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *Old Stone Corporation,* Providence, Rhode Island (mortgage banking insurance activities; Virginia, Arizona and Georgia; insurance activities; Arizona and Georgia): To engage through its indirect subsidiary, UniCredit Corporation of Fla., in making or acquiring and servicing short-term first and second mortgage loans in Virginia, Arizona and Georgia, and in insurance agency activities for the sale of casulty insurance sold in connection with extensions of credit in Arizona and Georgia. These activities would be conducted from an existing office in Jacksonville, Florida, serving the states of Virginia, Arizona and Georgia. Comments on this application must be received not later than September 1, 1982.

E. Federal Reserve Bank of Kansas City (Thomas M. Hoenig, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *First Oklahoma Bancorporation, Inc.,* Oklahoma City, Oklahoma (financing, servicing, leasing activities; southwestern United States): To engage, through its subsidiary, First Oklahoma Commercial Corporation, in making or acquiring loans and other extensions of credit such as would be made by a commercial finance company, including commercial loans secured by a borrower's inventory, accounts receivable, or other assets; servicing such loans for others; and making leases of personal property in accordance with the Board's Regulation Y. These activities would be conducted from an office in Oklahoma City, Oklahoma, serving Oklahoma, Kansas, Arkansas, Missouri, Colorado, New Mexico, Texas, and Louisiana. Comments on this application must be received not later than September 1, 1982.

2. *Jent, Inc,* Grinnell, Kansas (finance activities; Kansas): To engage in the making, for its own account or for the account of others, loans and other extensions of credit, including issuing letters of credit and accepting drafts. These activities would be conducted from an office in Oakley, Kansas, serving an area within a fifteen mile radius of Oakley and Grinnell, Kansas. Comments on this application must be received not later than September 2, 1982.

F. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *First City Bancorporation of Texas, Inc.,* Houston, Texas (lending activities principally related to energy projects): To engage through a subsidiary, First City Energy Finance Company, in making and acquiring loans and other extensions of credit, both secured and unsecured for the purpose of financing energy development, exploration and related energy projects. These activities would be conducted from offices in Houston, Texas serving the United States with principal emphasis on the energy producing states of Texas, Louisiana, Oklahoma, New Mexico and Colorado. Comments on this application must be received not later than September 2, 1982.

Board of Governors of the Federal Reserve Systems, August 3, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-21387 Filed 8-6-82; 8:45 am]

BILLING CODE 6210-01-M

Citibank International; Establishment of U.S. Branch of a Corporation Organized Under Section 25(a) of the Federal Reserve Act

Citibank International, Miami, Florida, a corporation organized under section 25(a) of the Federal Reserve Act, has applied for the Board's approval under § 211.4(c)(1) of the Board's Regulation K (12 CFR 211.4(c)(1)), to establish branches at the Miami International Airport, Miami, Florida, and the Houston Intercontinental Airport, Houston, Texas. Citibank International operates as a subsidiary of Citibank, New York, New York.

The factors that are to be considered in acting on this application are set forth in § 211.4(a) of the Board's Regulation K (12 CFR 211.4(a)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York. 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 September 2, 1982. 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, identify specifically any questions of fact that are in dispute, and summarize the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, August 3, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-21388 Filed 8-6-82; 8:45 am]

BILLING CODE 6210-01-M

Formation of Bank Holding Company

The Company listed in this notice 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 voting shares and/or assets of a bank. 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 indicated. With respect to the application, interested persons may express their views in writing to the address indicated for the application. Any comment on the 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.

A. Federal Reserve Bank of Kansas City (Thomas M. Hoenig, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Mountain View Bancorporation, Inc.*, Mountain View, Oklahoma; to become a bank holding company by acquiring 96.94 percent of the voting shares of The First National Bank of Mountain View, Mountain View, Oklahoma. Comments on this application must be received not later than September 2, 1982.

Board of Governors of the Federal Reserve System, August 3, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-21389 Filed 8-6-82; 8:45 am]

BILLING CODE 6210-01-M

Acquisition of Bank Shares by Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. 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.

A. Federal Reserve Bank of Cleveland (Harry W. Huning, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *Provident Bancorp, Inc.*, Cincinnati, Ohio; to acquire 100 percent of the voting shares or assets of Midwest Bank & Trust Co., Cleveland, Ohio. Comments on this application must be received not later than August 25, 1982.

2. *Toledo Trustcorp, Inc.*, Toledo, Ohio; to acquire at least 66.7 percent of the voting shares of First Buckeye Bank, N.A., Plymouth, Ohio. Comments on this application must be received not later than September 2, 1982.

B. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *7L Corporation*, Tampa, Florida and its subsidiary, First Florida Banks, Inc., Tampa, Florida; to acquire 90 percent of the voting shares of Northeast Bank of Clearwater, Clearwater, Florida. Comments on this application must be received not later than September 2, 1982.

C. Federal Reserve Bank of St. Louis (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *First Banc Group, Inc.*, Centralia, Illinois; to acquire 100 percent of the voting shares of the following three banks located in Illinois: The First State Bank of Centralia, Centralia; Hoyleton State & Savings Bank, Hoyleton, and Ashley State Bank, Ashley. Comments on this application must be received not later than September 2, 1982.

D. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Cullen/Frost Bankers, Inc.*, San Antonio, Texas; to acquire 100 percent of the voting shares of Cullen Bank/City West, N.A., Houston, Texas. Comments on this application must be received not later than September 2, 1982.

Board of Governors of the Federal Reserve System, August 3, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-21390 Filed 8-6-82; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

Early Termination of the Waiting Period of the Premerger Notification Rules; United Technologies Corp.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: United Technologies Corporation is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain assets of General Dynamics Corporation. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both United Technologies Corporation and General Dynamics Corporation. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: July 22, 1982.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Senior Attorney, Permerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580, (202) 523-3894.

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A (b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 82-21386 Filed 8-6-82; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assisant Secretary for Housing—Federal Housing Commissioner

[Docket No. R-82-1144]

Composition of Substantial Compliance Committee

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

ACTION: Notice.

SUMMARY: The Assistant Secretary for Housing—Federal Housing Commissioner is providing notice of the changed composition of the Substantial Compliance Committee.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: John L. Brady, Director, Office of Title I Insured Loans, Department of Housing and Urban Development, Room 9160, 451 Seventh Street, S.W. Washington, D.C. 20410, (202) 755-6680. This is not a toll free number.

SUPPLEMENTARY INFORMATION: The Substantial Compliance Committee has the authority to waive compliance with HUD regulations by insured institutions with respect to the interest and maturity of, and the terms, conditions and restrictions under which loans, and names of credit, and purchases may be insured under Section 2 of Title I of the National Housing Act.

This notice states the change of membership of the Substantial Compliance Committee.

The Department recognizes that the composition of the Substantial Compliance Committee described in this notice varies from that set forth in 24 CFR 200.89(a). However, a final rule is under development that would amend this subsection to permit the composition of the Committee to be published by a **Federal Register** notice.

Accordingly, the Substantial Compliance Committee is composed of the following members or their designees; Deputy Assistant Secretary for Single Family Housing and Mortgagee Activities (Chairman); Director, Office of Lender Certification; Director, Mortgage Insurance Accounting and Servicing Group (by agreement with the Assistant Secretary for Administration); and such other members as the Assistant Secretary for Housing—Federal Housing Commissioner shall designate. The General Counsel or designee serves as a non-voting Legal Advisor to the Committee.

(Authority: Section 2(e) of Title I of the National Housing Act, 12 U.S.C. 1703(e))

(Secretary's delegation of authority to redelegate published at 41 FR 24775, June 18, 1976)

D1ted: August 2, 2982.

Philip Abrams,

General Deputy Assistant Secretary—Deputy Federal Housing Commissioner.

[FR Doc. 82-21497 Filed 8-6-82; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR-12652]

Oregon; Termination of Proposed Withdrawal and Reservation of Lands

Correction

In FR Doc. 82-17904 appearing on page 28839 in the issue for Thursday, July 1, 1982, please make the following correction:

On page 28839, in the first column, in the land description, for Township 13, ("T. 13"), in the line beginning "Sec. 35", at the end of the line, "SW¼" should have read "SW¼SW¼".

BILLING CODE 1505-01-M

Fish and Wildlife Service

Endangered Species Permit; Receipt of Applications

The applicants listed below wish to conduct certain activities with endangered species:

Applicant: Dr. Donald Buth, UCLA, Los Angeles, CA
PRT 2-9441

The applicant requests a permit to take 300 unarmored three-spine stickleback (*Gasterosteus aculeatus williamsoni*) for scientific research on the taxomony of this species.

Applicant: Peter J. Connally, Lanai City, HI
PRT 2-9470

The applicant requests a permit to purchase in interstate commerce one pair of captive-bred nene geese (*Branta sandvicensis*) from Ladywood Game Farm, Poulsbo, WA for enhancement of propagation.

Humane care and treatment during transport, if applicable, has been indicated by the applicant.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 601, 1000 N. Glebe Rd., Arlington, Virginia, or by writing to the U.S. Fish and Wildlife Service, WPO, P.O. Box 3654, Arlington, VA 22203.

Interested persons may comment on these applications by September 8, 1982 by submitting written data, views, or arguments to the above address. Please refer to the file number when submitting comments.

Dated: August 4, 1982.

R. K. Robinson,

Chief, Branch of Permits, Federal Wildlife Permit Office.

[FR Doc. 82-21508 Filed 8-6-82; 8:45 am]

BILLING CODE 4310-55-M

INTERSTATE COMMERCE COMMISSION

Motor Carriers; Long- and Short-Haul Application for Relief (Formerly Fourth Section Application)

August 3, 1982.

This application for long- and short-haul relief has been filed with the I.C.C.

Protests are due at the I.C.C. within 15 days from the date of publication of the notice.

No. 43974. Southwestern Freight Bureau, Agent (No. B-164), reduced carload rates on silica sand, from Kasota, MN, to stations in Arkansas, Kansas, Louisiana, Missouri, Oklahoma and Texas, in Supplement 12 to its Tariff ICC SWTB 4319-A, effective August 29, 1982. Grounds for relief—market competition.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-21445 Filed 8-6-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier; 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** 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 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 a public need for the proposed operations and that it 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. This presumption shall not be deemed to exist where the application is opposed. 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. One 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.

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".

Please direct status inquiries to the Ombudsman's Office, (202) 275–7326.

Volume No. OP1–135

Decided: August 2, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 152640 (Sub-6), filed July 26, 1982. Applicant: RAPID DISTRIBUTION SERVICE, INC., 2392 N. Dupont Hwy., Dover, DE 19901. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St., NW., Washington, DC 20005, (202) 296–3555. Transporting for or on behalf of the United States Government, *general commodities* (except used household goods), hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 161010, filed March 15, 1982. Applicant: S. K. TRANSPORT, INC., 1000 Sunset Drive West, Monee, IL 60449. Representative: John D. Malone, 1517 Fernwood Terrace, New Lenox, IL 60451, (815) 485–9246. As a *broker* of *general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 163090, filed July 23, 1982. Applicant: BOBBY J. DAVIS, d.b.a. J. DAVIS TRUCKING, P.O. Box 544, Grand Junction, CO 81502. Representative: Bobby J. Davis (same address as applicant), (303) 245–3026. 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. (except AK and HI).

MC 163120, filed July 23, 1982. Applicant: HOWARD GUNDRUM, JANICE GUNDRUM AND SCOTT GUNDRUM, d.b.a. GUNDRUM TRUCKING, 5232 Highway 144 S, Route 5, West Bend, WI 53095. Representative: Nancy J. Johnson, 103 East Washington St., Box 218, Crandon, WI 54520, (715) 478–3341. 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. (except AK and HI).

MC 163140, filed July 26, 1982. Applicant: RICHARD T. HUHTA, P.O. Box 14, Cromwell, MN 55726. Representative: Richard T. Huhta, (same address as applicant), (218) 644–3751. 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 Itasca and Crow Wing Counties, MN, on the one hand, and, on the other, points in Grand Prairie, TX.

MC 163141, filed July 26, 1982. Applicant: MILITARY PACK AND CRATE, INC., 7993 Shadow Hill Drive, La Mesa, CA 92041. Representative: J. A. Pellman (same address as applicant), (714) 460–0349. Transporting (a) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (b) *shipments weighing 100 pounds* or less if transported in a motor vehicle in which no one package exceeds 100 pounds, and (c) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 1, Room 6358.

Volume No. OP4–291

Decided: August 2, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 163076, filed July 21, 1982. Applicant: HOFSTRAND TRANSPORTS Box 581, Custer, SD 57730. Representative: Craig Hofstrand (same address as applicant), (605) 673–3279. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–21452 Filed 8–6–82; 8:45 am]

BILLING CODE 7035–01–M

Motor Carrier; 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 a public need for the proposed operations and that it 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. This presumption shall not be deemed to exist where the application is opposed. 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.

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".

Please direct status inquiries to the Ombudsman's Office, (202) 275–7326.

Volume No. OP1–134

Decided: August 2, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 2860 (Sub-224), filed July 12, 1982. Applicant: NATIONAL FREIGHT, INC., 71 West Park Ave., Vineland, NJ 08360. Representative: Addision Hand (same address as applicant) (609) 691–7000. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with E. I. du Pont de Nemours & Company, Inc., of Wilmington, DE, and its subsidiaries, namely, Remington Arms Company, Inc., Endo Labs, Inc., Endo, Inc., Endo Pharmaceuticals, Inc., New England Nuclear Corp., Conoco, Inc., Fairmont Supply Co., Douglas Oil Company of Calif., Continental Carbo Co., Kayo Oil Co., Pitt–Concol. Chemical Co., and Western Oil and Fuel Company.

MC 11220 (Sub-236), filed July 26, 1982. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Ave., Memphis, TN 38101. Representative: James J. Emigh, P.O. Box 59, Memphis, TN 38101 (901) 775–2042. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with Minnesota Mining and Manufacturing Company, of St. Paul, MN.

MC 61470 (Sub-7), filed July 26, 1982. Applicant: BRYAN TRUCK LINE, INC., 610 E. Wilson St., Bryan, OH 43506. Representative: E. H. van Deusen, 220 W. Bridge St., P.O. Box 97, Dublin, OH 43017 (614) 889–2531. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in IN, IL, KY, MI, NC, NJ, NY, OH, PA, VA, and WV, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 61620 (Sub-22), filed July 26, 1982. Applicant: M & G TRANSPORTATION CO., INC., Route 3, Box 234, Gloucester, VA 23061. Representative: Terrell C. Clark, P.O. Box 25, Stanleytown, VA 24168 (703) 629–2818. Transporting *pulp, paper and related products,* between points in CT, DE, MD, NC, NJ, NY, OH, PA, SC, VA, WV, and DC.

MC 83430 (Sub-20), filed July 26, 1982. Applicant: ONEIDA MOTOR FREIGHT, INC., Commercial Avenue, Carlstadt, NJ 07072. Representative: Irving Klein, Suite 7, 1205 Franklin Avenue, Garden City, NY 11530 (516) 746–3050. Transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission and commodities in bulk), between points in CA, on the one hand, and, on the other, points in ME, VT, NH, MA, CT, RI, NY, NJ, PA, DE, MD, VA, and DC.

MC 142350 (Sub-5), filed July 23, 1982. Applicant: BEVERAGE TRUCKING, INC., 129 West Dudley Town Road, Bloomfield, CT 06002. Representative: Gerald A. Joseloff, 410 Asylum Street, Hartford, CT 06103, (203) 728–0700. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with Anheuser-Busch Companies, Inc., of St. Louis, MO.

MC 142350 (Sub-6), filed July 26, 1982. Applicant: BEVERAGE TRUCKING, INC., 129 West Dudley Town, Bloomfield, CT 06002. Representative: Gerald A. Joseloff, 410 Asylum St. Hartford, CT 06103 (203) 728–0700. Transporting *general commodities* (except classes A and B explosives and household goods), between points in CT, MA, RI, ME, NH, VT, NY, NJ, and PA, on the one hand, and, on the other, those points in the U.S. in and east of WI, IL, KY, TN, and MS.

MC 143901 (Sub-7), filed July 26, 1982. Applicant: THOROUGHBRED TRUCKING, INC., 402–208th Street, N.E., Stanwood, WA 98292 (206) 629–4502. Representative: Bruce A. Wolf, 2120 Pacific Bldg., Seattle, WA 98104 (206) 624–5370. Transporting *such commodities* as are dealt in by food and grocery business houses, between points in WA, OR, ID, CA, AZ, NV, NM, UT, WY, MT, and CO.

MC 144411 (Sub-2), filed July 23, 1982. Applicant: TRANSPORT SERVICE CORPORATION, P.O. Box 10965, Charleston, SC 29411. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, P.O. Box 1240, Arlington, VA 22210 (703) 525–4050. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between Charleston, SC, on the one hand, and, on the other, points in VA, NC, SC, GA, FL, AL and TN.

MC 146610 (Sub-4), filed July 26, 1982. Applicant: CHARLES JOINER TRUCKING, INC., 104 South Central, Tennille, GA 31087. Representative: Clyde W. Carver, P.O. Box 720434,

Atlanta, GA 30328 (404) 256–4320. Transporting *such commodities* as are dealt in or used by wholesale and retail grocery stores, between points in GA and AL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 148141 (Sub-6), filed July 23, 1982. Applicant: GOODY PRODUCTS, INC., 969 Newark Turnpike, Kearny, NJ 07032. Representative: William Jacobs (same address as applicant) (201) 997–3000. Transporting *molybdenum concentrates and ferro molybdenum*, between points in the U.S. (except AK and HI), under continuing contract(s) with Duval Sales Corporation, of Houston, TX.

MC 148791 (Sub-28), filed July 12, 1982. Applicant: TRANSPORT-WEST, INC., 2125 N. Redwood Rd., Salt Lake City, UT 84116. Representative: Rick J. Hall, P.O. Box 2465, Salt Lake City, UT 84110 (801) 531–1777. Transporting *foodstuffs*, between points in the U.S. (except AK and HI), for the account of General Mills, Inc., of Minneapolis, MN.

MC 150221 (Sub-13), filed July 26, 1982. Applicant: CENTRAL SOUTHERN, INC., P.O. Box 375, Drayton, SC 29333. Representative: George W. Clapp, P.O. Box 836, Taylors, SC 29687, (803) 244–9314. Transporting *general commodities* except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Capsugel-Parke Davis Division of Warner-Lambert Company and Professional Medical Products, Inc., both of Greenwood, SC, Gamlen Chemical, of Clifton, NJ, Jeffrey Manufacturing Division, Dresser Industries, Conveyor Equipment Operations, of Belton, SC, Jersey State Chemical, of Haledon, NJ, Orian Rugs, Inc., and The Singer Company, both of Anderson, SC, Spartanburg Steel Products Company, of Spartanburg, SC, and Sybron Tanatex Chemical Corp., of Wellford, SC.

MC 151941 (Sub-8), filed July 23, 1982. Applicant: DELMONT E. HARTT, INC., U.S. Route 2, Etna, ME 04435. Representative: John C. Lightbody, 30 Exchange Street, Portland, ME 04101, (207) 773–5651. Transporting *food and related products*, between points in the U.S. (except AK and HI).

MC 152450 (Sub-1), filed July 23, 1982. Applicant: WEGMANS EXPRESS, INC., 1500 Brooks Avenue, P.O. Box 844, Rochester, NY 14692. Representative: Charles H. White, Jr., 1019 19th Street, N.W., Suite 800, Washington, DC 20036, (202) 785–3420. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with The Stop and Shop Companies, Inc., of Boston, MA.

MC 154621 (Sub-2), filed July 21, 1982. Applicant: MONROE WAREHOUSE COMPANY, INC., P.O. Box 2525, Monroe, LA 71207. Representative: Donald B. Morrison, P.O. 22628, Jackson, MS 39205, (601) 948–8820. Transporting (1) *general commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in the U.S. under continuing contract(s) with Allied Building Stores, Inc., of Monroe, LA; and (2) *food and related products*, between points in the U.S., under continuing contract(s) with Winnsboro Beverage Packers, Inc., of Winnsboro, LA.

MC 155070 (Sub-2), filed July 26, 1982. Applicant: AMERICAN PACIFIC EXPRESS, INC., 817 McDonald Street, Green Bay, WI 54303. Representative: Charles W. Singer, P.O. Box 2545, Green Bay, WI 54306–2545. (414) 498–7507. Transporting *general commodities* (except classes A and B explosives and household goods as defined by the Commission), between points in the U.S. (except AK and HI).

MC 156390 (Sub-2), filed July 26, 1982. Applicant: PROGRESSIVE PIER DELIVERY, INC., 900 Dell Ave., North Bergen, NJ 07047. Representative: Harold L. Reckson, 33–28 Halsey Rd., Fair Lawn, NJ 07410, (201) 791–2270. Transporting (1) *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between New York, NY, and points in NJ, on the one hand, and, on the other, points in the U.S. (except AK and HI), (2) *such commodities as are dealt in by retail discount and department stores*, (a) between points in VA, CA, and WA, on the one hand, and, on the other, points in CT, MA, RI, ME, NH, VT, NY, NJ, PA, MD, and DE, and (b) between Philadelphia, PA, and points in Lehigh County, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (3) *pulp, paper and related products, plastic and rubber products, forest products, and chemicals and related products*, between points in the U.S. (except AK and HI).

MC 158761 (Sub-1), filed July 23, 1982. Applicant: GLENN D. ROGNESS, d.b.a. GLENN D. ROGNESS TRUCKING, Rte. 3, Fergus Falls, MN 56537. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Minneapolis, MN 55402, (612) 340–0808. Transporting *food and related products*, between points in MN and ND, on the one hand, and, on the other, points in ND, IN, MI, OH, NE, IL, IA, KS, MO, and WI.

MC 160031, filed July 26, 1982. Applicant: TIDE TRANSPORTATION, INC., 2212 E. Tredington Way, P.O. Box 475, Edmond, OK 73083. Representative: William P. Parker, PO Box 54657, Oklahoma City, OK 73154. Transporting *metal products and machinery*, between points in OK, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161600, filed July 27, 1982. Applicant: DOUBLE C ENTERPRISES, INC., 950 Crestwood Drive, Lewisville, TX 75028. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062 (214) 255–6279. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with The Purex Corporation of Lakewood, CA.

MC 161921, filed July 23, 1982. Applicant: CHARLES R. ECKSTINE, P.O. Box 246, Greencastle, PA 17225. Representative: Edward N. Button, 635 Oak Hill Avenue, Hagerstown, MD 21740, (301) 739–4860. Transporting *mobile and modular homes and offices*, between points in PA, MD, WV, VA, NC, and DC.

MC 162150, filed July 26, 1982. Applicant: ORMSTON TRANSPORTATION, INC., 3801 Trailmobile, Houston, TX 77013. Representative: James M. Doherty, 500 West Sixteenth St., P.O. Box 1945, Austin, TX 78767, (512) 478–9808. Transporting (1) *mercer commodities* and (2) *earth drilling machinery and equipment, materials, supplies, and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in AK, AZ, AR, CA, CO, ID, KS, LA, MS, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA, and WY.

MC 162151, (Sub-1), filed July 23, 1982. Applicant: NORTH SIDE PRODUCE COMPANY, 6029 North 16th St., Omaha, NE 68101. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106, (402) 392–1220. Transportating *food and related products*, between points in the U.S. (except AK and HI), under continuing

contract(s) with John Morrell & Co., of Chicago, IL.

MC 162240, filed July 23, 1982. Applicant: HENRY LEASING CO., INC., d.b.a., NEW YORK PITTSBURG EXPRESS, 46 Ely Place, East Orange, NJ 07017. Representative: Lascelles Henry (same address as applicant), (609) 655–3804. Transporting *such commodities* as are dealt in or used by chain stores and food business houses, between points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the international boundary line between the United States and Canada.

MC 162400, (Sub-1), filed July 23, 1982. Applicant: TRI-FRIDGE CORP., 3300 West 93rd St., Evergreen Park, IL 60642. Representative: Anthony E. Young, 29 South LaSalle St., Suite 350, Chicago, IL 60603, (312) 782–8880. Transportating *food and related products,* between Chicago, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 163020, filed July 20, 1982. Applicant: BAGGETT TRUCKING, Rt. 1, Box 63, Warren, AR 71671. Representative: Richard L. Roper, P.O. Box 191, Warren, AR 71671, (501) 226–2681. Transportating *lumber and related products,* between points in the U.S. (except AK and HI).

MC 163050, filed July 19, 1982. Applicant: NEWELL LEASING SYSTEMS OF NORTHEASTERN OHIO, INC., 1324 Third St., NW., Canton, OH, 44706. Representative: John P. McMahon, 100 E. Broad St., Columbus, OH 43215, (615) 228–1541. Transportating *general commodites* (except classes A and B explosvies, household goods and commodities in bulk), between points in the U.S. under continuing contract(s) with Packaging Corporation of America of Evanston, IL, and its subsidiary, namely Tennessee River Pulp and Paper Company.

MC 163080, filed July 23, 1982. Applicant: SUN TRUCKING, INC., P.O. Box G, Sellersburg, IN 47172. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202, (502) 589–5400. Transporting (1) *metal products,* between Louisville, KY, on the one hand, and, on the other, points in the U.S. (except AK and HI); and (2) *such commodities* as are dealt in or used by grocery stores and food business houses, hardware, discount, drug, variety and department stores, between points in the U.S. (except AK and HI).

MC 163081, filed July 23, 1982. Applicant: HUDSON'S EXXON SERVICENTER, INC., 2250 S. Military Highway, Chesapeake, VA 23320. Representative: Robert E. Gibson, P.O. Box 5025, Chesapeake, VA 23324; (804) 547–9191. Transporting *wrecked or disabled vehicles,* between points in PA, MD, VA, NC, TN, DE, SC, and DC.

MC 163111, filed July 26, 1982. Applicant: PRIVATE TRANSPORT CORP., 1000 Jorie Blvd., Suite 228, Oakbrook, IL 60521. Representative: Anthony E. Young, 29 South LaSalle St., Suite 350, Chicago, IL 60603, (312) 782–8880. Transporting *paper and paper products,* between points in the U.S. (except AK and HI), under continuing contract(s) with FSC Paper Corporation, of Alsip, IL.

MC 163150, filed July 13, 1982. Applicant: TIDEWATER EXPRESS, Rt. 1, Box 98–A, Crisfield, MD 21817. Representative: Ralph L. Walston (same address as applicant), (301) 968–0674. Transporting (1) *food and related products,* between New York, NY, on the one hand, and, on the other, points in Sussex County, DE; (2) *pulp, paper, and related products,* between points in Montgomery County, PA, on the one hand, and, on the other, Norfolk, VA, and points in Somerset County, MD; (3) *fabricated metal products,* between Baltimore, MD, on the one hand, and, on the other, Norfolk, VA and points in Accomack County, VA; and (4) *fabricated metal products,* between points in Somerset County, MD, on the one hand, and, on the other, New York, NY.

Volume No. OP4–290

Decided: August 2, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 74107 (Sub-3), filed July 16, 1982. Applicant: SUPER MOTOR LINES, INC., 1640 Sullivan St., Greensboro, NC 27405. Representative: F. Kent Burns, P.O. Box 2479, Raleigh, NC 27602, (919) 828–2421. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in NC, VA and SC.

MC 92807 (Sub-1), filed July 21, 1982. Applicant: CHARLES STIERLEN, d.b.a. STIERLEN'S MOVING & STORAGE; Route 9W, Congers, NY 10920. Representative: William Norvell (same address as applicant); (914) 268–6886. Transporting *household goods,* (1), between points in CT, NJ, and NY, (2) between points in CT, ME, MA, NH, NJ, NY, PA, RI, and VT, on the one hand, and, on the other, points in DE, FL, GA, MD, NC, PA, SC, VA, and DC.

MC 145807 (Sub-3), filed July 21, 1982. Applicant: DERBY TRANSPORT, INC., 609 First Ave. N., Box 695, Weyburn, Saskatchewan, Canada S4H1P1. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Minneapolis, MN 55402, (612) 340–0808. Transporting *fertilizer,* between the ports of entry on the International Boundary line between the U.S. and Canada at points in MN, ND, and MT, on the one hand, and, on the other, points in ID.

MC 153077 (Sub-2), filed July 26, 1982. Applicant: TOTAL TRANSPORTATION, INC., 1601 99th Lane, NE.; Minneapolis, MN 55434. Representative: Stanley C. Olsen, Jr., 5200 Willson Rd., Suite 307, Edina, MN 55424, (612) 927–8855. Transporting *rubber and plastic products,* between points in IL, on the one hand, and, on the other, points in the U.S. (except AK and HI.

MC 154667 (Sub-9), filed July 22, 1982. Applicant: B. I. TRANSPORTATION, INC., P.O. Box 691, Burlington, NC 27215. Representative: J. Franklin Fricks, Jr. (same address as applicant), (919) 228–2239. Transporting *carpet and carpet padding,* between points in the U.S. under continuing contract(s) with General Felt Industries, Inc., of Saddle Brook, NJ.

MC 161477, filed April 13, 1982, previously noticed in the Federal Register issue of April 27, 1982, and republished this issue. Applicant: S & R ENTERPRISES, 1056 Mulberry St., Circleville, OH 43113. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215, (614) 464–4103. Transporting (1) *such commodities* as are dealt in or used by department stores, between Jacksonville and Miami, FL, Los Angeles, CA, Atlanta and Savannah, GA, and points in Wayne County, OH, Westmoreland County, PA, and Orange County, CA, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between Columbus, OH, and points in Pickaway County, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Note.—The purpose of this republication is to include the cities in GA in (1) above. When a certificate in this proceeding is issued, the certificate served July 8, 1982 shall be canceled.

Volume No. OP4-292

Decided: August 2, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 59806 (Sub-26), filed July 23, 1982. Applicant: GROSS & HECHT TRUCKING, INC., Box 514, 35 Brunswick Ave., Edison, NJ 08817. Representative: A. David Millner, 7 Becker Farm Rd., P.O. Box Y, Roseland, NJ 07068, (201) 992–2200. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with United Forwarding, Inc., of Omaha, NE.

MC 61796 (Sub-2), filed July 19, 1982. Applicant: BARNES MOVING & STORAGE, INC., Gold Star Highway, Route 184, Mystic, CT 06355. Representative: Gerald A. Joseloff, 410 Asylum St., Hartford, CT 06103, (203) 728–0700. Transporting *household goods,* between points in Windham, New London, and Middlesex Counties, CT, and Kent and Washington Counties, RI, on the one hand, and, on the other, points in ME, VT, NH, MA, CT, RI, NY, NJ, PA, DE, OH, MD, VA, WV, NC, SC, and DC.

MC 96476 (Sub-3), filed July 19, 1982. Applicant: MACOIT CARTAGE COMPANY, 15080 Commerce Dr. N., Dearborn, MI 48120. Representative: Neill T. Riddell, 900 Guardian Bldg., Detroit, MI 48226, (313) 963–3750. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in MI, OH, IN, WI and IL.

MC 106956 (Sub-10), filed July 22, 1982. Applicant: SYLVESTER TRUCKING CO., 7901 Sylvania Ave., Sylvania, OH 43560. Representative: Wilhemina Boersma, 1600 First Federal Bldg., Detroit, MI 48226, (313) 962–6492. Transporting *malt beverages,* between points in Houston County, GA, and Lucas County, OH.

MC 126706 (Sub-13), filed July 12, 1982. Applicant: KLEYSEN TRANSPORT, LTD., 1495 Pembina Highway, Winnipeg, Manitoba, Canada R3T 2C6. Representative: Grant J. Merritt, 4444 IDS Center, 80 S. Eighth St., Minneapolis, MN 55402, (612) 339–4546. Transporting *roofing materials and related products,* between points in WA, on the one hand, and, on the other, those ports of entry on the International Boundary line between the U.S. and Canada.

MC 148036 (Sub-4), filed July 16, 1982. Applicant: RED WING TRANSPORTATION CORPORATION, Box 87, Hwy. 63, Hager City, WI 54104. Representative: Harry P. Strong, Jr., 201 Security Bldg., 2395 University Ave., St. Paul, MN 55114, (612) 645–0511. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 155606 (Sub-1), filed July 21, 1982. Applicant: FICK & SONS, INC., Litchville, ND 58461. Representative: Harold H. Fick (same address as applicant), (701) 762–4447. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in MN, NJ, NC, ND, SC and WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 162896, filed July 12, 1982. Applicant: HOMESTEAD TRAVEL, 7 W. Main St., Hummelstown, PA 17036. Representative: Robert N. Kelley (same address as applicant), (717) 566–3292. As a *broker,* at Hummelstown, PA, arranging for the transportation of *passengers and their baggage,* between points in PA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 163116, filed July 23, 1982. Applicant: TRAIL CAR, INC., P.O. Box 94982; Schaumburg, IL 60194. Representative: Robert L. Cope, Suite 501, 1730 M St., NW., Washington, DC 20036; (202) 296–2900. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in WI, OH, IN, MI, IL, PA, and NJ.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-21453 Filed 8-6-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 285]

Motor Carriers; Permanent Authority Decisions; Restriction Removals

Decided: August 2, 1982.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Canadian Carrier Applicants

In the event an application to transport property, filed by a Canadian domiciled motor carrier, is unopposed, it will be reopened on the Commission's own motion for receipt of additional evidence and further consideration in light of the record developed in Ex Parte No. MC–157, *Investigation Into Canadian Law and Policy Regarding Applications of American Motor Carriers For Canadian Operating Authority.*

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with the criteria set forth in 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Shaffer, Ewing, and Williams.

Agatha L. Mergenovich,

Secretary.

MC 22425 (Sub-12)X, Filed July 27, 1982. Applicant: CODY EXPRESS, INC., 155 Lenox Street, Norwood, MA 02062. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellesley Hills, MA 02181. Sub 11 certificate. (A) remove restrictions: (1) those of unusual value, (2) commodities requiring special equipment, and (3) those injurious or contaminating to other lading, from authority to transport general commodities (with exceptions); (B) broaden: (1) Boston, Needham, Dedham, Canton, Sharon, Foxboro, Mansfield, Norton, Attleboro, Newton, Dover, Sherborn, Holliston, Milford, Norwood, Walpole, Wrentham, Plainville, North Attleboro, South Attleboro, Westwood, Medfield, Millis, Medway, West Medway, North Bellingham, Franklin, and Caryville, MA to (Bristol, Essex, Middlesex, Norfolk, Plymouth, Suffolk, and Worcester Counties, MA), irregular route (2) Boston and Canton, MA to (Bristol, Essex, Middlesex, Norfolk, Plymouth, and Suffolk Counties, MA),

irregular route, and (3) Sharon and Foxboro, MA to (Bristol and Norfolk Counties, MA), off route points on regular route.

MC 116073 (Sub-387)X, Filed July 26, 1982. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 2910 University Drive South, Fargo, ND 58103. Representative: Paul D. Borghesani, 300 Communicana Bldg., 421 South Second St., Elkhart, IN 46516. Sub 378 certificate: (1) broaden to "transportation equipment," from motor homes, travel trailers, van conversions, campers, and recreational vehicles; and (2) replace one-way service with radial authority.

MC 134113 (Sub-11)X, filed June 28, 1982. Applicant: HI-BALL TRUCKING, INC., P.O. Box 1117, Billings, MT 59103. Representative: Joe Gerbase, 100 Transwestern I Bldg., Billings, MT 59101. Subs 1, 4, 5, 6, 7, 8, and 9 certificates, and E–1 letter notice: Broaden to (A) (Sub 1) "metal products" from iron and steel articles; (B) (Sub 4—Part A) (1) "size and weight commodities (except mercer commodities) and (2) "contractors' materials and supplies" from (a) commodities (except mercer commodities) the transportation of which, because of their size or weight, require the use of special equipment, and related contractors' materials and supplies, when their transportation is incidental to the transportation of commodities, the transportation of which by reason of size or weight require special equipment, paragraph 2; (b) commodities, the transportation of which, because of their size or weight, require the use of special equipment, and related contractors, materials and supplies when their transportation is incidential to the transportation of such commodities, paragraph 6; (2) "food and related products tobacco products, textile mill products, lumber and wood products, pulp, paper and related products, printed matter, chemicals and related products, rubber and plastic products, leather and leather products, ores and minerals, clay, concrete, glass or stone products, metal products" from groceries, paragraph 7; (3) "farm products" from livestock, paragraph 8; and livestock and mill feed, paragraph 9; (4) "ores and minerals, clay, concrete, glass or stone products" from (a) clay products, paragraph 1; (b) raw and processed bentonite and baroid in bulk or packages, paragraph 3; and (c) clay, products, including bentonite, paragraph 4; (5) "coal and coal products" from coal, paragraph 5; (6) "forest products" from rough lumber and logs, paragraph 11; (7) "farm products, forest products, food and related products, lumber and wood products, clay, concrete, glass or stone products, metal products, building materials" from mill feed, hay, heavy hardware, cotton cake, grain, salt, fencing material, and building materials, paragraph 10; (8) "farm products, forest products, food and related products, lumber and wood products, clay, concrete, glass or stone products, metal products, from hardware, cement, livestock, poultry feed, seeds and grain, paragraph 12; (9) "leather and leather products" from wool hides and pelts, paragraph 13; (C) (Sub 4—Part B) (1) "mercer commodities" from (a) oilfield equipment and supplies, paragraph 1; (b) oilfield machinery, equipment and supplies, paragraph 2; (c) and machinery, equipment, materials and supplies used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipelines, except the stringing or picking up of pipe in connection with main or trunk pipelines, paragraph 5; (2) "ores and minerals, forest products, petroleum, natural gas and their products, foods and related products, textile mill products, lumber and wood products, furniture and fixtures, chemicals and related products, rubber and plastic products, clay, concrete, glass or stone products, metal products, machinery, transportation equipment, instruments and photographic goods, building materials, pulp, paper and related products, printed matter, waste or scrap materials" from machinery or machines and parts thereof, and materials, equipment and supplies, in connection therewith, used in the operation repair, servicing, maintenance and dismantling of bakeries, dairy, creamery and cheese manufacturing plants, ice manufacturing or refrigeration plants, laundry and dry cleaning establishments (other than household) and milling operations, requiring special equipment, forest products, lumber and lumber products, iron and steel products, airplane engines and parts, wrecked motor vehicles, railroad equipment, material and supplies, refrigeration and cooling equipment, safes, vaults and parts thereof, requiring special equipment and buildings, fabricated or portable electrical appliances, materials and parts, electric poles, telephone and telegraph poles and pole line equipment, elevating and hoisting machinery and equipment, ore milling and smelting equipment, road building equipment, materials and supplies, rock and stone crushers and parts, and telephone, telegraph and electric lines, cables, appliances equipment and parts, including the stringing and picking up thereof, paragraph 4; (D) (Sub 5) "rubber and plastic products" from rubber and rubber products; (E) (Sub 6) "forest products and lumber and wood products" from forest products, lumber, and lumber products; (F) (Sub 7) "metal products" from iron and steel articles; (G) (Sub 8) "forest products and lumber and wood products" from poles, posts and treated lumber; (H) (Sub 9) "lumber and wood products" from particle board; (I) (Sub E–1) (1) "metal products" from iron and steel products, paragraph 1; (2) "commodities which because of their size and weight, require the use of special equipment" from machinery or machines and parts thereof and materials, equipment and supplies in connection therewith, used in the operation, repair, servicing, maintenance and dismantling of bakeries, dairy, creamery, and cheese manufacturing plants, ice manufacturing or refrigeration plants, laundry and dry cleaning establishments (other than household) and milling operations, requiring special equipment, forest products, lumber and lumber products, iron and steel products, airplane engines and parts, wrecked vehicles, railroad equipment, materials and supplies, refrigeration and cooling equipment, safes and vaults and parts thereof, and buildings, fabricated or portable, electrical appliances, materials and parts, electrical poles, telephone and telegraph poles and pole line equipment, elevating and hoisting machinery and equipment, road building equipment, material and supplies, rock and stone crushers and parts and telephone, telegraph and electrical lines, cables, appliances, equipment and parts, including the stringing and picking up thereof, the transportation of which, because of their size and weight, require the use of special equipment, paragraph 2; (3) "mercer commodities" from oilfield machinery, the transportation of which, because of their size and weight, require the use of special equipment, and equipment and supplies when their transportation is incidental to the transportation of such commodities, paragraph 4; (4) "ores and minerals, forest products, petroleum, natural gas and their products, food and related products, textile mill products, lumber and wood products, furniture and fixtures, chemicals and related products, rubber and plastic products, clay, concrete, glass or stone products, metal

products, machinery, transportation equipment, instruments and photographic goods, building materials, pulp, paper and related products, printed matter, waste or scrap materials" from machinery or machines and parts thereof, and materials, equipment and supplies in connection therewith, used in the operation, repair, servicing, maintenance, and dismantling of bakeries, dairy, creamery, and cheese manufacturing plants, ice manufacturing or refrigeration plants, laundry and dry cleaning establishments (other than household), and milling operations, requiring special equipment; forest products, lumber and lumber products, iron and steel products, airplane engines and parts, wrecked motor vehicles, railroad equipment, materials and supplies, refrigeration and cooling equipment, safes, vaults and parts thereof; and buildings, fabricated or portable, electrical appliances, material and parts, electrical poles, and pole line equipment, elevating and hoisting machinery and equipment, mining, ore milling and smelting machinery and equipment, road building equipment, materials and supplies, rock and stone crushers and parts, and telephone, telegraph, and electrical lines, cables, appliances, equipment and parts, including the stringing and picking up thereof, the transportation of which, because of their size and weight, require the use of special equipment (the materials and supplies mentioned in (5) above may be transported when their transportation is incidental to the transportation of their related principal commodities) paragraph 5; Remove the (A) "size or weight" restrictions, Sub E–1, paragraph 4; (B) "special equipment" restrictions, Sub 4—Part B, paragraph 4 and Sub E–1 paragraph 2; (C) "originating at and destined to" restrictions, Sub 6; (D) territorial restriction prohibiting the transportation of traffic between named points within specified mileage radii, and from/to named cities and counties, such as in Sub 4—Part A, and E–1: (1) between Belle Fourche, SD, and points in WY, MT, and NE, within 300 miles of Belle Fourche, SD (but not including points in MT and WY, within 200 miles of Belle Fourche); (2) between points in MT, SD, and WY, and points within 500 miles of Belle Fourche, SD, including Belle Fourche (except from Rapid City, SD, to points in 18 specified counties in MT, and from Belle Fourche to points in MT and WY, within 200 miles thereof); Broaden to county-wide authority: (A) (Sub 1) Pueblo County, CO (facilities—Pueblo); (B) (Sub 4—Part A) (1) Butte County, SD, and NE in and west of Knox, Holt, Garfield, Custer, Lincoln, Hayes, and Chase Counties, NE; Goshen, Laramie, Platte, Albany, Carbon, Natrona, Sweetwater, Fremont, Sublette, Washakie, Hot Springs, Park and Big Horn Counties, WY; and Big Horn, Carbon, Park, Sweet Grass, Wheatland, Stillwater, Yellowstone, Treasure, Rosebud, Musselshell, Golden Valley, Fergus, Petroleum, Garfield, Phillips, Valley, Prairie, McCone, Dawson, Richland, Daniels, Roosevelt and Sheridan Counties, MT (Belle Fourche, SD, and points in WY, MT, and NB, within 300 miles of Belle Fourche, SD), paragraph 1; (2) ND in and west of Bottineau, Pierce, Benson, Eddy, Foster, Stutsman, Barnes, Ransom, and Sargent Counties, ND; SD in and west of Marshall, Day, Clark, Kingsbury, Miner, Hanson, Hutchinson and Bon Homme Counties, SD, WY, in and east of Sweetwater, Sublette, Fremont and Park Counties, WY; and MT in and east of Park, Sweet Grass, Wheatland, Fergus, Phillips and Valley Counties, MT (points in SD, WY, MT, and ND, within 300 miles of Belle Fourche, SD, including Belle Fourche), paragraph 2; (3) ND, SD, WY, CO, NB, and MT in and east of Flathead, Lake, Sanders, Missoula, Ravalli and Beaverhead Counties, MT; ID in and east of Lemhi, Custer, Blaine, Minidoka, Lincoln and Cassia Counties, ID; UT in and east of Box Elder, Tooele, Utah, Sanpete, Emery and San Juan Counties, UT; KS in and north of Morton, Stevens, Haskell, Gray, Ford, Edwards, Stafford, Rice, Ellsworth, Saline, Ottowa, Clay, Pottawatomie and Marshall Counties, KS; IA in and west of Fremont, Montgomery, Cass, Audubon, Greene, Webster, Humboldt and Kossuth Counties, IA; and MN in and west of Faribault, Blue Earth, Le Sueur, Scott, Carver, Wright, Sherburne, Benton, Morrison, Crow Wing, Cass, Beltrami, and Lake of the Woods Counties, MN (points within 500 miles of Belle Fourche, SD, including Belle Fourche), paragraph 3; (4) Butte County, SD, and points in Crook, Campbell, Sheridan, Johnson, Big Horn, Washakie, Natrona, Converse, Niobrara, Weston, Goshen, Platte, Albany and Carbon Counties, WY, and Custer, Powder River, Rosebud, Big Horn, Yellowstone, Garfield, Treasure, Carter, Fallon, Prairie, McCone, Wibaux, Dawson and Richland Counties, MT (Belle Fourche, SD, and points in that part of MT and WY, within 200 miles of Belle Fourche), paragraph 4; (5) Campbell and Crook Counties, WY, and points in Sioux, Box Butte, Dawes, Sheridan and Cherry Counties, NE; SD in and west of Bennett, Mellette, Jones, Stanley, Dewey and Carson Counties, SD; Sioux, Grant, Stark, Billings, Golden, Slope, Hettinger, Valley, Bowman and Adams Counties, ND; Wibaux, Prairie, Custer, Rosebud, Big Horn, Powder River, Carter and Fallon Counties, MT; and Sheridan, Campbell, Crook, Weston, Niobrara, Converse and Johnson Counties, WY (Gillette and Sundance, WY, Belle Fourche, SD, and points within 150 miles of Belle Fourche), paragraph 5; (6) Crook and Weston Counties, WY; Carter County, MT; and Butte, Harding, Meade, Lawrence and Pennington Counties, SD (points in MT, SD, and WY, within 50 miles of Belle Fourche, SD, including Belle Fourche), paragraph 6; (7) Butte County, SD, and Carter County, MT (Belle Fourche, SD; Albion, Capitol and Ridgeway, MT, and points within 20 miles of each), paragraph 7; (8)(a) Sioux, Box Butte, Dawes, Sheridan and Cherry Counties, NE, SD in and west of Bennett, Mellette, Jones, Stanley, Dewey and Carson Counties, SD; Sioux, Grant, Stark, Billings, Golden, Slope, Hettinger, Valley, Bowman and Adams Counties, ND; Wibaux, Prairie, Custer, Rosebud, Big Horn, Powder River, Carter and Fallon Counties, MT; and Sheridan, Campbell, Crook, Weston, Niobrara, Converse and Johnson Counties, WY; points in Woodbury County, IA; and Butte, Beadle, Davison, Pennington, Minnehaha and Ledington Counties, SD (Belle Fourche, SD, and points within 150 miles thereof; Sioux City, IA, and Belle Fourche, Huron, Mitchell, Rapid City, Sioux Falls, and Watertown, SD) and (b) Adams, Arapahoe and Jefferson Counties, CO (Denver), paragraph 8; (9) Adams, Arapahoe and Jefferson Counties, CO (Denver), paragraph 9; (10) Butte County, SD, and points in Sioux, Grant, Stark, Billings, Golden, Slope, Hettinger, Valley, Bowman and Adams Counties, ND; Wibaux, Prairie, Custer, Rosebud, Big Horn, Powder River, Carter and Fallon Counties, MT; Sheridan, Campbell, Crook, Weston, Niobrara, Converse and Johnson Counties, WY; Woodbury County, IA; and Butte, Beadle, Davison, Pennington, Minnehaha and Ledington Counties, SD (Belle Fourche, SD, and points within 150 miles thereof), paragraph 10; (11) Crook County, WY, and Pennington County, SD (Hulett, WY, and points within 10 miles thereof; Sundance, WY, and points within 20 miles thereof; and Rapid City, SD, and points within 5 miles thereof), paragraph 11; (12) Pennington County, SD, and Crook County, WY (Rapid City, SD, and points within 5 miles thereof; and the WY origin points specified in paragraph 11), paragraph 12; (13) Wibaux, Prairie, Custer, Big Horn, Powder River, Carter,

and Fallon Counties, MT; Sheridan, Campbell, Crook, Weston, Niobrara, Converse and Johnson Counties, WY, and Butte County, SD (points in that part of MT and WY, within 150 miles of Belle Fourche, SD, and Belle Fourche, SD), paragraph 13; (C) (Sub 5) Multnomah County, OR, and Yellowstone County, MT (plant sites—Portland, OR, and Billings, MT); (D) (Sub 7) Pueblo County, CO (facilities—Pueblo); (E) (Sub 8) Whatsom County, WA (Bellingham); (F) (Sub 9) Pierce and Cowlitz Counties, WA (Tacoma and Longview); Kootenai County, ID (Post Falls); and Yellowstone County, MT (Laurel); and (G) (Sub E-1) (1) ND in and west of Bottineau, Pierce, Benson, Eddy, Foster, Stutsman, Barnes, Ransom and Sargent Counties, ND; SD in and west of Marshall, Day, Clark, Kingsbury, Miner, Hanson, Hutchinson and Bon Homme Counties, SD, WY, in and east of Sweetwater, Sublette, Fremont and Park Counties, WY; and MT in and east of Park, Sweet Grass, Wheatland, Fergus, Phillips and Valley Counties, MT (points in SD, WY, MT, and ND, within 300 miles of Belle Fourche, SD, including Belle Fourche), paragraph 2; (2) Butted), Harding, Meade, Lawrence and Pennington Counties, SD (points in SD within 50 miles of Belle Fourche, SD, including Belle Fourche) paragraph 3; and (3) SD in and west of Marshall, Day, Clark, Kingsbury, Miner, Hanson, Hutchinson and Bon Homme Counties, SD (points in SD, within 50 miles of Belle Fourche, including Belle Fourche), paragraph 4 and 5. Broaden to radial authority, Subs 1, 4 (in part), 5, 6, 7, 8, 9 and E-1 (part 1).

MC 134449 (Sub-11)X, filed July 21, 1982. Applicant: LESTER V. MOZNIK, 14730 66th Ave., Surrey, B.C., Canada V3S 1Z9. Representative: Michael D. Duppenthaler, 211 S. Washington St., Seattle, WA 98104. Subs 2, 4, 6, 8, and 10 permits: broaden commodity description in Subs 2, 4, and 6 from kitchen cabinets and countertops to "furniture and fixtures" in Sub 8 from plastic camper canopies and parts to "rubber and plastic products"; and in Sub 10 from pretzels to "food and related products"; and (2) broaden territorial description to between points in the U.S. under continuing contract(s) with a named shipper.

MC 138643 (Sub-8)X, filed June 25, 1982. Applicant: MAKOVSKY BROTHERS, INC., 5202 Spring Mill Rd., Whitehall, PA 18052. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. Subs 5 and 6: (1) broaden limestone, in bulk, in dump vehicles to "ores and minerals", Sub 5 and industrial rock salt, in bulk to "salt", Sub 6; (2) remove the facilities limitation, Subs 5 and 6; (3) change one-way to radial authority, Subs 5 and 6; and (4) replace cities with county-wide authority: Oxford, NJ (Warren County) and Bath, PA (Northampton County), Sub 5, and Lower Nazareth Township, PA (Northampton County), Sub 6.

MC 142332 (Sub-8)X, filed July 28, 1982. Applicant: R-LIL TRUCK COMPANY, INC., 900 Easy St. W., Camano Island, WA 98292. Representative: Michael D. Duppenthaler, 211 S. Washington St., Seattle, WA 98104. Sub 7 permit. Broaden: horsemeat, in vehicles equipped with mechanical refrigeration, to "food and related products"; and materials and supplies used in manufacture of grinding products (except in bulk, in tank vehicles), to "clay, concrete, glass or stone products and materials and supplies used in the manufacture of grinding wheels"; to between points in the U.S. under continuing contract(s) with named shippers; and remove restrictions to transportation of traffic destined to Montreal, Quebec, and Toronto, Ontario, Canada.

MC 146288 (Sub-4)X, filed July 21, 1982. Applicant: AIR-SERVICE CONSOLIDATORS TRANSPORT, INC., 700 Trolly Blvd., Rochester, NY 14606. Representative: Michael R. Werner, 241 Cedar Lane, Teaneck NJ 07666. Sub-No. 2F permit: (1) broaden (A) copying and duplicating machines, and materials, equipment and supplies for copying and duplicating machines, in containers and (b) accessories, materials, and supplies used in the manufacture, installation, lease, sale and distribution of copying and duplicating machines, in containers, to "machinery," to "machinery and supplies, instruments, photographic goods or optical goods, chemicals or allied products, and pulp, paper, or allied products, and materials, equipment and supplies used in the manufacture, installation, lease, sale, and distribution thereof"; (2) to between all points in the U.S. under continuing contract(s) with a named shipper; (3) delete restriction limiting transportation to traffic having a prior or subsequent movement by air or water.

MC 148380 (Sub-24)X, filed July 23, 1982. Applicant: CRESCO LINES, INC., 13900 South Keeler Avenue, Crestwood, IL 60445. Representative: Edward G. Bazelon, 29 South La Salle St., Chicago, IL 60603. No. MC-128543 (Sub 26) permit, (1) broaden to "metal products, and machinery, equipment and supplies used in the manufacture and distribution of metal products," from titanium dioxide and metallic ores, and machinery and supplies used in the processing of metallic ores; and (2) change from Nashville, TN to "Palmerton, PA" to correctly reflect shipper's current place of business.

MC 148575 (Sub-1)X, filed July 27, 1982. Applicant: ALUMINUM DISTRIBUTION CO., 1007 Jersey Ave., New Brunswick, NJ 08902. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Lead permit broaden (1) aluminum extrusions, supplies, materials and equipment (except in bulk) used in the production and distribution of aluminum extrusions and scrap aluminim to "metal and metal products" and (2) to between points in the United States (except AK and HI) under continuing contract(s) with named shippers.

MC 148858 (Sub-3)X, filed July 26, 1982. Applicant: DARRELL ANDREWS d.b.a. DARRELL ANDREWS TRUCKING P.O. Box 654, Silver City, NC 27344. Representative: Darrell Andrews (address same as above). Sub 2F: (1) broaden yarn, elastic, and materials used in the manufacture of hosiery, to "textile mill products", and (2) change the territorial description to between points in the U.S., under continuing contract(s) with named shipper.

[FR Doc. 82-21446 Filed 8-6-82; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP1-133]

Motor Carriers; Permanent Authority Decision ; Decision-Notice

Decided: August 2, 1982.

The following operating rights applications, filed on or after July 3, 1980, are filed in connection with pending finance applications under 49 U.S.C. 10926, 11343 or 11344. The applications are governed by Special Rule 252 of the Commission's General Rules of Practice (49 CFR 1100.252).

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Persons submitting protests to applications filed in connection with pending finance applications are requested to indicate across the front page of all documents and letters submitted that the involved proceeding is directly related to a finance application and the finance docket number should be provided. 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. However, the

Commission may have modified the application to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that 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 properly 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 specifically 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 as to the finance application *or* to the following operating rights applications directly related thereto 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 where the application involves duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

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 1, Members Parker, Chandler and Fortier (Fortier not participating in part).

Agatha L. Mergenovich,

Secretary.

MC 163011, filed July 19, 1982. Applicant: C & D TRANSPORTATION, INC., 8069 Farview Oval, Brecksville, OH 44141. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215, (614) 228–1541. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Woodhill Permatex, Inc., of Solon, OH.

Note.—This application is directly related to MC–F–14910, published in the same Federal Register issue.

[FR Doc. 82–21449 Filed 8–6–82; 8:45 am]
BILLING CODE 7035–01–M

[Volume No. OP1–132]

Motor Carriers; Permanent Authority Decision; Decision-Notice

Decided: August 2, 1982.

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the Federal Register. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of an application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later become unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 1, Members Parker, Chandler and Fortier (Fortier not participating in part).

Agatha L. Mergenovich,

Secretary.

MC–F–14910, filed July 19, 1982. CHARLES B. DIMARCO and F. B. DIMARCO (individuals) (8069 Farview Oval, Brecksville, OH 44141)—continuance in control—C & D TRANSPORTATION, INC. (CDI) (same address as applicant). Representative: A. Charles Tell (100 E. Broad St., Columbus, OH 43215) (614)–228–1541. Dimarco, a non-carrier, seeks authority to continue in control of CDI, upon the institution of operations, in interstate or foreign commerce. Dimarco, sole stockholders of CDI seek authority to acquire control of said operating rights and property through the transaction. Dimarco also controls Motorfrate Dispatch, Inc. (MDI). MDI holds motor common authority in Docket MC–55778 and various sub numbers thereunder.

Note.—CDI has filed as a directly related application its initial contract carrier application. This application, docketed No. MC–163011 is published in the same Federal Register issue.

[FR Doc. 82–21448 Filed 8–6–82; 8:45 am]

BILLING CODE 7035–01–M

[Volume No. OP–5–160]

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 noticed in the Federal Register.

An original and one copy of petition for leave to intervene must be filed with the Commission within 30 days after the date of this Federal Register notice addressing specifically the issue(s) indicated as the purpose for republication.

Agatha L. Mergenovich,

Secretary.

MC 159038 (republication), filed October 29, 1981, published in the Federal Register issue of November 23, 1981, and republished this issue. Applicant: DANIEL K. FISK, d.b.a. DAN-A-WAY CHARTER LINE, 304 West 1st Ave., Coal Valley, IL 61240. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309, 515–282–3525. A decision of the Commission, Administrative Law Judge, Earl S. Dowell, decided June 9, 1981, and served June 14, 1982, finds that the present and future public convenience and necessity require operations by applicant in interstate of foreign commerce as a *common carrier,* by motor vehicle, over irregular routes, transporting *passengers and their baggage,* in the same vehicle with passengers, (1) in round-trip special and charter operations beginning and ending at points in Bureau, Carroll, Fulton, Henderson, Henry, Knox, Lee, Marshall, McDonough, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Warren, and Whiteside Counties, IL, and Cedar, Clinton, Des Moines, Henry, Jackson, Johnson, Jones, Louisa, Muscatine, Scott, and Washington Counties, IA, and extending to points in the United States, and (2) in charter operations, between the facilities utilized by Deere & Company at points in Illinois, Iowa, Minnesota, and Wisconsin, on the one hand, and, on the other, points in Illinois, Iowa, Minnesota, and Wisconsin, that applicant is fit, willing, and able properly to perform such service and conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate the applicant's actual grant of authority.

[FR Doc. 82–21451 Filed 8–6–82; 8:45 am]

BILLING CODE 7035–01–M

Motor Carrier Temporary Authority Application; Important Notice

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–191

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 154316 (Sub-1–1TA), filed July 23, 1982. Applicant: ATLANTIC TRUCKING, INCORPORATED, 15 Coachman Drive, Brandford, CT 06405. Applicant's representative: William E. Hitchcock III, President (same as applicant). *Contract carrier:* irregular routes: *Steel wire rods, wire products, factory supplies* between North Haven, CT and points in NY, NJ, PA, NH, MA, VT, RI, MD, and DE, under continuing contract(s) with Universal Wire Products Inc., North Haven, CT. Supporting shipper: Universal Wire Products, Inc., 222 Universal Drive, North Haven, CT.

MC 134806 (Sub-1–34TA), filed July 16, 1982. Applicant: B–D–R TRANSPORT, INC., Vernon Drive, P.O. Box 1277, Brattleboro, VT 05301. Representative: Edward T. Love, 4401 East West Highway, Suite 404, Bethesda, MD 20814. *Contract carrier:* irregular routes: *Cast iron stoves and accessories,* between Boyertown, PA, on the one hand, and, on the other, Denver, CO, Truckee and Richmond, CA, and Portland, OR, under continuing contract(s) with Cawley Stove Company, Inc., Boyertown, PA. Supporting shipper: Cawley Stove Company, Inc., 27 Washington Street, Boyertown, PA 19512.

MC 147621 (Sub-1–4TA), filed July 21, 1982. Applicant: BEE–JAY TRANSPORTATION INC., 1576 Hart Street, P.O. Box 21A, Rahway, NJ 07065. Representative: Henry J. Capro, Esq., 1585 Morris Avenue, Union, NJ 07083. *Contract carrier:* irregular routes: *Products for industrial cleaning and raw materials in the manufacture thereof,* from NJ to Birmingham, AL, Los Angeles, CA, Denver, CO, Tampa, FL, Atlanta, GA, Chicago, IL, Wichita, KS, New Orleans, LA, Romulus, MI, Kansas City, MO, Memphis, TN, Houston, TX, under continuing contract(s) with Oakite, Inc. of Berkeley Heights, NJ. Supporting shipper: Oakite Products, Inc., 50 Valley Road, Berkeley Heights, NJ 07922.

MC 15638 (Sub-1–1TA), filed July 19, 1982. Applicant: ARTHUR T. BROWN, JR., Route 40, R. D. No. 2, Monroeville, NJ 08343. Representative: Daniel B. Johnson, 4304 East-West Highway, Bethesda, MD 20814. *Baskets, hampers, wooden boxes and crate material* from Hertford County, NC, to VA, MD, DE and NJ. Supporting shipper: Georgia Pacific Corporation, Southern Division, P.O. Box 1808, Augusta, GA 30903.

MC 87451 (Sub-1–30TA), filed July 22, 1982. Applicant: CARGO TRANSPORT, INC., Sterling Road, P.O. Box 31, N. Billerica, MA 01862–0031. Representative: Samuel A. Bithoney, Jr. (same as applicant). *Metal products and materials, equipment, and supplies used in the manufacture, sale and distribution thereof (except*

commodities in bulk, household goods as defined by the Commission, and Classes A and B explosives), between Gloucester City, NJ, Houston, TX, Wilmington, NC, and Gary, IN, on the one hand, and, on the other, points and places in the U.S. (except AK & HI). Supporting shipper: Roll Form Products, 140 Federal Street, Boston, MA 02110.

MC 144102 (Sub-1–2TA), filed July 21, 1982. Applicant: DEAKIN FINE ART TRANSPORT LIMITED, 291 Lakeshore Boulevard East, Toronto, Ontario, CD M5A 1B9. Representative: Robert D. Gunderman, Esq., Can-Am Building, 101 Niagara Street, Buffalo, NY 14202. *Fine art objects and original works of art (except in armored vehicles)* between points in CT, NJ, and NY. Supporting shipper: The Greenwich Workshop, 30 Lindeman Drive, Trumbull, CT 06611.

MC 148632 (Sub-1–6TA), filed July 26, 1982. Applicant: DIXON MOTOR FREIGHT, INC., 2620 Old Egg Harbor Road, Lindenwold, NJ 08021. Representative: Gary V. Dixon (same as applicant). *Merchandise sold in department stores* between points in and east of ND, SD, NE, KS, OK and TX. Supporting shipper: Gaylords National Corporation, 10 Enterprise Avenue, Secaucus, NJ 07094.

MC 148849 (Sub-1–5TA), filed July 22, 1982. Applicant: EQUITABLE BAG CO., INC., 45–50 Van Dam Street, Long Island City, NY 11101. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract carrier:* irregular routes: *General commodities (except Classes A and B explosives, household goods, and commodities in bulk),* between points in the U.S. (except AK and HI). Supporting shipper: Eagle Manufacturing Co., 24th & Charles Sts., Wellsburg, WV 26070.

MC 158361 (Sub-1–2TA), filed July 22, 1982. Applicant: GFC TRUCKING CORP., W. 100 Century Road, Paramus, NJ 07652. Representative: D. Weintraub (same as applicant). *Contract carrier:* irregular routes: *Plastic or rubber articles or material, Foam, Cellular, Expanded or Sponge,* (1) from La Porte County, IN to points in PA, under continuing contract(s) with G & T Industries, Lancaster, PA; (2) from Bergen County, NJ to points in PA, under continuing contract(s) with T.P.I. Industries, Carlstadt, NJ. Supporting shipper(s): G & T Industries, 1821 Colonial Village Lane, Lancaster, PA 17601; T.P.I. Industries, 400 Gotham Parkway, Carlstadt, NJ 07072.

MC 128798 (Sub-1–4TA), filed July 19, 1982. Applicant: GALASSO TRUCKING, INC., 8 Kilmer Road, Larchmont, NY 10538. Representative: Larsh B. Mewhinney, Esq., Moore, Berson, Lifflander & Mewhinney, 555 Madison Avenue, New York, NY 10022. *Contract carrier:* irregular routes: *Carpet and padding* between points in the U.S. (except AK and HI), under continuing contract(s) with General Felt Industries, Saddle Brook, NJ 07662. Supporting shipper: General Felt Industries, Park 80 Plaza West, Saddle Brook, NJ 07662.

MC 139579 (Sub-1–4TA), filed July 19, 1982. Applicant: GEORGE H. GOLDING INC., 5879 Marion Drive, Lockport, NY 14094. Representative: Norman Goldstein (same as applicant). *Contract carrier:* irregular routes: *Food, and related products,* between points in AL, CT, DC, FL, GA, IL, IN, KY, MA, ME, MD, MI, MD, NH, NJ, NY, NC, OH, PA, RI, SC, TX, VT, VA, WV, and WI, under continuing contract(s) with Hunt Wesson Foods Inc., of Fullerton, CA. Supporting shipper: Hunt Wesson Foods Inc., 1645 W. Valencia Drive, Fullerton, CA 92633.

MC 145262 (Sub-1–2TA), filed July 23, 1982. Applicant: M. H. HEATON, INC., 92 Main Street, Salem, NH 03079. Representative: Frank M. Cushman, 5 Carbrey Avenue, Sharon, MA 02067. *Contract carrier:* irregular routes: *General commodities (except Classes A and B explosives, hazardous waste, household goods as defined by the Commission, and commodities in bulk),* between all points in the 48 contiguous U.S. (except AK & HI) under continuing contract(s) with AAA Cargo Brokers, Inc., Sharon, MA. Supporting shipper: AAA Cargo Brokers, Inc., 36 South Main Street, Sharon, MA 02067.

MC 156939 (Sub-1–1TA), filed July 19, 1982. Applicant: KANATA CARRIERS, INC., 2203 Dunwin Drive, Mississauga, Ontario, CD L5L 1X2. Representative: Ronald N. Cobert, Suite 501, 1730 M Street, NW., Washington, DC 20036. *Contract Carrier:* irregular routes: *General commodities (except hazardous wastes, Classes A and B explosives, household goods and commodities in bulk),* between points in IL, IN, MI, OH, PA, MD, DE, NJ, NY, WI, CT, RI, MA, NH, VT, ME, and DC, under continuing contract(s) with Interamerican Transport Systems, Inc., Mississaugua, Ontario, CD. Supporting shipper: Interamerican Transport Systems, Inc., 2203 Dunwin Drive, Mississauga, Ontario, CD L5L 1X2.

MC 162968 (Sub-1–1TA), filed July 19, 1982. Applicant: LEE TRANSPORT, INC., R.D. 1, Box 520, Elmer, NJ 08318. Representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth Street NW., Washington, DC 20005. *Petroleum and petroleum products, in bulk,* between Philadelphia, PA, Paulsboro, NJ, and Wilmington, DE, and points in their respective commercial zones, on the one hand, and, on the other, points in PA, NJ and DE. Supporting shipper: South Jersey Fuel, Inc., Woodbury Fuel & Supply Co., Woodbury, NJ 08096.

MC 147573 (Sub-1–4TA), filed July 16, 1982. Applicant: OAK ISLAND EXPRESS, 2 Sixth Street, Jersey City, NJ 07302. Representative: Peter Wolff, 722 Pittston Avenue, Scranton, PA 18505. *Contract Carrier:* irregular routes: *General commodities (except Classes A and B explosives, commodities in bulk and household goods)* between Jersey City, NJ on the one hand, and, on the other, points in CT, ME, MA, NH, NJ, NY, PA, RI, VT and Kansas City, MO, under continuing contract(s) with Kansas City Shippers Association, Kansas City, MO. Supporting shipper: Kansas City Shippers Association, 1701 St. Louis Avenue, Kansas City, MO 64101.

MC 135069 (Sub-1–4TA), filed July 26, 1982. Applicant: ROCKAWAY TRUCKING, INC., Route 46, P.O. Box 45, Rockaway, NJ 07866. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. *Contract Carrier:* irregular routes: *Steel, including materials, equipment and supplies* between points in Columbus and Monroe, OH, Louisville, KY, Chicago, IL, Rockhill, SC, Baltimore, MD and Claymore, OK, including their respective commercial zones, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, AR and TX, under continuing contract(s) with Worthington Steel Company, Inc., Columbus, OH. Supporting shipper: Worthington Steel Company, Inc., 1127 Dearborn Drive, Columbus, OH 43085.

The following applications were filed in Region 2. Send Protests to: ICC, FED. RES. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 107012 (Sub-II–229–TA), filed July 26, 1982. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Gerald A. Burns (Same as applicant). Contract irregular: *General commodities (except household goods, classes A & B explosives, and commodities in bulk)* between points in the U.S., under continuing contract(s) with the Foxboro Company, of Foxboro, MA for 270 days. Supporting shipper: The Foxboro Company, 38 Neponset Avenue, Foxboro, MA 02035.

MC 154214 (Sub-II–2TA), filed July 28, 1982. Applicant: VO CONCRETE PIPE AND PRODUCTS, INC., d.b.a. VO CON, 2018 Stefko Blvd., Bethlehem, PA 18017. Representative: Richard A. Carr, 3015 Lindberg Ave., Allentown, PA 18103.

Malt beverages and materials and supplies used in the production and sale of malt beverages (except in bulk) between Hillsborough County, FL; Wayne Co, MI; Forsyth Co, NC; Lehigh Co, PA; Selby Co, TN, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, AR and LA. An underlying ETA seeks 120 days authority. Supporting shipper(s): The F. & M. Schaefer Brewing Co., Allentown, PA.

MC 163174 (Sub-II–1TA), filed July 28, 1982. Applicant: DOUBLE R. ENTERPRISES, Div. of ROSTAN CORPORATION, 221 Grove St., P.O. Box 230, New Castle, PA 17123. Representative: Dwight L. Koerber, Jr., 110 N. Second St., P.O. Box 1320, Clearfield, PA 16830. Contract, irregular: *vitamins* between Greenville, SC and Pittsburgh, PA, under continuing contract(s) with GNC Corp. An underlying ETA seeks 120 days authority. Supporting shipper(s): GNC Corp., 3125 Preble Ave., Pittsburgh, PA 15233.

MC 163159 (Sub-II–1TA), filed July 28, 1982. Applicant: MIMCO TRANSPORTATION COMPANY, 3100 Marwin Ave, Bensalem, PA 19020. Representative: Sander M. Bieber, Suite 1100, 1730 Pennsylvania Ave. NW, Washington, DC 20006. *Food products* (1) between points in NY, on the one hand, and on the other, points in Bucks and Montgomery Counties, PA and the Philadelphia commercial zone; and (2) between points in Middlesex County, NJ, on the one hand, and, on the other, points in the Pittsburgh commercial zone, Franklin County, OH, NY and MI. Supporting shippers: Busch Industrial Products Corp., 10877 Walson Road, St. Louis, MO; Crowley Foods, Inc., 145 Conklin Ave, Binghamton, NY 13902.

MC 146807 (Sub-II–30TA), filed July 28, 1982. Applicant: S n W ENTERPRISES, P.O. Box 1131, Wilkes Barre, PA 18701. Representative: Peter Wolff, 722 Pittston Ave., Scranton, PA 18505. *Plastic and Plastic Products* between Pottsville, PA on the one hand, and, on the other, Boston and Springfield, MA; Providence, RI and Kirkland, WA. An underlying ETA seeks 120 days authority. Supporting shipper(s): Exxon Chemical Americas, P.O. Box 395, Pottsville, PA 17901.

MC 112539 (Sub-II–2TA), filed June 26, 1982. Applicant: PERCHAK TRUCKING, INC., P.O. Box 811, Hazleton, PA 18201. Representative: Joseph A. Keating Jr., 121 S. Main St., Taylor, PA 18517. *Brick and brick products,* between Berks, York, Northumberland, Clearfield, Luzerne, Adams, and Jefferson Counties, PA, Clay County, IN, Cleveland County, NC and Tuscarawas County, OH, on the one hand, and, on the other, points in NY. Supporting shipper: Kings Material Co., Inc., 3705 15th Ave., Brooklyn, NY 11218.

MC 163028 (Sub-II–1TA), filed July 26, 1982. Applicant: JASON ENTERPRISES, INC., P.O. Box 116, Vinton, VA 24179. Representative: Michael S. Ferguson, 1919 Electric Road SW., Roanoke, VA 24018. *Contract; irregular:* (1) New & used construction, mining & industrial equipment & machinery & the parts and components thereof between points in the U.S. (except AK & HI), under continuing contract with Shelton-Witt Equipment Corp. An underlying ETA seeks 120 days authority. Supporting shipper: Shelton-Witt Equipment Corp., P.O. Drawer 828, Salem, VA 24153.

MC 141723 (Sub-II–2TA), filed July 20, 1982. Applicant: FEDERALSBURG TRANSIT CO., INC., Davis Mill Pond Road, Federalsburg, MD 21632. Representative: James H. Sweeney, P.O. Box 9023, Lester, PA 19113. *Lumber, lumber products and forest products* between points in Wicomico County, MD on the one hand, and, on the other, points in CT, DE, NJ, NY, PA, VA. An underlying ETA seeks 120 days authority. Supporting shipper: Long Life Treated Wood, Inc., P.O. Box 340, Hebron, MD 21830.

MC 163059 (Sub-II–1TA), filed July 20, 1982. Applicant: MERCER LIMOUSINE SERVICE, INC., Box 192, Bluefield, WV 24701. Representative: Michael F. Gibson, 1438 Main St., Princeton, WV 24740. *Passengers, in special operations,* between Bluefield, WV and points in VA. An underlying ETA seeks 120 days authority. Supporting shipper(s): Norfolk & Western Railway Co., Bluefield, WV.

MC 158923 (Sub-II–2TA), filed July 22, 1982. Applicant: JOHN R. VALENTINO TRUCKING, R.D. #2, Box 9B, Cochranville, PA 19330. Representative: John R. Valentino (same address as applicant). *Such commodities as are dealt in by food business houses and equipment, materials and supplies used in the manufacture, sale and distribution thereof,* between points in CT, RI, MA, ME, VT, NH, OH and IN. Applicant intends to tack this authority with its other authority in MC–158923. An underlying ETA seeks 120 days authority. Supporting shipper(s): Ralston Purina, Camp Hill, PA 17011.

MC 151419 (Sub-II–1TA), filed July 20, 1982. Applicant: GORDON JOHNSON, Box 252, Rt. 2, Fredericktown, OH 43019. Representative: Lewis S. Witherspoon, 2455 N. Star Rd., Columbus, OH 43221. Contract, irregular: *washers and dryers, dishwashers, stoves or ranges, microwave ovens, and waste compactors* between Findlay, OH on the one hand, and, on the other, points in MA, NJ, and NY for 270 days under continuing contract(s) with Whirlpool Corporation, Benton Harbor, MI. An underlying ETA seeks 120 days authority. Supporting shipper: Whirlpool Corporation, Benton Harbor, MI.

MC 148552 (Sub-II–8TA), filed July 20, 1982. Applicant: PAUL E. ACE TRUCKING, INC., 930 Clay Ave., Stroudsburg, PA 18360. Representative: Joseph A. Keating Jr., 121 S. Main St., Taylor, PA 18517. *Metal products and related items,* between Monroe County, PA on the one hand, and, on the other, points in the U.S. (except AK and HI). *Foodstuffs and related items,* between Oswego County, NY, Rockingham County, NC and Dougherty County, GA on the one hand, and, on the other, Lackawanna County, PA. Supporting shipper(s): Royal Bottling Co., Inc., Remington & Elm St., Scranton, PA 18505; Trumatic, Inc., R.D. #2, Box 214, E. Stroudsburg, PA 18360.

MC 152509 (Sub-II–39TA), filed July 22, 1982. Applicant: CONTRACT TRANSPORTATION SYSTEMS CO., 1370 Ontario St., Cleveland, OH 44101. Representative: J. L. Nedrich (same address as applicant). Contract, irregular: *paper, paper products, paper articles, cardboard and pulpboard enclosures,* between points in the U.S. (except AK & HI), under continuing contract(s) with Equitable Bag Co. Supporting shipper(s): Equitable Bag Co., 45–50 Van Dam St., Long Island City, NY 11101.

MC 152509 (Sub-II–40TA), filed July 22, 1982. Applicant: CONTRACT TRANSPORTATION SYSTEMS CO., 1370 Ontario St., Cleveland, OH 44101. Representative: J. L. Nedrich (same address as applicant). Contract, irregular: *waterbeds and related products* between Los Angeles, CA and Lexington, KY, under continuing contract(s) with Hightide Waterbeds. Supporting shipper(s): Hightide Waterbeds, 820 Lane Allen Rd., Lexington, KY 40504.

MC 106956 (Sub-II–2TA), filed July 22, 1982. Applicant: SYLVESTER TRUCKING CO., 7901 Sylvania Ave. Sylvania, OH 43560. Representative: Wilhelmina Boersma, 1600 First Federal Bldg., Detroit, MI 48226. *Malt beverages,* from Perry, GA to Toledo, OH. An underlying ETA seeks 120 days authority. Supporting shipper(s) Great Lakes Distributors, 3928 N. Detroit, Toledo, OH 43612.

MC 162870 (Sub-II–1TA), filed July 20, 1982. Applicant: ROBERT D. HARWELL, d.b.a. SUNNYLAND STAGES, INC. 5335

Heatherdowns Blvd., Toledo, OH 43614. Representative: Gerald P. Wadkowski, 85 E. Gay St. Columbus, OH 43215. *Passengers and their baggage, in charter operations,* between Allen, Huntington, LaGrange Counties, IN; Defiance, Fulton, Allen, Henry, Lucas, Pauling, Van Wert, Williams Counties, OH; and Monroe and Wayne Counties, MI, on the one hand, and, on the other, points in the U.S. (excluding AK & HI), for 180 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): There are eight supporting statements to this application which may be examined at the Philadelphia. Regional office.

This was originally published in **Federal Register** dated June 14, 1982.

MC 86690 (Sub-II–8TA), filed July 28, 1982. Applicant: BOND TRANSFER CO., INC., 1301 Towson St., Baltimore, MD 21230. Representative: Leonard W. Smith, 3rd (same address as applicant). Contract, irregular: *candy, confectionery, not in cartons,* from Brooklyn, NY to points in DE, MD, NJ, NY, PA, VA and DC, under continuing contract(s) with Phoenix Candy Co., Inc. Supporting shipper(s): Phoenix Candy Co., Inc., 170 34th St., Brooklyn, NY. The purpose of republishing this application is to correct the territorial description.

This was originally published in **Federal Register** dated July 6, 1982.

MC 128136 (Sub-II–2TA), filed July 15, 1982. Applicant: FARM & FOREST TRUCK SERVICE, INC., 1646 N. Lincoln Ave., Salem, OH 44460. Representative: Paul D. Collins, 7761 Lakeforest Dr., Richmond, VA 23235. Contract, irregular: *(1) iron or steel, flats, plate or coils,* between points in Butler, Mercer and Westmoreland Counties, PA, on the one hand, and, on the other, points in Halifax County, VA, under continuing contract(s) with Westinghouse Electric Corp., Pittsburgh, PA; *(2) lumber and forest products and materials, supplies and equipment used in the manufacture, sale and distribution of above commodities,* between points in Charlotte County, VA, on the one hand, and, on the other, points in MI, IN, NJ, NY, NC, PA and WV, under cont. contract(s) with Stanley Land & Lumber Corp., Drakes Branch, VA; *(3) lumber and forest products and treated lumber,* (a) between points in Craven County, NC, on the one hand, and, on the other, points in OH, VA and points in PA in and west of U.S. Hwy. 15, and (b) between points in Allegheny County, PA, on the one hand, and, on the other, points in OH, under cont. contract(s) with Sylvania Lumber Co., N. Jackson, OH; and *(4) lumber and forest products,* between points in Halifax County, NC, on the one hand, and, on the other, points in DE, MD, NJ, PA, VA and WV, under cont. contract(s) with Coastal Lumber Co., Weldon, NC. An underlying ETA seeks 120 days authority. Supporting shipper(s): Westinghouse Electric Corp., Gateway Center, Pittsburgh, PA; Stanley Land & Lumber Corp. Drakes Branch, VA; Sylvania Lumber Co., Rosemont Rd, N. Jackson, OH; Coastal Lumber Co., Weldon, NC. The purpose of republishing this application is to correct territorial description which was incorrectly shown in the first publication.

MC 128290 (Sub-II–7–TA), filed July 26, 1982. Applicant: EARL HAINES, INC., P.O. Box 2557, Winchester, VA 22601. Applicant's Representative: Bill R. Davis, Suite 101, Emerson Center, 2814 New Spring Rd., Atlanta, GA 30330. *Kitchen cabinets and materials, equipment, and supplies used in the manufacture, sale, and distribution of kitchen cabinets,* between Berryville and Frederick County, VA on the one hand, and, on the other, points in WV, MD, PA, NJ, NY, DE RI, VT, NH, MA, ME, CT and DC for 270 days. An underlying ETA seeks authority for 120 days. Supporting shipper: Dovetailed Enterprises, Inc., Cameron and Second Streets, Berryville, VA 22611.

MC 98725 (Sub-II–2–TA), filed July 26, 1982. Applicant: ANTHONY LaFACE, d.b.a. LaFACE EXPRESS, 864 River Avenue, Pittsburgh, PA 15212. Representative: Raymond A. LaFace (same as applicant). *General commodities (except Classes A and B explosives, household goods as defined by the Commission and commodities in bulk),* between points in DC, MD, NJ, NY, OH, PA and WV, for 270 days. Supporting shipper: Busy Beaver Building Center Inc., 641 Alpha Drive R.I.D.C. Industrial Park, Pittsburgh, PA 15238; North Coast Distributing Inc., 79 N. Industrial Park, Overlook Drive Bldg. 5, Sewickley, PA 15143; Polycoat Systems, Inc., 79 North Industrial Park, Sewickley, PA 15143.

MC 163035 (Sub-II–1–TA), filed July 26, 1982. Applicant: DICK LAVY, d.b.a. DICK LAVY TRUCKING, 8848 State Route 121, Bradford, OH 45308. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. *Metal products and equipment, materials and supplies* used in the manufacture and distribution of metal products between the facilities of Inland Steel Corporation at or near Greenville, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI) for 270 days. Supporting shipper(s): Inland Steel Corporation, 526 Markwith Ave., Greenville, OH 45331.

The following applications were filed in Region 3. Send protests to: ICC, Regional Authority Center, Room 300, 1776 Peachtree Street, NE., Atlanta, GA 30309.

MC 159434 (Sub-3–1–TA), filed July 26, 1982. Applicant: FEDERAL TRANSPORT, INC., 5658 Elmore Road, Bartlett, TN 38134. Representative: Thomas A. Stroud, 109 Madison Avenue, Memphis, TN 38103. *Automotive chemicals; aluminum extrusions; plastic articles;* and *small appliances* between Memphis, TN, and points in its commercial zone, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shippers: Ig-Lo Products Corp., 314 Robinson N., Hernando, MS 38632; Alumax Extrusions, Inc., P.O. Box 387, Hernando, MS 38632; Glasteel Tennessee, Inc., Highway 57 E., Collierville, TN 38017; and Sunbeam Appliance Company, 1325 Warford Avenue, Memphis, TN 38108.

MC 156100 (Sub-3–3TA), filed July 30, 1982. Applicant: CHARLES RAYMOND POWELL, d.b.a. GOLDEN TRIAD CARRIERS, PO Box 4145, Archdale, NC 27263. Representative: Lee A. Plummer, 5017–D Lawndale Drive, Greensboro, NC 27405. *Medical, Hospital, and nursing home supplies, products, materials, and instruments* between Greenwood County, SC, on the one hand and points in the U.S., except AK and HI. *Blank Computer Cards* between Guilford County, NC and points in LA, MS, AL, GA, FL, TN, SC, NC, VA, WV, KY, IN, OH, MI, PA, NY, CT, RI, MA, NH, VE, ME, MO, IA, MS, & AR. *Vehicles, other than self propelled, and Boxes or cans, Chemically Hardened Fibre,* From Hartwell, GA to points in the U.S., except AK and HI. *Geletin Capsules* between Greenwood County, SC to points in the U.S., except AK & HI. *Hosiery, Related Products, and Perfumery* between points in Randolph, MA; Marietta, GA; Magnola, AR; Dayton, TN; Goldston, NC; Alamance County, NC; Concord, NC; Hickory, NC; Lumberton, NC; Guilford County, NC; Harriman, TN; Rockwood, TN; and, Randolph County, NC; on the one hand, and on the other, points in the U.S., except AK & HI. *New Furniture Parts* between Guilford County, NC and points in VA. *New Furniture* between points in Randolph, Davidson, and Guilford Counties, NC on the one hand, and on the other points in the U.S., except AK & HI. *Packaging Materials* between Guilford County, NC and points in TX, LA, MS, AL, GA, FL, TN, SC, NC, VA, WV, KY, IN, OH, MI, PA, NY, CT, RI, MA, NH, VE, & ME. Supporting shippers: There are 11

statements in support of this application which may be examined at the ICC Regional Office, Atlanta, GA.

MC 155314 (Sub-3–8TA), filed July 30, 1982. Applicant: R. C. HOFFMAN ENTERPRISES, INC., P.O. Box 3927, Lake Wales, FL 33852. Representative: H. Barney Firestone, 180 N. Michigan Avenue, Chicago, IL 60601. *Such commodities as are dealt in or utilized by manufacturers of welding equipment and consumables* between Troy, Ohio on the one hand and on the other, points in the U.S. (except AK and HI). Supporting shipper: Hobart Bros. Co., 600 West Main Street, Troy, Ohio 45373.

MC 162443 (Sub-3–2TA), filed July 26, 1982. Applicant: HOLLAND BROS., INC., Short Street, Box 87, Wingo, KY 42088. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956. *Carbon electrodes* between Hickman, KY and Newburgh, IN. Supporting shipper: Sigri Carbon Corporation, Cory Road, Hickman, KY 42050.

MC 163189 (Sub-3–1TA), filed July 29, 1982. Applicant: A. W. MADDOCK, INC., 8720 State Highway 85, Jonesboro, GA 30236. Representative: A. W. Maddock, Church Street, Brooks, GA 30205. *Prepared cookie dough, icing and assorted paper products,* between Atlanta, GA on the one hand, and, on the other, all points in the U.S. except AK and HI. Supporting shipper: The Original Great American Chocolate Chip Cookie Company, Inc., 4685 Frederick Dr., S.W., Atlanta, GA 30336.

MC 121649 (Sub-3–2TA), filed July 30, 1982. Applicant: MILAN EXPRESS, INC., P.O. Box 699, Milan, TN 38358. Representative: Henry E. Seaton, 1024 Pennsylvania Bldg., 425 13th St. NW., Washington, DC 20004. *Metal products,* between points in Cook County, IL, on the one hand, and, on the other, points in NC and SC. Supporting shipper(s): Tempel Steel Company, 5990 W. Touhy Ave., Niles, IL.

MC 162895 (Sub-3–1TA), filed July 30, 1982. Applicant: PARRIS TRUCKING CO., INC., P.O. Box 3799, Oxford, AL 36203. Representative: William J. Farrell, Jr., P.O. Box 843, Anniston, AL 36202. *Refactories, lumber, steelshot,* (1) From Anniston, AL to points in MD, NY, WV, OH, IN, IL, MI, WI, MO, AR, MS, TX, LA, IA, MN, GA, TN, NC, SC, KY, NJ, CT, RI, MA, KS, CO. (2) From Lineville, AL to points in AL, GA. (3) From Oak Hill, OH to points in AL, TN. (4) From Bedford, VA to points in AL. Supporting shippers: Hessco Industrial Supply Co., Inc., 214 West 10th St., Anniston, AL 36203; Shaddix Pulpwood Co., Inc., P.O. Box 187, Lineville, AL 36266; and Donoho Clay Company, 1100 West 10th St., P.O. Box 843, Anniston, AL 36201.

MC 163131 (Sub-3–1TA), filed July 26, 1982. Applicant: SENIOR ADULT MINISTRIES, INC., P.O. Box 732, Pinson, AL 35126. Representative: James Robert Evans, 145 W. Wisconsin Avenue, Neenah, WI 54956. *Passengers and their baggage, in special and charter operations,* beginning and ending at Milton, FL and points in Jefferson County, AL, and extending to Gatlinburg and Knoxville, TN. There are nine supporting shippers.

MC 148130 (Sub-3–2TA), filed July 28, 1982. Applicant: SHARP TRANSPORT, INC., Route 1, Box 20, Ethridge, TN 38456. Representative: Jean Nelson, P.O. Box 2757, Nashville, TN 37219. *General commodities (except classes A & B explosives, household goods as defined by the Commission and commodities in bulk),* between Lawrence County, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper(s): Edwards Oil Co., 106 Helton Drive, Lawrenceburg, TN 38464 and Modine, 2009 Remke Ave., Lawrenceburg, TN 38464.

MC 160858 (Sub-3–2TA), filed July 26, 1982. Applicant: TARHEEL MOTOR EXPRESS, INC., 309 Trade Street, Forest City, NC 28043. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. *New and used cars in truckaway operations,* between points in the U.S. in and east of MI, WS, IL, KY, TN, MS, and LA. There are six statements of shipper support which may be reviewed at the ICC Regional Office, Atlanta, GA.

MC 145058 (Sub-3–3 TA), filed July 29, 1982. Applicant: THOMAS PRODUCE COMPANY OF MOUNT AIRY, INC., P.O. Box 16707, Greensboro, NC 27406. Representative: Michael F. Morrone, 1150 17th St. NW., Suite 1000, Washington, D.C. 20036. *Contract carrier:* irregular: *such commodities as are dealt in and used by manufacturers, distributors and wholesalers of health and beauty aids* between points in the U.S. (except AK and HI) under continuing contract(s) with Vidal Sassoon, Inc., of Chatsworth, CA. Supporting shipper: Vidal Sassoon, Inc., 9640 Owensmouth Ave., Chatsworth, CA 91311.

MC 163200 (Sub-3–1 TA), filed July 30, 1982. THIGPEN'S ACE HARDWARE & BUILDING MATERIALS, INC., 3009 Dauphin Island Parkway, Mobile, AL 36605. Representative: Elizabeth A. Thigpen, 2000 Archer Lane, Mobile, Al 36605. *Contract,* irregular, *Lumber* from Mobile, AL to FL, MS, and LA. Supporting shipper: Everwood Treatment Company, Inc., P.O. Box 1537, Theodore, AL 36590.

The following protests were filed in region 4. Send Protests to: Interstate Commerce Commission, Complaint and Authority Branch P.O. Box 2980, Chicago, IL 60604.

MC 140257 (Sub-4–4 TA), filed July 28, 1982. Applicant: BENNETT & SON TRANSPORT, LTD., 47 Bothwell Crescent, Regina, Saskatchewan S4R 5Y7. Representative: Richard P. Anderson, 2525 South University Drive, P.O. Box 2581, Fargo, ND 58108. *Agricultural chemicals,* from ports of entry on the U.S.-Canada International Boundary line located in ND to Minot, ND. Restriction: Restricted to traffic moving in foreign commerce having a prior movement by rail. Supporting shipper: Giroux's Trucking & Tractor Service, Ltd., 497 Dalgleish Drive, Regina, Saskatchewan S4R 6P7.

MC 153028 (Sub-4–1 TA), filed July 28, 1982. Applicant: CABAR SYSTEMS, INC., P.O. Box 807, Greenwood, IN 46142. Representative: Daniel L. Bogard (same as applicant's). *Contract,* irregular, *food stuffs, the materials, equipment* and *supplies used in the manufacturing, sales and distribution thereof,* between Schenectady, NY, Allendale, NJ, and Carnegie, PA on the one hand and points in the U.S. on the other (except AK and HI) under continuing contract(s) with Vivianno Macaroni Company of Carnegie, PA. Supporting shipper: Vivianno Macaroni Company, P.O. Box 546, Carnegie, PA 15106.

MC 15735 (Sub-4–24TA), filed July 29, 1982. Applicant: ALLIED VAN LINES, INC., 2120 S. 25th Ave., Broadview, IL 60153. Representative: Richard V. Merrill, P.O. Box 4403, Chicago, IL 60680. *Contract irregular: Household goods* between points in the U.S. (except AK and HI) under a continuing contract with RCA Corporation. Supporting shipper: RCA Corporation, Cherry Hill, NJ.

MC 116519 (Sub-4 9TA), filed July 29, 1982. Applicant: FREDERICK TRANSPORT LIMITED, R.R. 6, Chatham, Ontario, Canada N7M 5J6. Representative: Jeremy Kahn, 1511 K Street NW., Washington, D.C. 20005. *General Commodities,* (except Classes A and B explosives and household goods as defined by the Commission), in foreign commerce only, between ports of entry on the U.S. Canada boundary line, on the one hand, and on the other, points in the U.S., except AK and HI. Supporting shipper: Applicant has submitted its own statement of facts in support of the application.

MC 128927 (Sub-4–5TA), filed July 29, 1982. Applicant: MARTIN TRUCKING CO., INC., Box 406, Tomah, WI 54660. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Malt beverages* between points in MN and WI on the one hand, and on the other hand, points in IA, IL, IN, KY, MN, MO, OH, and TN. Restriction: restricted to traffic originating and terminating at the facilities of G. Heileman Brewing Company, Inc. Supporting shipper: G. Heileman Brewing Company, Inc., 100 Harborview Plaza, Box 459, LaCrosse, WI 54601.

MC 143627 (Sub-4–4TA), filed July 30, 1982. Applicant: FITZSIMMONS TRUCKING, INC., R.R. 2, P.O. Box 128, County Road 4 South, Waseca, MN: 56093. Representative: Robert D. Gisvold, 1600 TCF Tower, 121 South 8th St., Minneapolis, MN 55402. *Contract* irregular: *Printed matter and equipment, materials, and supplies used by printing companies,* between Waseca, MN: East Greenville and Lancaster, PA; Franklin and Glasgow, KY; Los Angeles, CA; Dallas-Ft. Worth, TX; Atlanta, GA; Chicago, Mattoon, Effingham, Salem, and Mount Vernon, IL; Buffalo, NY; Old Saybrook, CT; Woodbridge, NJ; Gallatin, TN; and Detroit, MI. Restricted to traffic moving under continuing contract with Time, Inc. Supporting shipper: Time, Inc., Time and Life Building, 19th Floor, Chicago, IL 60611.

MC 148174 (Sub-4–1), filed July 30, 1982. Applicant: SPACE CENTER TRANSPORT, INC., 444 Lafayette Road, St. Paul, Minnesota 55101. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minnesota 55102. *General commodities* (except Classes A and B explosives, household goods, and commodities in bulk), between the facilities of Space Center Minnesota, Inc. located at or near Minneapolis-St. Paul, MN, on the one hand, and on the other, points in MN, with interlining. Supporting shipper: Space Center Minnesota, Inc., 444 Lafayette Road, St. Paul, MN 55101.

MC 148394 (Sub-4–3TA), filed July 29, 1982. Applicant: McKINLEY TRUCKING CO., INC., 652 N. Williams St., Carson City, MI 48811. Representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933. *Foundry facings,* in bulk, in tank vehicles, from the facilities of Black Products Company located at or near Chicago, IL to Niagara County, NY. Supporting shipper: Black Products Company, 13513 Calumet Avenue, Chicago, IL 60627.

MC 148820 (Sub-4–1TA), filed July 30, 1982. Applicant: PAINT TRANSFER COMPANY, INC., 1191 South Wheeling Road, Wheeling, IL 60090. Representative: Edward G. Bazelon, 29 South La Salle St., Chicago, IL 60603.*Contract,* Irregular: *Minerals* (except in bulk), between McIntyre, Dry Branch, Cartersville and Hartwell, GA; Franklin, NC; Elco and Depue, IL; Ashtabula, OH; Gloucester City, NJ; Palmerton, PA, and Balmat, NY, on the one hand, and, on the other, points in IL, IN, IA, MI and WI, under continuing contract(s) with The Cary Company of Addison, IL, for 270 days. Supporting shipper: The Cary Company, 1555 Wrightwood Court, Addison, IL 60101.

MC 150798 (Sub-4–8), filed July 30, 1982. Applicant: CKR TRANSPORT, LTD, P.O. Box 599, Elmhurst, IL 60126. Representative: D. R. Beeler, P.O. Box 482, Franklin, TN 37064, 615–790–2510. *Chemicals, drugs, personal care items, cleaning compounds, and food and related products* from Kenosha County, Milwaukee, and Fond du Lac, WI to points in the U.S. (except AK and HI) Supporting shipper: Alberto-Culver Company, 2525 Armitage Avenue, Melrose Park, IL 60160.

MC 150798 (Sub-4–9), filed July 30, 1982. Applicant: CKR TRANSPORT, LTD, P.O. Box 599, Elmhurst, IL 60126. Representative: D. R. Beeler, P.O. Box 482, Franklin, TN 37064, 615–790–2510. *Machinery and materials and supplies used in the manufacture, sale, and distribution of machinery* from points in Illinois to points in the U.S. (except AK and HI) Supporting shippers: Rockford Drop Forge Company, 2031 9th Street, Rockford, IL 61108; Champion Pneumatic Machinery Co., 1301 N. Euclid, Princeton IL 61356; Bourn & Koch Machine Tool Company, 700 20th Street, Rockford, IL 61108.

MC 151707 (Sub-4–25), filed July 30, 1982. Applicant: PIONEER TRUCKING, INC., 1105 N. Market St., 15th Floor, Wilmington, DE 19801. Representative: Dennis J. Kupchik (same address as applicant). *Contract:* Irregular: *General Commodities* (except Household Goods and Classes A and B Explosives) between points in the U.S. under continuing contract(s) with Rand McNally & Company. Supporting shipper: Rand McNally & Company, 8255 N. Central Park Avenue, Skokie, IL 60076.

MC 152744 (Sub-4–3 TA), filed July 29, 1982. Applicant: CITADEL TRANSPORT, INC., 180 N. Michigan Ave., Chicago, IL 60601. Representative: Thomas M. O'Brien, Sullivan & Associates, Ltd., 180 N. Michigan Ave., Suite 1700, Chicago, IL 60601 *Contract; irregular; routes; Such commodities* as are dealt in or used by breweries, between Lehigh County, PA, on the one hand, and, on the other, points in CT, DE, FL, GA, IL, MA, MD, ME, MI, NH, NJ, NY, OH, RI, VA, VT, WI and DC, under continuing contract(s) with The F. & M. Schaefer Brewing Co. of Allentown, PA. Supporting shipper: The F. & M. Schaefer Brewing Co., P.O. Box 2568, Allentown, PA 18001.

MC 158651 (Sub-4–1 TA), filed July 29, 1982. Applicant: GRAEBEL VAN LINES, INC., 719 N. Third Ave., Wausau, Wisconsin 54401. Representative: Robert J. Gallagher, Esq., 1000 Connecticut Avenue, N.W., Suite 1200, Washington, D.C. 20036. *Contract* Irregular Transporting Household Goods, as defined by the Commission, Between all points in the U.S. (excluding AK and HI), under continuing agreement with Equitable Relocation Service of New York, NY. Supporting shipper: Equitable Relocation Service, 1700 Broadway, NY, NY.

MC 163129 (Sub-4–2), filed July 29, 1982. Applicant: H. F. ENTERPRISES, 12301 S. Laramie, Alsip, IL 60658. Representative: John T. O'Connell, 521 S. LaGrange Road, LaGrange, IL 60525. *Commodities sold in a retail department store* between points in the U.S. under continuing contract with Montgomery Ward & Co., Chicago, IL. Supporting Shipper: Montgomery Ward & Co., Inc., Montgomery Ward Plaza–5N, Chicago, IL 60671.

MC 163202 (Sub-4–1), filed July 29, 1982. Applicant: MIDWEST DISTRIBUTION SYSTEM, INC., 4601 West 47th Street, Chicago, IL 60632. Representative: Carl L. Steiner, 29 South LaSalle Street, Chicago, IL 60603. (1) *Cleaning, scouring and washing compounds, Paints, stains and varnishes,* and *Food and Related Products* Between points in the Chicago Commercial Zone, on the one hand, and, on the other, points in AR, CO, IA, IN, KS, KY, OH, LA, MI, MO, MN, NE, ND, NM, OK, SD, TX & WI; and (2) *Charcoal briquettes* From Burnside, KY, to points in the Chicago, IL, Commercial Zone. *Supporting shipper:* The Clorox Company, 1221 Broadway, Oakland, CA 94612.

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 147189 (Sub-5–2TA), filed July 26, 1982. Applicant: J & M CARTAGE, INC., 3300 N. Santa Fe, Oklahoma City, OK 73105. Representative: William P. Parker, P.O. Box 54657, Oklahoma City, OK 73154. *General commodities having a prior or subsequent movement by rail,* between points in OK. Supporting

shipper: Slaughter Bros., Inc., P.O. Box 38670, Dallas, TX 75238.

MC 149573 (Sub-5–4TA), filed July 26, 1982. Applicant: NTL, Inc., P.O. Box 5803, Lincoln, NE 68505. Representative: J. Max Harding (same as above). Contract irregular: *such commodities as are dealt in or used by manufacturers and distributors of building materials, except commodities in bulk or those which by reason of size or weight require special equipment,* between Cleveland and Medina, OH, Lackawanna, NY, Stroud, OK, Stockston, CA, Baltimore, MD, and Red Lion, PA, on the one hand, and on the other, points in the U.S. (except AK and HI). Supporting shipper: Donn Corporation, 1000 Crocker Road, Westlake, OH 44145.

MC 162760 (Sub-5–1TA), filed July 27, 1982. Applicant: JUAN SEGOVIA, d.b.a. JUAN SEGOVIA TRUCKING, 705 Alemeda, San Juan, TX 78589. Representative: William D. Lynch, 1003 West 6th Street, Austin, TX 78703. *Brick, when moving in foreign commerce,* from points in the counties of Starr, Hidalgo and Cameron, TX to points in the counties of Montgomery and Harris, TX. Supporting shipper: Rudy's Brick Supply, 2930 Lincoln Dr., Houston, TX 77038.

MC 162761 (Sub-5–1TA), filed July 27, 1987. Applicant: ELEZARDO GONZALEZ GONZALEZ, 322 W. Sam Houston, Pharr, TX 78577. Representative: William D. Lynch, 1003 West 6th Street, Austin, TX 78703. *Brick, when moving in foreign commerce,* from points in the counties of Starr, Hidalgo and Cameron, TX to points in the counties of Montgomery and Harris, TX. Supporting shipper: Rudy's Brick Supply, 2930 Lincoln Dr., Houston, TX 77038.

MC 162763 (Sub-5–1TA), filed July 27, 1982. Applicant: FRANCISCO J. SALDIVAR, 4202 South F Street, Harlingen, TX 78550. Representative: William D. Lynch, 1003 West 6th Street, Austin, TX 78703. *Brick, when moving in foreign commerce,* from points in the counties of Starr, Hidalgo and Cameron, TX to points in the counties of Montgomery and Harris, TX. Supporting shipper: Rudy's Brick Supply, 2930 Lincoln Dr., Houston, TX 77038.

MC 162764 (Sub-5–1TA), filed July 27, 1982. Applicant: SANTIAGO DE LEON, 3217 Ivy, McAllen TX 78501. Representative: William D. Lynch, 1003 West 6th Street, Austin, TX 78703. *Brick, when moving in foreign commerce,* from points in the counties of Starr, Hidalgo and Cameron, TX to points in the counties of Montgomery and Harris, TX. Supporting shipper: Rudy's Brick Supply, 2930 Lincoln Dr., Houston, TX 77038.

MC 162765 (Sub-5–1TA), filed July 27, 1982. Applicant: ELEODORA CARIAGA DeLEON, P.O. Box 1358, San Juan, TX 78589. Representative: William D. Lynch, 1003 West 6th Street, Austin, TX 78703. *Brick, when moving in foreign commerce,* from points in the counties of Starr, Hidalgo and Cameron, TX to points in the counties of Montgomery and Harris, TX. Supporting shipper: Rudy's Brick Supply, 2930 Lincoln Dr., Houston, TX 77038.

MC 162868 (Sub-5–1TA), filed July 27, 1982. Applicant: ADAN GONZALEZ, 613 Fairground, Rio Grande City, TX 78582. Representative: William D. Lynch, 1003 West 6th Street, Austin, TX 78703. *Brick, when moving in foreign commerce,* from points in the counties of Starr, Hidalgo and Cameron, TX to points in the counties of Montgomery and Harris, TX. Supporting shipper: Rudy's Brick Supply, 2930 Lincoln Dr., Houston, TX 77038.

MC 163123 (Sub-5–1TA), filed July 26, 1982. Applicant: RMC TRANSPORATION, INC., P.O. Box 566, Deshler, NE 68340. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Contract, Irregular. (1) *Metal products and machinery,* and (2) *materials, equipment and supplies utilized in the production and distribution of metal products and machinery,* between the facilities of Reinke Manufacturing Company, Inc. at or near Deshler and Geneva, NE, on the one hand, and, on the other, points in the U.S. (except AK and HI), under a continuing contract(s) with Reinke Manufacturing Company, Inc. and Geneva Tube, Inc. Supporting shippers: Reinke Manufacturing Company, Inc. and Geneva Tube, Inc., P.O. Box 566, Deshler, NE 68340.

MC 163128 (Sub-5–1TA), filed July 26, 1982. Applicant: BMC TRANSPORATION COMPANY, P.O. Box 569, Columbus, NE 68601. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Contract, Irregular. *General commodities (except Classes A and B explosives, household goods and commodities in bulk),* between the facilities of Wickes Companies, Inc., its divisions and subsidiaries, at points in the U.S., on the one hand, and, on the other, points in the U.S., under a continuing contract(s) with Wickes Companies, Inc., its divisions and subsidiaries. Supporting shipper: Wickes Companies, Inc., P.O. Box 569, Columbus, NE 68601.

MC 163152 (Sub-5–1TA), filed July 27, 1982. Applicant: GREG MONTEMAYOR, P.O. Box 401, Santa Rosa, TX 78593. Representative: William D. Lynch, 1003 West 6th Street, Austin, TX 78703. *Brick, when moving in foreign commerce,* from points in the counties of Starr, Hidalgo and Cameron, TX to points in the counties of Montgomery and Harris, TX. Supporting shipper: Rudy's Brick Supply, 2930 Lincoln Dr., Houston, TX 77038.

The following applications were filed in region 6. Send protests to: Interstate Commerce Commission, Region 6 Motor Carrier Board, P.O. Box 7413, San Francisco, CA 94120.

MC 163180 (Sub-6–1TA), filed July 28, 1982. Applicant: RALPH DEAN d.b.a. RALPH DEAN AND SONS TRUCKING, 15336 Bixler Ave., Paramount, CA 90723. Representative: Patricia M. Schnegg, 707 Wilshire Blvd., Ste. 1800, Los Angeles, CA 90017. *Food stuffs and refrigerants* between Los Angeles County, CA on the one hand, and, on the other, points in AZ and NV., for 270 days. Supporting shipper: Griffith Laboratories, U.S.A. 12200 S. Central Ave., Alsip, IL 60658.

MC 138026 (Sub-6–5TA), filed July 26, 1982. Applicant: LOGISTICS EXPRESS, INC. d.b.a. LOGEX, 1890 S. Chris Ln., Anaheim, CA 92805. Representative: William D. Taylor, 100 Pine Street, #2550, San Francisco, CA 94111. *Contract Carrier,* irregular routes: *cryogenic liquids, compressed gases and materials and equipment* used in the production and distribution of industrial gases and cryogenic liquids under continuing contract(s) with Air Products and Chemicals, Inc., Allentown, PA; between points in the U.S. (except AK and HI), for 270 days. Supporting shipper: Air Products and Chemicals, Inc., P.O. Box 538, Allentown, PA 18106.

MC 141084 (Sub-6–3TA), filed July 29, 1982. Applicant: NATIONAL FREIGHT LINES, INC., 13023 Arroyo St., P.O. Box 1031, San Fernando, CA 91341 Representative: Bill D. Gardner (same as applicant). *New Furniture, Upholstery, Bedding and Materials and Supplies Used in the Manufacture Thereof,* between points in Riverside County, CA, on the one hand, and, on the other, points in AZ, ID, OR, UT, WA, NM, CO, WY and MT, for 270 days. Supporting shipper: Congoleum Corp., P.O. Box 1207, Elkhart, IN 46515.

MC 162517 (Sub-6–2TA), filed July 29, 1982. Applicant: DECKER BROS., INC., P.O.B. 635, Worland, WY 82401. Representative: James B. Hovland, 525 Lumber Exchange Bldg., Minneapolis, MN 55402. *Oil field production equipment, materials and supplies,* in a hot-shot service (except oil field drilling rigs and liquid commodities in bulk), between points in the U.S. in and west of ND, SD, NE, KS, OK and TX, for 270 days. There are 5 shippers. Their

statements may be examined at the Regional Office listed above.

MC 163196 (Sub-6–1TA), filed July 29, 1982. Applicant: LEROY HARRINGTON d.b.a. ANTELOPE VALLEY TRUCKING COMPANY, 37900 North 6th St., Palmdale, CA 93550. Representative: John C. Russell, 1545 Wilshire Blvd., Suite 606, Los Angeles, CA 90017. *Contract Carrier,* irregular route, *barite* from Imvite, NV to points in CA under continuing contract(s) with Hughes Drilling Fluids of Long Beach, California, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Hughes Drilling Fluids, 4201 Long Beach, Blvd., #322; Long Beach CA 90807.

MC 163142 (Sub-6–1TA), filed July 26, 1982. Applicant: SANTA FE SAND & GRAVEL, INC., 6601 S. Santa Fe Dr., Littleton, CO 80123. Representative: Robert S. Isaacson, 6503 S. Yarrow, Littleton, CO 80123. *Contract Carrier,* Irregular routes: *Oil field pumping units, equipment, materials and supplies,* from Douglas County, CO to points in TX, CO, WY, KS, NE, OK, ND, for the account of American Smaco, Inc., for 270 days. Supporting shipper: American Smaco, Inc., 7315 E. Orchard Rd., Englewood, CO 80111.

MC 163143 (Sub-6–1TA), filed July 26, 1982. Applicant: ALVIN E. JOHNSON, 13227 S.W. Fosberg Rd., Portland, OR 97219. Representative: David C. White, 2400 SW Fourth Ave., Portland, OR 97201. *Hot tubs, spas, swimming pools and related equipment,* between points in Multnomah, Polk and Washington Counties, OR and Thurston County, WA, on the one hand, and, on the other, points in ID, MT, OR and WA, for 270 days. Supporting shippers: Hot Water Warehouse Inc., 135 N.E. 9th Ave., Portland, OR 97232; Lockhart & Assoc. Inc., 7303 S.W. Beaverton-Hillsdale Hwy, Portland, OR 97225; Custom Distributors, Inc., 7340 S.W. Landmark, Tigard, OR 97223.

MC 141163 (Sub-6–1TA), filed July 26, 1982. Applicant: FIDELITY TRANSPORTATION CORP., 2936 Farrar Ave., Modesto, CA. Representative: Richard E. Macey, 2111 W. March Lane, Suite A, Room three, Stockton, CA 95207. *Contract carrier:* Irregular routes; *liquid asphalt and fuel oil* between Elk Grove, CA on the one hand, and, on the other, Elko County, NV for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Douglas Oil Company of California, 3160 Airway Ave., Costa Mesa, CA.

MC 150982 (Sub-6–3 TA), filed July 26, 1982. Applicant: DUTRA TRUCKING CO. INC., P.O.B. 277, Arcata, CA 95221. Representative: Eugene Q. Carmody, 15523 Sedgeman St., San Leandro, CA 94579. *Contract Carrier,* irregular routes: (1) *Mobile Homes, Trailers and materials, equipment and supplies used in connection therewith,* between Ca, OR & NV under continuing contracts with S & S Mobile Home Sales, Inc. and W & W Mobile Home Sales, Inc., and (2) *such commodities as are dealth in or used by machinery, logging and contracting equipment distributors (except commodities in bulk),* between points in CA, OR, NV & WA under continuing contracts with R. D. Watson, Inc. and Peterson Tractor Co., for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: S & S Mobile Home Sales, Inc., 1000 Murray Rd., McKinleyville, CA 95521; W & W Mobile Home Sales, Inc., 4300 Bdwy, Eureka, CA 95501; R & D Watson, Inc., 1570 The Alameda, Suite 110, San Jose, CA 95126; Peterson Tractor Co., P O B "P", Eureka, CA 95501.

MC 163210 (Sub-7–1 TA), filed July 30, 1982. Applicant: REV. OLLIE ROBINSON d.b.a. ROBINSON CHARTER LINES, 1118 Ingerson Ave., San Francisco, CA 94124. Representative: Rev. Ollie Robinson (same as applicant) *Passengers and their baggage in the same vehicle in special or charter operations,* beginning and ending at points in San Francisco, San Mateo, Alameda or Santa Clara counties, CA; to: Washoe or Storey counties, NV, for 180 days. Supporting shippers: There are 8 supporting shippers; their statements may be examined at the Regional Office listed above.

MC 163211 (Sub-6–1 TA), filed July 30, 1982. Applicant: ROBERT D. WAGNER, Rt. 3, Box 195 Brighton, CO. 80601. Representative: Robert D. Wagner (same as applicant). *Contract Carrier,* Irregular routes: *Clay, concrete, glass or stone products* from Franklin and McPherson Counties, KS. to points in Adams and Arapahoe Counties, CO., for Rocky Mountain Prestress, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Rocky Mountain Prestress, 3890 So. Federal Blvd., Englewood, CO. 80110.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–21450 Filed 8–6–82; 8:45 am]

BILLING CODE 7035–01–M

[Ex Parte No. 387 (Sub-196]

Rail Carrier; Burlington Northern Railroad Company Exemption for Contract Tariffs ICC–BN–C–0101, ICC–BN–C–0102, ICC–BN–C–0103, ICC–BN–C–0104, and ICC–BN–C–0105

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Provisional Exemption.

SUMMARY: Provisional exemptions are granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariffs may become effective on one day's notice. These exemptions may be revoked if protests are filed.

DATES: Protests are due within 15 days of publication in the **Federal Register.**

ADDRESS: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway (202) 275–7278.

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101(a) or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption request meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following conditions: This grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

Authority: 49 U.S.C. 10505.

Decided: August 3, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Gilliam was absent and did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–21455 Filed 8–6–82; 8:45 am]

BILLING CODE 7035–01–M

[Ex Parte No. 387 (Sub-188)]

Rail Carriers; Burlington Northern Railroad Company Exemption for Contract Tariffs ICC-BN-C-0097 and ICC-BN-C-0098

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Provisional Exemption.

SUMMARY: A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed.

DATES: Protests are due within 15 days of publication in the Federal Register.

ADDRESS: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway (202) 275-7277.

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101(a) or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption request meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following conditions: This grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

Authority: 49 U.S.C. 10505.

Decided: August 3, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Gilliam was absent and did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-21457 Filed 8-6-82; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387 (Sub-208)]

Rail Carriers; the Kansas City Southern Railway Company Exemption for Contract Tariff ICC-L&A-C-0005

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Provisional Exemption.

SUMMARY: A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed.

DATES: Protests are due within 15 days of publication in the Federal Register.

ADDRESSES: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway (202) 275-7278.

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101(a) or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption request meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following condition: This grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

Authority: 49 U.S.C. 10505.

Decided: August 3, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Gilliam was absent and did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-21454 Filed 8-6-82; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387 (Sub-204)]

Rail Carriers; Norfolk and Western Railway Company Exemption for Contract Tariff ICC-NW-C-0019

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Provisional Exemption.

SUMMARY: A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed.

DATES: Protests are due, within 15 days of publication in the Federal Register.

ADDRESS: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway (202) 275-7278.

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101(a) or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, *we find* that the exemption requests meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following condition: The grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

Authority: 49 U.S.C. 10505.

Decided: August 3, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Gilliam was absent and did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-21456 Filed 8-6-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-158 (Sub-No. 2)]

Rail Carriers; Pittsburgh & Lake Erie Railroad Company and the Mahoning State Line Railroad Company—Abandonment—in Lawrence County, PA; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that the Commission, Review Board Number 3, has issued a certificate authorizing the Pittsburgh and Lake Erie Railroad Company and the Mahoning State Line Railroad Company to abandon its Walford Branch extending from railroad milepost 3.6 to the end of the line at railroad milepost 7.8, a distance of 4.2 miles in Lawrence County, PA, subject to certain conditions. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment

decisions in the **Federal Register** be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on the applicants, with copies to Louis E. Gitomer, Room 5417, Interstate Commerce Commission, Washington, D.C. 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to Section 1121.38(b)(2) and (3) of the Regulations. If no such offer is received the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-21447 Filed 8-6-82; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte 387 (Sub-206)]

Rail Carriers; Union Pacific Railroad Company Exemption for Contract Tariff ICC-UP-C-0063

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Provisional Exemption.

SUMMARY: A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed.

DATES: Protests are due, within 15 days of publication in the **Federal Register.**

ADDRESS: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway, (202) 275-7278.

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101(a) or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, *we find* that the exemption requests meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following condition:

The grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Decided: August 3, 1982.

By the Commission, Division 2, Commissioners Andre, Gilliam, and Taylor. Commissioner Gilliam was absent and did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-21458 Filed 8-6-82; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-99]

Certain Molded-in Sandwich Panel Inserts and Methods for Their Installation; Consideration of Modification of Action, and Request for Comments

AGENCY: U.S. International Trade Commission.

ACTION: Consideration of modification of Commission action concerning remedy, public interest, and bonding.

SUMMARY: The Commission seeks written comments from the parties to investigation No. 337-TA-99, interested Government agencies, and interested members of the public on the question of whether and, if so, how the Commission action concerning remedy, public interest, and bonding in investigation No. 337-TA-99 should be modified in light of the President's disapproval of the action formerly taken. Such comments must be filed on or before August 24, 1982.

AUTHORITY: The authority for consideration of modification of the previous Commission action in this investigation is contained in § 211.57 of the Commission's Rules of Practice and Procedure. 46 FR 17533, March 18, 1981; to be codified at 19 CFR 211.57.

SUPPLEMENTARY INFORMATION: On March 18, 1982, the Commission unanimously determined that there is a violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation and sale of certain molded-in sandwich panel inserts, which infringe and contribute to or induce the infringement of certain claims of U.S. Letters Patent Nos. 3,182,015, 3,271,498, and 3,392,225 (the '015, '498 and '225 patents, respectively), the effect or tendency of which is to substantially injure an industry, efficiently and economically operated, in the United States. The Commission accordingly issued—(1) a general exclusion order barring the subject articles from entry into the United States for the life of the '015 product patent; (2) a cease and desist order directed to the importer of the subject articles; and (3) three cease and desist orders directed to three domestic purchasers/users of the subject articles.

On June 28, 1982, the President disapproved the Commission's determination for policy reasons pursuant to 19 U.S.C. 1337(g) indicating that the disapproval was based solely on his objections to the three cease and desist orders directed to the domestic purchasers/users of the subject articles. Because section 337 does not authorize partial disapproval of Commission remedies by the President, the President was constrained to disapprove the entire determination.

In light of the President's notification of disapproval, the original complainant, Shur-Lok Corporation, requested that the Commission institute a new investigation in this matter. Complainant further requested that the Commission reissue the general exclusion order and the cease and desist order directed to the importer. The Commission on July 27, 1982, voted instead to consider modification of the original Commission action in this investigation.

Request for comments: The parties to investigation No. 337-TA-99, interested Government agencies, and interested members of the public are invited to submit written comments discussing (1) what relief, if any, should be ordered in light of the President's disapproval; (2) the impact such relief would have upon the public interest; and (3) the amount of bond which should be imposed during the Presidential review period should the Commission decide to order relief. The original and 14 true copies of all written comments must be filed with the Secretary, Kenneth R. Mason, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, no later than August 24, 1982.

Any person desiring to submit a document (or a portion thereof) to the Commission in confidence, must request *in camera* treatment unless the

information has already been granted such treatment by the Commission or the presiding officer in investigation No. 337–TA–99. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. Documents containing confidential information approved by the Commission for *in camera* treatment will be treated accordingly. All nonconfidential written submissions filed in response to this notice, as well as all nonconfidential documents on the record of investigation No. 337–TA–99, are available for public inspection at the Secretary's Office during official business hours (8:45 a.m. to 5:15 p.m.).

FOR FURTHER INFORMATION CONTACT: Jane Albrecht, Esq., 202–523–1627, or Clarease E. Mitchell, Esq., 202–523–3395, Office of the General Counsel, U.S. International Trade Commission.

By order of the Commission.

Kenneth R. Mason,

Secretary.

Issued: August 3, 1982.

[FR Doc. 82–21511 Filed 8–6–82; 8:45 am]

BILLING CODE 7020–02–M

DEPARTMENT OF JUSTICE

Attorney General

U.S. v. Continental Grain Co.; Consent Decree Lodging Pursuant to Clean Air Act

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on July 20, 1982 a proposed consent decree in *United States* v. *Continental Grain Company*, was lodged with the United States District Court for the Western District of Wisconsin. The proposed decree provides for compliance with the Clean Air Act and with the federally approved Wisconsin State Implementation Plan for opacity and emission of particulate matter at a grain terminal elevator located at 400 North Main Street, Superior, Wisconsin. The proposed decree sets forth a schedule for installation of pollution control equipment and for final achievement with opacity and particulate standards no later than December 15, 1982.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C., 20530, and should refer to *United States of America* v. *Continental Grain Company*, D.J. Ref. 90–5–2–1–353.

The proposed decree may be examined at the office of the United States Attorney, Western District of Wisconsin, Room 241, 215 Monona Avenue, Madison, Wisconsin, and at the Region 5 Office of the Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois. A copy of the consent decree may be examined at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1515, Ninth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 82–21474 Filed 8–6–82; 8:45 am]

BILLING CODE 4410–01–M

National Institute of Justice Advisory Board; Meeting

Notice is hereby given that the recently chartered National Institute of Justice Advisory Board will hold its first meeting on August 26, 1982 from 9:00 A.M. to 4:00 P.M. and on August 27, 1982 from 9:00 A.M. to 12:00 P.M. at the Sheraton National Hotel, Columbia Pike and Washington Boulevard, Arlington, Virginia.

The major items of business will include a briefing on the programs and activities of the National Institute of Justice and a discussion of issues relating to the Board's organization and development of by-laws.

The meeting is open to the public. However, a swearing-in ceremony for the new members will precede the first day's agenda and may result in a slight delay of the schedule. For further information, please contact Betty M. Chemers, National Institute of Justice, U.S. Department of Justice, Washington, D.C. 20531 (202–724–2945).

Date: August 2, 1982.

W. Robert Burkhart,

Acting Director, NIJ.

[FR Doc. 82–21484 Filed 8–6–82; 8:45 am]

BILLING CODE 4410–18–M

Proposed Consent Decree in Action for Violations of the Clean Air Act by Guardian Industries Corporation

In accordance with Department policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on June 30, 1982, a proposed consent decree in *United States of America* v. *Guardian Industries Corporation*, Civil Action No. CA3 82–10520, was lodged with the United States District Court for the Northern District of Texas. The decree requires the defendant to pay a civil penalty of $17,500 to the United States of America within thirty days after entry of the decree.

The proposed consent decree may be examined at the Office of the United States Attorney, 1110 Commerce Street, Dallas, Texas 75242; at the Region VI Office of the United States Environmental Protection Agency, 1201 Elm Street, Dallas, Texas 75270 and at the Environmental Enforcement Section, Land and Natural Resources Division, United States Department of Justice, Room 1515, 10th & Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, United States Department of Justice, Room 1515, 10th & Pennsylvania Avenue, N.W., Washington, D.C. 20530.

The United States Department of Justice will receive written comments relating to the proposed consent decree for a period of thirty (30) days from the date of this notice. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, 10th & Pennsylvania Avenue, N.W., Washington, D.C. 20530, DJ Reference No. 90–5–2–1–506 and should refer to *United States of America* v. *Guardian Industries Corporation.*

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 82–21473 Filed 8–6–82; 8:45 am]

BILLING CODE 4410–01–M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Subcommittee on Reactor Operations; Meeting

The ACRS Subcommittee on Reactor Operations will hold a meeting on August 25, 1982, Room 1046, 1717 H Street, NW, Washington, D.C. The Subcommittee plans to discuss NRC's enforcement policy, the Inspection and Enforcement (IE) performance appraisal team (PAT) and the Systematic Assessment of Licensee Performance (SALP) programs, as well as NRC's regionalization program. The

Subcommittee also plans to hold discussions with the Institute of Nuclear Power Operations and the Professional Reactor Operator Society. Notice of this meeting was published July 20.

In accordance with the procedures outlined in the **Federal Register** on September 30, 1981 (46 FR 47903), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, it consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance except for those sessions during which the Subcommittee finds it necessary to discuss proprietary, industrial security and/or Unclassified Safeguards information. One or more closed sessions may be necessary to discuss such information. (Sunshine Act Exemptions 3 and 4). To the extent practicable, these closed sessions will be held so as to minimize inconvenience to members of the public in attendance.

The agenda for subject meeting shall be as follows: *Wednesday, August 25, 1982—8:30 a.m. until the conclusion of business.*

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Richard K. Major (telephone 202/634–1414) between 8:15 a.m. and 5:00 p.m., EDT.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close some portions of this meeting to protect proprietary, industrial security and/or Unclassified Safeguards information. The authority for such closure is Exemption (3) and (4) to the Sunshine Act, 5 U.S.C. 552b(c)(3),(4).

Dated: August 3, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82–21504 Filed 8–6–82; 8:45 am]

BILLING CODE 7590–01–M

Advisory Committee on Reactor Safeguards; Subcommittee on Transportation of Radioactive Materials; Meeting

The ACRS Subcommittee on Transportation of Radioactive Materials will hold a meeting on August 24, 1982 in Room 1046, 1717 H Street, NW., Washington, D.C. The Subcommittee will continue its review of the adequacy of the NRC procedures for certifying packages for transporting radioactive materials. It may also discuss proposed revisions to 10 CFR Part 71, "Packaging of Radioactive Material for Transport and Transportation of Radioactive Material Under Certain Conditions". Notice of this meeting was published July 20.

In accordance with the procedures outlined in the **Federal Register** on September 30, 1981 (46 FR 47903), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance.

The agenda for subject meeting shall be as follows: *Tuesday, August 24, 1982—8:30 a.m. until the conclusion of business.*

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee may then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons. The Subcommittee will discuss also a draft report on the adequacy of the NRC procedures for certifying packages for transporting radioactive materials.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepared telephone call to the cognizant Designated Federal Employee, Mr. Sam Duraiswamy (telephone 202/634–3267) between 8:15 a.m. and 5:00 p.m., EDT.

Dated: August 3, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82–21505 Filed 8–6–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–334]

Duquesne Light Co., Ohio Edison Co., Pennsylvania Power Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 55 to Facility Operating License No. DPR–66 issued to Duquesne Light Company, Ohio Edison Company, and Pennsylvania Power Company (the licensees), which revised Technical Specifications for operation of the Beaver Valley Power Station, Unit No. 1 (the facility) located in Beaver County, Pennsylvania. The amendment is effective as of the date of issuance.

The amendment consists of a change to the Environmental Technical Specification, deleting the requirement for daily chlorine sampling at the condenser discharge.

The application for the amendment complies with the standards and requirement of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated February 10, 1982, and (2) Amendment No. 55 to License No. DPR–66 and the Commission's related letter dated August 2, 1982. All of these items are avaialble for public inspection at the Commission's Public

Document Room, 1717 H Street, NW., Washington, D.C. and at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001. 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, Maryland, this 2nd day of August, 1982.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 82-21501 Filed 8-6-82; 8:45 am]

BILLING CODE 7590-01-M

Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget Review

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the Office of Management and Budget review of information collection.

SUMMARY: The Nuclear Regulatory Commission has recently submitted to the Office of Management and Budget (OMB) for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

1. Type of submission, new, revision or extension: New

2. The title of the information collection: Survey of Radioactive Material Shipment Data

3. The form number if applicable: Not applicable

4. How often the collection is required: Nonrecurring

5. Who will be required or asked to report: Radioactive material shippers

6. An estimate of the number of responses: 1,100

7. An estimate of the total number of hours needed annually to complete the requirement or request: 18,050

8. An indication of whether Section 3504(h), Pub. L. 96-511 applies: Not applicable

9. Abstract: The NRC, together with the Department of Transportation, establish standards for and regulate safe transportation of radioactive material. Survey of current activity will be conducted to provide United States shipment data to the International Atomic Energy Agency for its world wide environmental risk analysis.

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 1717 H Street N.W., Washington, D.C. 20555.

Comments and questions should be directed to the OMB reviewer Gwendolyn W. Pla, (202) 395-6880.

NRC Clearance Officer is R. Stephen Scott, (301) 492-8585.

Dated at Bethesda, Maryland this 2nd day of August 1982.

For the Nuclear Regulatory Commission.

Patricia G. Norry,

Acting Director, Office of Administration.

[FR Doc. 82-21502 Filed 8-6-82; 8:45 am]

BILLING CODE 7590-01-M

[(Docket Nos. 50-416/417-OL) (ASLB No. 82-476-04 OL)]

Mississippi Power & Light Co., and Middle South Energy, Inc.; Establishment of Atomic Safety and Licensing Board To Preside in Proceeding

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register** (37 FR 28710) and §§ 2.105, 2.700, 2.702, 2.711, 2.714a, 2.717, and 2.721 of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established in the following proceeding to rule on petitions for leave to intervene and/or requests for hearing and to preside over the proceeding in the event that a hearing is ordered.

Mississippi Power & Light Company and Middle South Energy, Inc.

Grand Gulf Nuclear Station, Units 1 and 2, Construction Permit Nos. CPPR-118 and CPPR-119

This Board is being constituted pursuant to a notice published by the Commission on July 28, 1978 in the **Federal Register** (43 FR 32903-04) entitled, "Receipt of Application for Facility Operating Licenses; Availability of Applicants' Environmental Report; Consideration of Issuance of Facility Operating Licenses; and Opportunity for Hearing."

The Board is comprised of the following administrative judges:

James A. Laurenson, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Mr. Glenn O. Bright, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Jerry Harbour, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Bethesda, Maryland, this 3rd day of August 1982.

B. Paul Cotter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 82-21503 Filed 8-6-82; 8:45 am]

BILLING CODE 7590-01-M

PENSION BENEFIT GUARANTY CORPORATION

Pendency of Request for Exemption From Bond/Escrow Requirement Relating to Sale of Assets by an Employer That Contributes to a Multiemployer Plan; Leonard Silver Manufacturing Company, Inc.

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of Pendency of Request.

SUMMARY: This notice advises interested persons that the Pension Benefit Guaranty Corporation has received a request from Leonard Silver Manufacturing Company, Inc., for an exemption from the bond/escrow requirement of section 4204(a)(1)(B) of the Employee Retirement Income Security Act of 1974, as amended by the Multiemployer Pension Plan Amendments Act of 1980. Section 4204(a)(1) provides that the sale of assets by an employer that contributes to a multiemployer pension plan will not constitute a complete or partial withdrawal from the plan if certain conditions are met. One of these conditions is that the purchaser post a bond or deposit money in escrow for five plan years beginning after the sale. The PBGC is authorized to grant exemptions from this requirement. Prior to granting an exemption, the PBGC is required to give interested persons an opportunity to comment on the exemption request. The effect of this notice is to advise interested persons of this exemption request and to solicit their views on it.

DATE: Comments must be submitted on or before September 23, 1982.

ADDRESSES: All written comments (at least three copies) should be addressed to: Assistant Executive Director for Policy and Planning (140), Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C. 20006. The request for exemption and the comments received will be available for public inspection at the PBGC Public Affairs Office, Suite 7100, at the above address, between the hours of 9:00 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT:
James M. Graham, Office of the Executive Director, Policy and Planning (140), Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C. 20006; (202) 254–4862. [This is not a toll-free number.]

SUPPLEMENTARY INFORMATION:

Background

The Multiemployer Pension Plan Amendments Act of 1980, Pub. L. 96–364, 94 Stat. 1208 (the "Multiemployer Act") became law on September 26, 1980 and amended the Employee Retirement Income Security act of 1974 ("ERISA"), 29 U.S.C. 1001 *et seq.* As a result of the Multiemployer Act, an employer that withdraws, or partially withdraws, from a multiemployer pension plan covered under title IV of ERISA may be liable to the plan for a portion of the plan's unfunded vested benefits. The withdrawal liability rules generally apply to withdrawals occurring after April 28, 1980.

Section 4204 of ERISA, 29 U.S.C. 1384, provides that a bona fide arm's-length sale of assets of a contributing employer to an unrelated party will not be considered a withdrawal if three conditions are met. These conditions, enumerated in section 4204(a)(1) (A)–(C), are that—

(A) The purchaser has an obligation to contribute to the plan for substantially the same number of contribution base units for which the seller was obligated to contribute;

(B) The purchaser obtains a bond or places an amount in escrow, for a period of five plan years after the sale, in an amount equal to the greater of the seller's average required annual contribution to the plan for the three plan years preceding the year in which the sale occurred or the seller's required annual contribution for the plan year preceding the year in which the sale occurred; and

(C) The contract of sale provides that if the purchaser withdraws from the plan within the first five plan years beginning after the sale and fails to pay any of its liability to the plan, the seller shall be secondarily liable for the liability it (the seller) would have had but for section 4204.

The bond or escrow described above would be paid to the plan if the purchaser withdraws from the plan or fails to make any required contributions to the plan within the first five plan years beginning after the sale.

Section 4204(c) of ERISA authorizes the Pension Benefit Guaranty Corporation ("PBGC") to grant individual or class variances or exemptions from the purchaser's bond/escrow requirement of section 4204(a)(1)(B) and the contract-provision requirement of section 4204(a)(1)(C). The legislative history of section 4204 indicates a Congressional intent that the sales rules be administered in a manner that assures protection of the plan with the least practicable intrusion into normal business transactions. The granting of an exemption or variance from the requirements of section 4204(a)(1) (B) or (C) does not constitute a finding by PBGC that the transaction satisfies the other requirements of section 4204(a)(1).

Under § 2643.3(a) of the PBGC's regulation on procedures for variances for sales of assets, (46 FR 46127, September 17, 1981), the PBGC shall approve a request for a variance or exemption if it determines that approval of the request is warranted, in that it—

(1) Would more effectively or equitably carry out the purposes of Title IV of the Act; and

(2) Would not significantly increase the risk of financial loss to the plain.

Section 4204(c) of ERISA and § 2643.3(b) of the regulation require the PBGC to publish a notice of the pendency of a request for a variance or exemption in the **Federal Register** and to provide interested parties with an opportunity to comment on the proposed variance or exemption.

The Request

The PBGC has received a request from Leonard Silver Manufacturing Company, Inc., ("Leonard Silver") to waive the bond/escrow requirement of section 4204(a)(1)(B) of ERISA. Leonard Silver is a wholly-owned subsidiary of Towle Manufacturing Company ("Towle"). In the request, Leonard Silver represents among other things, that:

1. Effective July 13, 1981, Towle purchased the operating assets of the Coppercraft Guild Division of Dart Industries, Inc. ("Coppercraft").

2. Leonard Silver has assumed Coppercraft's resonsibilities under a collective bargaining agreement with Lodge #1225, District #64 of the International Association of Machinists, which obligated Coppercraft to contribute to the I.A.M. National Pension Fund Benefit Plan A (the "Fund"). Prior to the sale, Coppercraft's potential withdrawal liability to the Fund had been calculated to be $615,355.

3. The amount of the bond or escrow required under section 4204(a)(1)(B) is $220,527 (the average annual contribution required to be made by Coppercraft for the three plan years preceding the sale). The sale contract between Towle and Dart Industries, Inc. obligates Leonard Silver to either obtain such a bond, or to obtain an exemption from PBGC from the bond requirement.

4. According to its audited statements for the fiscal year ending on December 31, 1980, Towle and its subsidiaries had total net assets of approximately $46 million, and an average net income for fiscal years 1978–1980 of about $6.7 million.

5. Leonard Silver has sent a complete copy of this request to the Fund and the collective bargaining representative of the seller's former employees by certified mail, return receipt requested.

6. In a letter dated March 4, 1982, Dart Industries, Inc. has indicated that it concurs in this variance request submitted by Leonard Silver.

Comments

All interested persons are invited to submit written comments on the pending exemption to the above address, by September 23, 1982. All comments will be made a part of the record. Comments received, as well as the application for exemption, will be available for public inspection at the address set forth above.

Issued at Washington, D.C. on this 4th day of August 1982.

Edwin M. Jones,
Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 82–21509 Filed 8–6–82; 8:45 am]
BILLING CODE 7708–01–M

PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

Privacy Act of 1974; Systems of Records

In accordance with the requirements of 5 U.S.C. 552a(e) (4) and (11), Section 3 of the Privacy Act of 1974 (Pub. L. 93–579), the Commission hereby publishes its annual notice of the system of records it maintains which is subject to the Act. With revision in address and telephone number only, this notice continues in effect the notice published in the **Federal Register** at 40 FR 39225 and 41 FR 44029.

James C. Roberts,
Director, President's Commission on White House Fellowships.

PCWHF—1

SYSTEM NAME:

White House Fellowships—PCWHF

SYSTEM LOCATION:

President's Commission on White House Fellowships, 712 Jackson Place, N.W., Washington, D.C. 20503.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants for White House Fellowships, speakers for the White House Fellows' education program, and commission and regional panel members.

CATEGORIES OF RECORDS IN THE SYSTEM:

Applications, index cards and supplemental material on individuals applying for White House Fellowships; biographical and other material regarding speakers for the White House Fellows' seminars, and index cards on prospective and current regional panel members.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11183, as amended.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

a. Applications are used to select candidates for White House Fellows; biographical and other material regarding speakers are distributed to White House Fellows before they meet with them; and cards on commission and regional panel members are a source file for memberships.

b. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

See Storage, Retrievability, Safeguards, and Retention and disposal below.

STORAGE:

The records are maintained in the file folders.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Records are maintained in filing cabinets in a secured room.

Records are available only to personnel authorized by the President's Commission on White House Fellowships.

RETENTION AND DISPOSAL:

The applications of those selected as White House Fellows are maintained indefinitely. Applications of those not selected are destroyed 60 days after non-selection notice has been mailed. Biographical and other material regarding speakers for White House Fellows' seminars are destroyed when they become obsolete. The index cards of applicants are maintained indefinitely. The index cards on prospective and current commission and regional panel members are destroyed when obsolete.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Director for Administration, President's Commission on White House Fellowships, 712 Jackson Place, N.W., Washington, D.C. 20503.

NOTIFICATION PROCEDURE:

Contact the system manager listed above. It is necessary to furnish the following information in order to identify the individual whose records are requested.

a. Full name.
b. Date of birth.
c. Year of application (if applicable).

RECORD ACCESS PROCEDURE:

An individual can obtain information on the procedures for gaining access to the records through: Assistant Director for Administration, President's Commission on White House Fellowships, 712 Jackson Place, N.W., Washington, D.C. 20503.

CONTESTING RECORD PROCEDURES:

An individual can obtain information on the procedures for contesting the records through: President's Commission on White House Fellowships, 712 Jackson Place, Washington, D.C. 20503.

RECORD SOURCE CATEGORIES:

White House and their evaluators, applicants for White House Fellowships, speakers, and commission and regional panel members.

[FR Doc. 82-21535 Filed 8-6-82; 8:45 am]

BILLING CODE 6325-01-M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) Collection title: Survivor questionnaire
(2) Form(s) submitted: RL-94-F
(3) Type of request: Extension
(4) Frequency of use: On occasion
(5) Respondents: Friends or relatives of deceased railroad workers
(6) Annual response: 26,500
(7) Annual reporting hours: 4,833
(8) Collection description: The Railroad Retirement Act provides for the payment of benefits to survivors or the estates of deceased railroad workers. The questionnaire will obtain information about the survivors, if any, payment of burial expenses and administration of estate when unknown to the Board. The information will be used for determining whether benefits are payable because of the employee's death.

Additional Information or Comments

Copies of the proposed forms and supporting documents may be obtained from Pauline Lohens, the agency clearance officer (312-751-4692). Comments regarding the information collection should be addressed to Pauline Lohens, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Milo Sunderhaus (202-395-6880), Office of Management and Budget, Room 3201, New Executive Office Building, Washington, D.C. 20503.

William A. Oczkowski,

Director of Planning and Information Management.

[FR Doc. 82-21464 Filed 8-6-82; 8:45 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

Goldfield Deep Mines of Nevada (California); Order of Suspension of Trading

August 3, 1982.

It appearing to the Securities and Exchange Commission ("Commission") that there are questions concerning the adequacy and accuracy of Goldfield Deep Mines of Nevada ("Goldfield") Form 10 filing with the Commission with respect to Goldfield's failure to disclose in the Form 10: criminal convictions of two of its officers and directors; orders by state securities agencies against and injuctions by a federal court of the company and those two officers; the suspension of its auditor from appearing or practicing before the Commission; and, discrepancies in its financial statements, the Commission is of the opinion that the public interest and the protection of investors require a summary suspension of trading in the securities of Goldfield.

Therefore, it is ordered, pursuant to section 12(k) of the Securities Exchange Act of 1934, that trading in such securities on a national securities exchange or otherwise is suspended, for the period from 9:30 a.m. on August 3, 1982 through midnight August 12, 1982.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-21510 Filed 8-6-82; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice CM-8/534]

Integrated Service Digital Network (ISDN) Working Party of the U.S. Organization for the International Telegraph and Telephone Consultative Committee (CCITT); Meeting

The Department of State announces that the ISDN Working Party of the U.S. Organization for the International Telegraph and Telephone Consultative Committee will meet on August 26, 1982 at 9:30 in Room 1105 of the Department of State, 2201 C Street, N.W. Washington, D.C. This Working Party deals with the evolution of ISDN as it is being considered by CCITT Study Group XVIII.

The agenda for the meeting is as follows:

1. Report on the June 1982 meeting of U.S. Study Group XVIII with respect to ISDN and related subjects.

2. Consideration of proposals for redrafting recommendations I.xxx, I.xxy, Ixxw.

3. Contributions for the meeting of Ad Hoc Group 2 (basic access; level I characteristics) of the ISDN Group of Experts (November 8–12, 1982)

4. Any other business.

Members of the general public may attend the meeting and join in the discussion subject to the instructions of the Chairman. Admittance of public members will be limited to the seating available. In that regard, entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is suggested that prior to August 26, members of the general public who plan to attend the meeting so advise Mr. William Lowell, Office of International Communications Policy, Department of State, Washington, D.C. 20520, telephone (202) 632–6583. All non-Government employees must use the C Street entrance to the building.

Dated: July 21, 1982.

Richard H. Howarth,

Chairman, U. S. CCITT National Committee.

[FR Doc. 82-21467 Filed 8-6-82; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice CM-8/533]

Message Handling Systems (MHS) Working Party of the U.S. Organization for the International Telegraph and Telephone Consultative Committee (CCITT); Meeting

The Department of State announces that the MHS Working Party of the U.S. Organization for the International Telegraph and Telephone Consultative Committee will meet on August 24, 1982 at 9:30 a.m. in Room 1205 of the Department of State, 2201 C Street, N.W., Washington, D.C. This Working Party deals with message handling communications systems.

The agenda for the meeting is as follows:

1. Introductory remarks and appointment of secretary

2. Discussion of organizational procedures

3. Review of current status of MHS Rapporteur Group Work

4. Consideration of contributions for Rapporteur Group meeting in September

5. Plans for next meeting and SGVII WP5 Plenary in December

6. Any other business

Members of the general public may attend the meeting and join in the discussion subject to the instructions of the Chairman. Admittance of public members will be limited to the seating available. In that regard, entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is suggested that prior to August 24, members of the general public who plan to attend the meeting so advise Mr. William Lowell, Office of International Communications Policy, Department of State, Washington, D.C. 20520, telephone (202) 632–6583. All non-Government employees must use the C Street entrance to the building.

Dated: July 26, 1982.

Richard H. Howarth,

Chairman, U.S. CITT National Committee.

[FR Doc. 82-21465 Filed 8-6-82; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice CM-8/536]

Shipping Coordinating Committee; Subcommittee on Safety of Life at Sea; Meeting

The SOLAS Subcommittee of the Shipping Coordinating Committee will conduct an open meeting on September 8, 1982, at 9:30 a.m., in Room 3201 of the U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, D.C.

The purpose of the meeting is to finalize preparations for the 47th Session of the Maritime Safety Committee (MSC) of the International Maritime Organization (IMO) which is scheduled for September 13–17, 1982 in London. In particular, the SHC will discuss the development of U.S. positions dealing with, inter alia, the following topics:

—Consideration of the second set of amendments to 1974 SOLAS

—Adoption of amendments proposed by Chile to 1966 Loadlines

—Casualty statistics

Members of the public may attend up to the seating capacity of the room.

Interested persons may seek information by writing Mr. G. P. Yoest, U.S. Coast Guard Headquarters (G–CPI), 2100 Second Street, SW, Washington, D.C. 20593. Telephone (202) 426–2280.

Dated: July 22, 1982.

Gordon S. Brown,

Chairman, Shipping Coordinating Committee.

[FR Doc. 82-21466 Filed 8-6-82; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice CM-8/537]

Shipping Coordinating Committee; Subcommittee on Safety of Life at Sea; Meeting

The Panel on Bulk Cargoes under the SOLAS Working Group on Containers and Cargoes will conduct an open meeting on September 15, 1982, at 10:00 a.m., in Room 3201 of the Coast Guard Headquarters, 2100 Second Street, SW, Washington, D.C.

The purpose of this meeting is to review progress of position papers preparation for presentation at the Twenty-fourth Session on Containers and Cargoes to be held at IMO Headquarters in London. Particular comments will be directed to the Code of Ammonium Nitrate, Cereal (Grain), Charcoal, Coal, DRI, Grain Fumigation, Ore Concentrates, Seed Cake and Zinc Ashes.

Members of the public may attend up to the seating capacity of the room.

For further information contact Mr. John McAnulty, U.S. Coast Guard (G–MTH), 2100 Second Street, SW, Washington, D.C. 20593. Telephone (202) 426–1577. Or contact Captain S. Fraser Sammis, National Cargo Bureau, Inc., Suite 2757, One World Trade Center, New York, New York 10048. Telephone (202) 432–1280.

Dated: July 22, 1982.

Gordon S. Brown,

Chairman, Shipping Coordinating Committee.

[FR Doc. 82-21469 Filed 8-6-82; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice CM-8/535)

Study Group D of the U.S. Organization for the International Telegraph & Telephone Consultative Committee (CCITT); Meeting

The Department of State announces that Study Group D of the U.S. Organization for the International Telegraph and Telephone Consultative Committee (CCITT) will meet on August 25 at 9:30 a.m. in Room 1105 of the Department of State, 2201 C Street, N.W., Washington, D.C. This Study Group deals with matters in telecommunications relating to the development of international digital data transmission.

The agenda for the August 25 meeting will include consideration of the following:

1. Report of Study Group VII Working Parties 1, 2, and 4 meetings (Geneva, May 1982)
2. Consideration of contributions for upcoming Study Group VII Rapporteurs meetings
3. Consideration of contributions for Study Group XVII meeting (Geneva, October 18–22, 1982)
4. Any other business.

Members of the general public may attend the meeting and join in the discussion subject to the instructions of the Chairman. Admittance of public members will be limited to the seating available. In that regard, entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is suggested that prior to August 25, members of the general public who plan to attend the meeting so advise Mr. William Lowell, Office of International Communications Policy, Department of State, Washington, D.C. 20520, telephone (202) 632–6583. All non-Government employees must use the C Street entrance to the building.

Dated: July 21, 1982.

Richard H. Howarth,

Chairman, U.S. CCITT National Committee.

[FR Doc. 82-21466 Filed 8-6-82; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice 817]

Determination To Authorize Continued Assistance for El Salvador

July 27, 1982.

Pursuant to sections 728 (b) and (d) of the International Security and Development Cooperation Act of 1981 and Executive Order No. 12163, as amended, I hereby:

(1) Determine that the Government of El Salvador is making a concerted and significant effort to comply with internationally recognized human rights;

(2) Determine that the Government of El Salvador is achieving substantial control over all elements of its own armed forces, so as to bring to an end the indiscriminate torture and murder of Salvadoran citizens;

(3) Determine that the Government of El Salvador is making continued progress in implementing essential economic and political reforms, including the land reform program;

(4) Determine that the Government of El Salvador is committed to the holding of free elections and has held such elections at an early date and to that end has demonstrated its good faith efforts to begin discussions with all major political factions in El Salvador which have declared their willingness to find and implement an equitable political solution to the conflict;

(5) Authorize the obligation of funds in fiscal years 1982 and 1983 for assistance for El Salvador under chapter 2 or 5 of part II of the Foreign Assistance Act of 1961, the issuance of letters of offer and the extension of credits and guarantees for El Salvador under the Arms Export Control Act, and the assignment of members of the Armed Forces to El Salvador to carry out functions under either of these Acts.

This determination together with the justification therefor shall be reported to the Congress immediately.

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

George P. Shultz,

Secretary of State.

[FR Doc. 82-21512 Filed 8-6-82; 8:45 am]

BILLING CODE 4710-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Radio Technical Commission for Aeronautics (RTCA); Special Committee 147—Traffic Alert and Collision Avoidance Systems; 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 RTCA Special Committee 147 on Traffic Alert and Collision Avoidance Systems to be held on September 1–2, 1982 in Conference Rooms 9A–B–C, Federal Aviation Administration Building, 800 Independence Avenue, SW., 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 Eighth Meeting Held on June 30 and July 1, 1982; (3) Presentation of Working Group Reports; (4) Review of Revisions to Draft Minimum Operational Performance Standards for TCAS (5) Establish Schedule for Completion of Remaining Work; and (9) 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, NW., 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 August 2, 1982.

Karl F. Bierach,

Designated Officer.

[FR Doc. 82-21379 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-13-M

Urban Mass Transportation Administration

Fiscal Year 1982 Bus Call

AGENCY: Urban Mass Transportation Administration, DOT.

ACTION: UMTA Bus call.

SUMMARY: For Fiscal Year 1982 the Urban Mass Transportation Administration (UMTA) has initiated a Bus Call to assist potential grantees in acquiring needed standard size (i.e. 35 and 40 foot) and articulated transit buses. The major emphasis of the UMTA Bus Call will be to encourage grantees to advertise for bids on grants previously approved, but not yet awarded; expedite current and potential bus grants through application, advertisement for bid, and contract award; solicit new grant applications for additional equipment using Section 3 discretionary funds; and issue Letters of No Prejudice (LONP) for prospective grantees to satisfy immediate vehicle needs. During this Call period, technical

assistance is available to facilitate grant application and bus procurement. The UMTA Bus Call is expected to accelerate procurement of standard size and articulated buses.

DATES: UMTA will expedite grant applications for standard size buses according to the following schedule:

Grantee application deadline—September 5, 1982

Application completed by—September 15, 1982

Grant approval by UMTA—September 30, 1982

FOR FURTHER INFORMATION CONTACT: Appropriate UMTA Regional Administrators.

SUPPLEMENTARY INFORMATION: The UMTA Bus Call is implemented to:

1. *Offer special technical assistance and encourage grantees to advertise for bids on grants previously approved, but not yet awarded to a bus manufacturer.* Each grantee will be contacted and offered assistance in initiating and completing bus procurement actions.

2. *Expedite bus projects programmed (potential grants) for the remainder of this fiscal year by accelerating the time period for bid opening.* Projects currently programmed, but not approved, would be awarded on the condition that the grantee agrees to expedite the normal process by advertising for bids within 90 days of grant approval. This condition will be incorporated in the grant contract and could result in the deobligation of funds if not honored.

3. *Announce the availability of Section 3 discretionary funds for the procurement of additional new standard buses.* The conditions of this action are: (1) that there is a justifiable need for new standard size vehicles; (b) that all statutory and administrative grant approval requirements can be met by September 15, 1982; and (c) that the grantee would be prepared to advertise for bids within 60 days of the receipt of a grant.

4. *Issue Letters of No Prejudice, as appropriate, to immediately increase the number of potential bus orders.* For those properties with special purpose local transit funds available for bus purchases, as well as those ready to advertise for bids, but the Federal funding is not available, UMTA would be receptive to the issuance of Letters of No Prejudice (LONP).

Issued on August 3, 1982.

Arthur E. Teele, Jr.,

Administrator.

[FR Doc. 82-21482 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-57-M

Scoping Meeting

AGENCY: Urban Mass Transportation Administration, DOT.

ACTION: Notice of Intent to Prepare an EIS.

SUMMARY: Pursuant to the National Environmental Policy Act (42 U.S.C. 4321) and the Council on Environmental Quality's (CEQ) implementing regulations (40 CFR Parts 1500–1508), The Urban Mass Transportation Administration (UMTA) gives notice than an Environmental Impact Statement is being prepared for the study of alternatives for the modernization of the Metropolitan Transportation Authority's subway facilities in the Queens/Long Island Corridor in New York. Notice of a Scoping Meeting to address the scope of the Queens Subway Options Study is hereby given.

DATE: August 26, 1982, at 6:00 p.m.

ADDRESS: Queensboro Hall, 120–55 Queens Boulevard, Queens, New York.

FOR FURTHER INFORMATION CONTACT: Brian Sterman, Region II, Urban Mass Transportation Administration, Suite 14–130, 26 Federal Plaza, New York, New York 10007, telephone (212) 264–8162, or Mr. Robert E. Selsam, Project Director, Metropolitan Transportation Authority, 347 Madison Avenue, New York, New York 10017, telephone (212) 878–7253.

SUPPLEMENTARY INFORMATION: The Metropolitan Transportation Authority proposes to undertake, with Federal capital grant assistance, improvements to the Authority's facilities in the Queens/Long Island Corridor with the primary purposes of relieving overcrowding on the Queens Boulevard Line, accommodating growth in ridership and providing improved service to subway riders. Alternatives to be considered include:

1. *No-Build.* All projects currently under construction would be completed. NYCTA would operate service from a proposed 21st Street Station in Queens via the 63rd Street Tunnel to connections with existing Manhattan subway lines. Service would also be operated on the Archer Avenue line via the Queens Boulevard Line local tracks and via the Jamaica Elevated line.

2. *Queens Bypass.* This alternative represents the approved plan, with only minor changes and without the Southeast Queens Extension. Express tracks would be constructed from 71st Street and Continental Avenue paralleling the LIRR Mainline to the proposed Northern Boulevard Station. Under this plan, a single intermediate station would be constructed at Woodside in Queens. NYCTA trains would operate via the Queens Boulevard Line, express (bypass) tracks and 63rd Street Tunnel to Manhattan.

3. *Northern Boulevard Local Connection to Queens Boulevard Line.* Subway service in the 63rd Street Tunnel would be connected to the local tracks of the Queens Boulevard Line. This would be accomplished by constructing a connection between the Queens Boulevard Line, west of Northern Boulevard, and at the end of the 63rd Street Tunnel at 29th Street. The GG service to Queens would be terminated at the Court Square Station in Long Island City, and a pedestrian passageway would be built at this station and the 23rd Street-Ely Avenue Station of the E & F service to permit transfer between the services.

4. *Electrified Montauk Line to Thomson Transfer Station.* Under this option, the existing LIRR Montauk Branch west of Jamaica Station would be upgraded to accommodate LIRR EMU consists (electric trains). Trains would serve Queens and operate via Jamaica and Richmond Hill stations to a proposed transfer terminal in the vicinity of Thomson Avenue in Long Island City. The 63rd Street Line would be extended from 29th Street to this transfer station.

5. *Montauk Line-Archer Avenue Connection.* NYCTA services would be operated from the new Parsons Boulevard Station on the Archer Avenue Subway to the 63rd Street Line via the Jamaica El and LIRR Montauk Branch. With this option, the Montauk Branch would be electrified and appropriate modifications made to accommodate NYCTA trains. In the vicinity of Lefferts Boulevard, a connection would be constructed linking the Jamaica El to the Montauk Branch. As in alternative 4, the 63rd Street Line would be extended from 29th Street to Thomson Avenue. With this alternative passengers would not be required to transfer at the proposed Thomson Avenue Station.

In addition, Transportation System Management (TSM) improvements will be examined as variations to the No-Build alternative, as well as to the other alternatives as appropriate.

Among the impacts to be examined in accordance with applicable procedures will be long and short term impacts affecting air quality, noise and vibration, water quality, land use, urban development, energy requirements, and historic properties. Mitigating measures will be explored for any adverse impacts that might be identified.

UMTA invites the participation of agencies and individuals with expertise or interest in these alternatives or the affected area to comment on the alternatives, the impacts, and the scope of this environmental impact statement.

Issued on August 4, 1982.

Brian J. Cudahy,

Acting Associate Administrator for Grants Management.

[FR Doc. 82-21483 Filed 8-6-82; 8:45 am]

BILLING CODE 4910-57-M

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1982 Rev., Supp. No. 2]

Surety Companies Acceptable on Federal Bonds; Correction

At 47, No. 127, in the issue of Thursday, July 1, 1982, Circular 570; 1982 Revision was published. The following company and information should be added to page 28873 of the circular:

Capitol Indemnity Corporation.
BUSINESS ADDRESS: Post Office Box 8, Madison, Wisconsin 53701.
UNDERWRITING LIMITATION [b]: $241,000. SURETY LICENSES [c]: Ariz., Fla., Idaho, Ill., Ind., Iowa, La., Mich., Minn., Mo., Mont., N. Mex., N. Dak., Okla., S. Dak., Tex., Wis., Wyo.
INCORPORATED IN: Wis. FEDERAL PROCESS AGENTS [d].

Questions concerning this correction notice may be directed to the Operations Staff, Banking and Cash Management, Bureau of Government Financial Operations, Department of the Treasury, Washington, DC 20226. Telephone (202) 634-5752.

Dated: July 28, 1982.

W. E. Douglas,

Commissioner, Bureau of Government Financial Operations.

[FR Doc. 82-21391 Filed 8-6-82; 8:45 am]

BILLING CODE 4310-35-M

Office of the Secretary

List of Countries Requiring Cooperation With an International Boycott

In order to comply with the mandate of section 999(a)(3) of the Internal Revenue Code of 1954, the Department of the Treasury is publishing a current list of countries which may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1954). The list is the same as the prior quarterly list published in the **Federal Register**.

On the basis of the best information currently available to the Department of the Treasury, the following countries may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1954.

Bahrain
Iraq
Jordan
Kuwait
Lebanon
Libya
Oman
Qatar
Saudi Arabia
Syria
United Arab Emirates
Yemen, Arab Republic
Yemen, Peoples Democratic Republic of

August 3, 1982.

John E. Chapoton,

Assistant Secretary for Tax Policy.

[FR Doc. 82-21498 Filed 8-6-82; 8:45 am]

BILLING CODE 4810-25-M

Office of the Commissioner of Customs

[T.D. No. 82-140]

Reimbursable Services—Excess Cost of Preclearance Operations

Notice is hereby given that pursuant to Section 24.18(d), Customs Regulations (19 CFR 24.18(d)), the biweekly reimbursable excess costs for each preclearance installation are determined to be as set forth below and will be effective with the pay period beginning August 8, 1982.

Installation	Biweekly excess cost
Montreal, Canada	$20,922
Toronto, Canada	28,894
Kindley Field, Bermuda	10,023
Nassau, Bahama Islands	15,140
Vancouver, Canada	11,588
Winnipeg, Canada	2,689
Freeport, Bahama Islands	9,784
Calgary, Canada	7,448
Edmonton, Canada	3,893

William H. Russell,

Comptroller.

[FR Doc. 82-21500 Filed 8-6-82; 8:45 am]

BILLING CODE 4820-02-M

Sunshine Act Meetings

Federal Register
Vol. 47, No. 153
Monday, August 9, 1982

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
Commodity Credit Corporation	1
Commodity Futures Trading Commission	2
Federal Communications Commission	3
Federal Election Commission	4
Foreign Claims Settlement Commission	5
Federal Home Loan Bank Board	6, 7

1

COMMODITY CREDIT CORPORATION

TIME AND DATE: 2 p.m., August 12, 1982.

PLACE: Room 104–A Administration Building, U.S. Department of Agriculture, Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Minutes of Open Meeting of June 25, 1982.
2. Minutes of Closed Meeting of June 25, 1982.
3. Docket WCP–98a re: Milk Price Support Program, 1981–1982.
4. Memorandum re: Recent Announcement Relative to the Tobacco Price Support Program for the 1982 and Subsequent Crops, XCP–40a.
5. Memorandum re: Status Report on the Extended Grain Storage Program.
6. Memorandum re: Update of Commodity Credit Corporation (CCC) Owned Inventories.
7. Memorandum re: Status of Alcohol Demonstration Project.
8. Memorandum re: Update of Seward Energy project.

CONTACT PERSON FOR MORE INFORMATION: Edward D. Hews, Secretary, Commodity Credit Corporation, P.O. Box 2415, Room 3090, South Building, U.S. Department of Agriculture, Washington, D.C. 20013; telephone (202) 447–7583.

[S–1146–82 Filed 8–5–82; 11:52 am]

BILLING CODE 3410–05–M

2

COMMODITY FUTURES TRADING COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCMENT: Vol. 47, No. 6

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 11 a.m., Friday, August 6, 1982.

CHANGES IN THE MEETING: Cancelled.

[S 1150–82 Filed 8–5–82; 2:59 pm]

BILLING CODE 6351–01–M

3

FEDERAL COMMUNICATIONS COMMISSION

Additional Item To Be Considered at Open Meeting, Wednesday, August 4th

The Federal Communications Commission will consider an additional item on the subject listed below at the Open Meeting scheduled for 9:30 a.m., Wednesday, August 4, 1982 at 1919 M Street, N.W., Washington, D.C.

Agenda, Item No., and Subject

Broadcast—4—Motion for partial stay of the Commission's action in deregulating the Subscription Television Service.

The prompt and orderly conduct of Commission business did not permit announcement of this matter prior to the meeting.

Action by the Commission August 4, 1982. Commissioners Fowler, Chairman; Quello, Washburn, Fogarty, Jones, Dawson and Rivera voting to consider this item with less than 7 days' notice.

Additional information concerning this meeting may be obtained from Judith Kurtich, FCC Public Affairs Office, telephone number (202) 254–7674.

Issued: August 4, 1982.

William J. Tricarico,

Secretary, Federal Communications Commission.

[S 1149–82 Filed 8–5–82; 2:04 pm]

BILLING CODE 6712–01–M

4

FEDERAL ELECTION COMMISSION

DATE AND TIME: August 12, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: The open meeting previously set for this date has been cancelled.

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer; Telephone 202–523–4065.

Marjorie W. Emmons,

Secretary of the Commission.

[S–1151–82 Filed 8–5–82; 3:36 pm]

BILLING CODE 6715–01–M

5

FOREIGN CLAIMS SETTLEMENT COMMISSION

[Meeting Notice No. 3–82]

DATE AND TIME: Monday, August 16, 1982 at 9:30 a.m.

SUBJECT MATTER: Redetermination decisions involving claims against the Government of the Czechoslovak Socialist Republic.

Subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. Requests for information, or advance notices of intention to observe a meeting, may be directed to: Administrative Officer, Foreign Claims Settlement Commission, 1111 20th Street, NW., Room 409, Washington, DC 20579. Telephone (202) 653–6155.

Dated at Washington, D.C., on August 2, 1982.

Judith H. Lock,

Administrative Officer.

[S–1148–82 Filed 8–5–82; 1:09 pm]

BILLING CODE 4410–01–M

6

FEDERAL HOME LOAN BANK BOARD

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: None at this time.

PLACE: Board room, sixth floor, 1700 G Street, N.W., Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6679).

CHANGES IN THE MEETING: The following item has been added to the open portion of the Bank Board meeting scheduled Wednesday, August 11, 1982:

Amendments on Financial Options

[No. 55, August 5, 1982]

[S–1145–82 Filed 8–5–82; 11:12 am]

BILLING CODE 6720–01–M

7

FEDERAL HOME LOAN BANK BOARD

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: None at this time.

PLACE: Board room, sixth floor, 1700 G Street, N.W., Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6679).

CHANGES IN THE MEETING: The Bank Board meeting previously scheduled Wednesday, August 11, 1982 at 2:00 p.m., has been changed to 2:30 p.m.

[No. 56, August 5, 1982]

[S–1147–82 Filed 8–5–82; 12:27 pm]

BILLING CODE 6720–01–M

federal register

Monday
August 9, 1982

Part II

Department of the Interior

Fish and Wildlife Service

Migratory Bird Hunting; Final Frameworks

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service, Interior

50 CFR Part 20

Migratory Bird Hunting; Final Frameworks for Selecting Early Hunting Seasons on Certain Migratory Game Birds in the United States for the 1982–83 Season

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule prescribes final frameworks (i.e., the outer limits for dates and times when shooting may begin and end, hunting areas, and the numbers of birds which may be taken and possessed) for early season migratory bird hunting regulations from which States may select season dates and daily bag and possession limits for the 1982–83 season. These seasons may open prior to October 1, 1982, and apply to mourning doves; white-winged doves; band-tailed pigeons; rails; woodcock; snipe; gallinules; teal (September only, in designated States); sea ducks (Atlantic Flyway only); September duck seasons in Florida, Iowa, Kentucky, and Tennessee; sandhill cranes in the Central Flyway and Arizona; sandhill cranes and Canada geese in southwestern Wyoming; and extended falconry seasons. Selected season dates have been transmitted to the U.S. Fish and Wildlife Service (hereinafter the Service) by July 30, 1982, for publication in the **Federal Register** as amendments to §§ 20.103 through 20.106 of 50 CFR 20.

DATES: Effective on August 9, 1982. Season selections were due from the States by July 30, 1982.

ADDRESSES: Season selections from States are to be mailed to: Director (FWS/MBMO), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Comments received are available for public inspection during normal business hours at the Service's office in Room 525–B, Matomic Building, 1717 H Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: John P. Rogers, Chief, Office of Migratory Bird Management, Department of the Interior, Washington, D.C. 20240, telephone 202–254–3207.

SUPPLEMENTARY INFORMATION: On April 19, 1982, the U.S. Fish and Wildlife Service published for public comment in the **Federal Register** (47 FR 16718) proposals to amend 50 CFR Part 20, with comment period sending June 23, 1982, for Alaska, Puerto Rico, and the Virgin Islands frameworks; July 16, 1982, for other early season frameworks; and August 23, 1982, for late season frameworks. That document dealt with establishment of seasons, limits, and shooting hours for migratory game birds under §§ 20.101 through 20.107 of Subpart K. A supplemental proposed rulemaking for both the early and late hunting season frameworks appeared in the **Federal Register** dated June 15, 1982 (47 FR 25922).

On June 23, 1982, a public hearing was held in Washington, D.C., to review the status of mourning doves, woodcock, band-tailed pigeons, white-winged doves, sandhill cranes, and other species. The meeting was announced in the **Federal Register** on April 19, 1982 (47 FR 16718) and June 15, 1982 (47 FR 25922). Proposed hunting regulations were discussed for these species and for common snipe; rails; gallinules; migratory game birds in Alaska, Puerto Rico, and the Virgin Islands, mourning doves in Hawaii; September teal seasons in the Mississippi and Central Flyways; early duck seasons in Florida, Iowa, Kentucky, and Tennessee; special sea duck seasons in the Atlantic Flyway; sandhill cranes in the Central Flyway and Arizona; sandhill cranes and Canada geese in southwestern Wyoming; and falconry seasons. Public comments on these matters were received.

On July 12, 1982, the Service published in the **Federal Register** (47 FR 30162) a third document in the series of proposed and final rulemaking documents dealing specifically with proposed frameworks for the 1982–83 season from which, when finalized, wildlife conservation agency officials may select season dates for hunting certain migratory birds in their respective jurisdictions during the 1982–83 season. On July 19, 1982, the Service published in the **Federal Register** (47 FR 31282) a fourth document in the series which dealt specifically with final frameworks for Alaska, Puerto Rico, and the Virgin Islands.

This rulemaking is the fifth in the series and deals specifically with final frameworks for other early season migratory game bird hunting regulations from which State wildlife conservation agency officials selected season dates and daily bag and possession limits for the 1982–83 season. These seasons may open prior to October 1, 1982, and apply to mourning doves; white-winged doves; band-tailed pigeons; rails; woodcock; snipe; gallinules; teal (September only, in designated States); sea ducks (Atlantic Flyway only); September duck seasons in Florida, Iowa, Kentucky, and Tennessee; sandhill cranes in the Central Flyway and Arizona; sandhill cranes and Canada geese in southwestern Wyoming; and extended falconry seasons.

These regulations contain no information collections subject to Office of Management and Budget review under the Paperwork Reduction Act of 1980.

Review of Public Comments and the Service's Response

Many public comments on the proposed early season regulations have been received and considered during the regulatory development period. The Service responded to earlier comments on these proposed regulations as published in the **Federal Register** dated April 19, 1982 (47 FR 16718) and June 15, 1982 (47 FR 25922), and as discussed at the Public Hearing held in Washington, D.C., on June 23, 1982. These responses appeared in **Federal Registers** dated June 15, 1982 (47 FR 25922), July 12, 1982 (47 FR 30162), and July 19, 1982 (47 FR 31282).

Subsequently, a number of additional comments have been received. Twenty of these related totally or partially to the proposed early season frameworks. Included were comments by 9 State representatives, 7 individuals, and 4 organizations. These are summarized and responded to in the order that various migratory bird hunting items have been listed in this year's **Federal Registers.**

2. *Framework dates for ducks and geese in the continental United States.* Michigan submitted detailed comments and proposals on a wide array of migratory bird matters, most of which relate to late season frameworks. Among the recommendations, however, was the repeated request that a September 26 waterfowl season opening be provided for the Upper Peninsula. The same recommendation was made by the Michigan Citizen's Waterfowl Advisory Committee and a sportsman.

Response. The Service responded to a similar request in the **Federal Register** dated June 15, 1982 (at 47 FR 25923), noting that the proposal was not endorsed by the Mississippi Flyway Council. The Service believes that before hunting season frameworks are changed, all pertinent information should be examined. It favors a comprehensive review of the suitability of present frameworks and alternatives to them. Information from the current study of stabilized hunting regulations for ducks, and from experimental seasons currently under study in Iowa, Tennessee, Kentucky, Mississippi and Florida, will provide much of the information on the magnitude, distribution, and chronology of the

harvest which would be necessary for such a comprehensive study.

16. *Sandhill crane.* Dr. H. Elliott McClure described the plight of the 14 species of cranes found in the world, noting that many are near extinction or have depleted populations. He recommended that the Service accord full protection to the sandhill crane.

Response. A review of the status of the mid-continent population of sandhill cranes at the Public Hearing in Washington, D.C., on June 23, 1982, indicated that this population alone numbers over a half-million birds and that the proposed frameworks should result in harvests well within the recruitment and survival capabilities of the population. There appears to be no biological reason to further restrict the hunting of these cranes.

21. *Woodcock.* In the **Federal Register** published July 12, 1982 (at 47 FR 30162), the Service proposed delaying the season framework in the Eastern Region (Atlantic Flyway) from September 1 to October 5. This restriction was proposed in consideration of a 20.3 percent decline in the index of breeding woodcock in the Eastern Region in 1982. Significant woodcock mortality apparently occurred in portions of New England subjected to a severe blizzard on April 5–6.

The proposed framework modification prompted 12 comments—7 from State conservation agency officials, 3 from sportsmen, and 2 via Congressional contacts. While these comments differed somewhat, their basic theme was that harvest restrictions in terms of reduced hunting days or bag limits should be imposed throughout the Eastern Region as many woodcock breeding in northern States winter in the South.

Maine expressed fear that delaying the hunting season there might only encourage hunters to go afield more often once the season opened. Maine noted that its birds do not migrate from the State most years until about October 20. Thus, it believes that the harvest reduction from the delayed opening might be less than that estimated by the Service. Maine suggested that another approach be considered, i.e., reduce the daily bag from 5 to 3 birds throughout the Eastern Region. The Service has estimated that this would result in a harvest reduction of about 16 percent. Main recommended a framework opening of October 1.

New Jersey recommended retention of the September 1 framework date. It noted that the framework change was proposed by the Service without consultation with States of the Atlantic Flyway, or at meetings of the Migratory Webless Game Bird Committee which was established by the Atlantic Flyway Council. It proposed that any regulatory change be delayed a year. New Jersey stated that it had anticipated opening its season on October 2 and that implementation of the framework change will cause administrative problems. According to New Jersey's letter, only local woodcock are available for hunting the first week in October and that migrant birds do not arrive in numbers until mid-October.

New Hampshire recommended that the same number of hunting days be deducted from the end of the framework as from its beginning, that the season length be shortened from 65 to 50 days, and that the framework opening be October 1 rather than the proposed October 5 opening.

By telephone, several New Hampshire sportsmen recommended that any restrictions in the woodcock frameworks be in the form of a regionwide reduction in hunting days, or bag limit reduction. They indicated that the framework change would affect woodcock hunting only in northern States. Any birds not taken there would simply provide additional hunting opportunity in southern States.

New York reported that its woodcock breeding population has increased 36 percent over the last 15 years. Although the index declined 16 percent from 1981 to 1982, it is still above the 15-year average. New York stated that migrant woodcock do not arrive until about October 5 and that there is no need for added protection of local birds which sustain local hunting until the arrival of the migrants.

Vermont recommended that the woodcock framework begin on September 25. This is the date that other small game seasons in Vermont are set to open and it would be desirable that they and the woodcock season open simultaneously for public information and compliance reasons.

Response. The Service noted in the **Federal Register** dated April 19, 1982 (at 47 FR 16720), that "The establishment of hunting regulations for migratory game birds in the United States during the 1982–83 season will take into consideration available population information, data from harvest surveys, and information on habitat conditions." At that time it was noted that a woodcock singing-ground survey would be conducted later in the eastern United States and Canada, and that the results of the survey would be considered in developing frameworks for woodcock hunting this year.

The results of the survey were set forth in an administrative report titled *1982 Status of American Woodcock* which was mailed to participating State conservation agencies shortly after its completion, and discussed at the June 23 public hearing for migratory game birds. The report contains substantial information on the weather conditions which preceded the survey, including their apparent effect on woodcock populations as reflected in survey results.

The singing-ground survey indicated that the 1982 woodcock breeding population in the Eastern Region declined 20.3 percent from 1981, with most of the reduction occurring in northern States and eastern Canada. The annual changes included Maine, −38%; Massachusetts, −37%; New Jersey, −22%; New Hampshire, −29%; New York, −16%; and Vermont, −59%. The declines from 1981 were in addition to a gradual decline (a mean annual rate of 2.8 percent) in the woodcock breeding population index for the Eastern Region in recent years.

The objective of a delay in the framework opening date is to assist the recovery of breeding populations of woodcock by reducing hunting pressure in important breeding ground areas in the Eastern Region where the population declined significantly in 1982. The Service considered alternatives such as reductions in season length and/or bag limit before proposing a delay in the framework opening. It was felt that these actions went further than required by the objective since they would unduly affect hunters elsewhere in the Eastern Region who derive a lesser proportion of their harvest from the affected northeastern areas than do northern hunters. Information from several northern States indicates that much of their early season harvest of woodcock is from local breeding birds and that migrants do not arrive in appreciable numbers until early to mid-October. Banding data support this information. Based on band recovery records in the Service's files, 60 to 70 percent of the woodcock recovered from summer bandings in New England and New York are harvested the subsequent fall within the State of banding. Further, most of the woodcock were shot within a few miles of the banding location. This indicates that the most precise way to reduce the harvest of depressed northern birds is to reduce hunting pressure in the areas where most of the harvest occurs.

Several commenters stated that northern hunters, on the average, shoot far fewer woodcock than southern hunters. Woodcock harvest survey statistics from the 1982 administrative report do not seem to support that

contention. For example, the average seasonal bags per hunter in several northern States during the 1981–82 season were as follows: Maine, 12.6; Massachusetts, 9.3; New Hampshire, 11.9; New Jersey, 7.3; New York, 9.9; and Vermont, 16.1. The weighted average harvest for the entire Eastern Region was 10.9 birds. Harvests in southern States included: Georgia, 10.6; North Carolina, 6.3; South Carolina, 7.5 (based on only 4 hunters); and Virginia, 10.9.

In conclusion, the Service believes that the framework change chosen was the best of several options because it would most directly affect woodcock harvest rates in the area experiencing the greatest population decline, and not unduly restrict hunters in more southerly locations where woodcock gather from diverse breeding areas.

23. *Mourning dove.* One State, 1 organization, and 1 individual commented on mourning dove frameworks. Georgia reiterated its recommendation that the limit on mourning doves be increased to 18 birds, noting that most hunters do not achieve the present limit, and that the change should have no effect on the population. Dr. H. Elliott McClure, representing the Committee for Dove Protection, expanded upon comments submitted at the June 23 Public Hearing in Washington, D.C. He described in some detail his understanding of population dynamics and management strategies for a hunted species such as the mourning dove, and the relationships between that species and the spotted dove (*Streptopelia chinensis*), a similar-appearing species introduced into southern California. One individual expressed concern for the welfare of the mourning dove and the effects of hunting seasons.

Response. As described earlier (see 47 FR 30166), the Service proposed to establish standardized frameworks for mourning doves which would be applied nationally. The Service's position on uniform mourning dove season frameworks appeared in the **Federal Register** dated July 12, 1982 (at 47 FR 30166), and is partially repeated below.

"Early in 1982, the Service introduced for consideration the idea of establishing generally uniform mourning dove season and bag limit options for all 3 management units (see **Federal Register** dated April 19, 1982, at 47 FR 16729). * * * The Eastern Management Unit also appears to have a stable mourning dove population, but harvest rates are estimated to be significantly higher than in other Units. Thus, while the Service believes that consideration of a regulatory option allowing for a larger bag limits, e.g. 45 days and 15 birds, is appropriate, it is felt to be desirable to take a conservative approach to such regulations changes initially, and observe the effects on harvests and breeding populations before considering more substantial changes. It is recognized that a previous study (Southeastern Association of Game and Fish Commissioners Technical Bulletin No. 2, 1975) failed to show that increased bag limits adversely affect mourning dove populations in the Eastern Unit. However, it appears that the study may not have been sufficiently sensitive to detect other than quite large changes. The Service therefore proposes that season and bag limit options in the Eastern Management Unit be consistent with those in the other units. Further regulations changes can be considered in the future if populations indices continue to show a stabilized or increasing trend."

The Service appreciates receiving Dr. McClure's additional views. It notes that the introduced spotted dove is not on the List of Migratory Birds in § 10.13 of 50 CFR and thus is not afforded Federal protection. Previous comments by the Service have addressed the status of the mourning dove, and the relationship between dove reproduction and hunting (see 47 FR 30163).

In addition, the Service received a detailed proposal from the White Earth Reservation Business Committee, White Earth, Minnesota, proposing hunting season dates and limits for a number of migratory game birds. Among these was a request that the waterfowl season on the White Earth Indian Reservation commence on September 18, 1982, and that a mourning dove season be permitted.

Response. In the **Federal Register** dated April 19, 1982 (at 47 FR 16718), the Service described the procedures being followed in establishing the 1982–83 migratory bird hunting regulations. These procedures include development of final frameworks by the Service following public input and consideration of biological data and information. From the final frameworks, State conservation agencies select actual hunting season dates and other options. Final hunting regulations are then promulgated by the Service. It appears that the White Earth Reservation's proposal seeks both modification of the early season framework and the selection of a separate season just for the Reservation. To the extent the proposal attempts to select seasons for the Reservation, the Service must deny the request. The Service has recently received legal advice that concludes that the above described procedures for establishing migratory bird hunting regulations are a "non-discriminatory, reasonable and necessary conservation measure," to which Indian hunting rights are subject. The proposal from the White Earth Reservation Business Committee conflicts with the established regulatory process followed by the Service by attempting to select a separate season for the Reservation, and, therefore, cannot be adopted. The proposal must also be denied to the extent it seeks modification of the early season framework by, for example, proposing a September waterfowl season in the area of Minnesota in which the Reservation is located. The proposed change in the framework was received too late in this year's regulatory process to be adequately reviewed given the need for extensive biological review and public comment. Furthermore, the brief review of the proposal which the Service has been able to make tentatively indicates that it would have required a highly cautious approach even if it had been timely made. Minnesota is an extremely important waterfowl production State. For this reason, the Service has not provided early (September) teal and other species options for Minnesota as well as other important waterfowl production States such as the adjoining States of North Dakota, South Dakota, and Wisconsin due to the anticipated heavy harvest of local breeding ducks which early seasons in these areas would generate. For all these reasons, the White Earth Reservation's proposal is not accepted.

Several comments on the proposed late season frameworks will be responded to later.

Comments received are available for public inspection during normal business hours at the Service's office in Room 525 B, Matomic Building, 1717 H Street, N.W., Washington, D.C.

Nontoxic Shot Regulations

On August 13, 1981, the Service published in the **Federal Register** (46 FR 40879) final rules describing nontoxic shot zones for waterfowl hunting. When eaten by waterfowl, spent lead pellets can have a toxic effect. Nontoxic shot zones reduce the availability of lead pellets in selected waterfowl feeding areas.

Amendments to these regulations have been proposed in the **Federal Register** (47 FR 15614; April 12, 1982) and are currently being finalized for Maine, Massachusetts, Indiana, and Nebraska. Texas, South Dakota, and Colorado have regulations requiring steel shot for waterfowl hunting in areas not included in the Federal regulations published in the **Federal Register** on August 13, 1981 (46 FR 40879). Zones in other States will remain as they were described on August 13, 1981 (46 FR 40879).

Some national wildlife refuges require use of steel shot on hunting areas within

their boundaries, and these rules are published with other regulations regarding public use of the refuges (Title 50 CFR Part 32—Hunting).

Waterfowl hunters are advised to become familiar with State and local regulations regarding the use of non-toxic shot for waterfowl hunting.

NEPA Consideration

The "Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FES 75–54)" was filed with the Council on Environmental Quality on June 6, 1975, and notice of availability was published in the Federal Register on June 13, 1975 (40 FR 25241). In addition, several environmental assessments have been prepared on specific matters which serve to supplement the material in the Final Environmental Statement. Copies of these documents are available from the Service.

Endangered Species Act Consideration

Section 7 of the Endangered Species Act provides that, "The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act" [and] * * * by taking such action necessary to insure that any action authorized, funded, or carried out * * * is not likely to jeopardize the continued existence of such endangered or threatened species or result in the destruction or modification of habitat of such species * * * which is determined to be critical." The Service therefore initiated Section 7 consultation under the Endangered Species Act for the proposed hunting season frameworks.

On July 1, 1982, Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, concluded:

> Therefore, it is my biological opinion that your action, as proposed, is not likely to jeopardize the continued existence of the above listed species or result in the destruction or adverse modification of the American peregrine falcon, whooping crane, or Everglade kite Critical Habitat.

As in the past, hunting regulations this year are designed, among other things, to remove or alleviate chances of conflict between seasons for migratory game birds and the protection and conservation of endangered and threatened species.

The Service's biological opinions resulting from its consultation under Section 7 are considered public documents and are available for inspection in or available from the Office of Endangered Species and the Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Regulatory Flexibility Act and Executive Order 12291

In the Federal Register dated April 19, 1982 (at 47 FR 16722), the Service reported measures it had undertaken to comply with requirements of the Regulatory Flexibility Act and the Executive Order. These included preparing a Determination of Effects and an updated Final Regulatory Impact Analysis, and publication of a summary of the latter. These regulations have been determined to be major under Executive Order 12291 and they have a significant economic impact on substantial numbers of small entities under the Regulatory Flexibility Act. This determination is detailed in the aforementioned documents which are available upon request from the Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Memorandum of Law

The Service published its Memorandum of Law, as required by Section 4 of Executive Order 12291, in the Federal Register dated July 19, 1982 (47 FR 31282).

Authorship

The primary author of this final rulemaking is Henry M. Reeves, Office of Migratory Bird Management, working under the direction of John P. Rogers, Chief.

Regulations Promulgation

The rulemaking process for migratory bird hunting must, by its nature, operate under severe time constraints. However, the Service is of the view that every attempt should be made to give the public the greatest possible opportunity to comment on the regulations. Thus, when the proposed rules were published April 19, June 15, and July 12, the Service established what it believed were the longest periods possible for public comment. In doing this, the Service recognized that at the periods' close, time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the Service is of the opinion that States would have insufficient time to select their season dates, shooting hours, and limits; to communicate those selections to the Service; and finally establish and publicize the necessary regulations and procedures to implement their decisions.

Therefore, the Service under authority of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 701–711), prescribes final frameworks setting forth the species to be hunted, the daily bag and possession limits, the shooting hours, the season lengths, the earliest opening and latest closing season dates, and hunting areas, from which State conservation agency officials may select hunting season dates and other options. Upon receipt of season and option selections from State officials, the Service will publish in the Federal Register final rulemaking amending 50 CFR Part 20 to reflect seasons, limits, and shooting hours for the contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands for the 1982–83 season.

The Service therefore finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act and these frameworks will, therefore, take effect immediately upon publication.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Transportation, Wildlife.

BILLING CODE 4310-55-M

Final Regulations Frameworks for 1982-83 Early Hunting Seasons on Certain Migratory Game Birds

Pursuant to the Migratory Bird Treaty Act, the Secretary of the Interior has approved final frameworks which prescribe season lengths, limits, shooting hours, and outside dates within which States may select seasons for mourning doves; white-winged doves; band-tailed pigeons; rails; woodcock; snipe; gallinules; September teal seasons; experimental duck seasons opening in September in Iowa, Florida, Kentucky, and Tennessee; sea ducks (scoter, eider and oldsquaw) in certain defined areas of the Atlantic Flyway; sandhill cranes; sandhill cranes-Canada geese in southwestern Wyoming; and special extended falconry regulations. For the guidance of State conservation agencies, these frameworks are summarized below.

NOTICE

Any State desiring its hunting seasons for mourning doves, white-winged doves, band-tailed pigeons, rails, woodcock, snipe, gallinules, sandhill cranes, or extended falconry seasons to open in September must make its selection no later than July 30, 1982. Those States which desire these seasons to open after September 27 may make their selection at the time they select their regular waterfowl seasons. Season selections for the 4 States offered experimental September duck seasons must also be made by July 30, 1982.

Those Atlantic Flyway coastal States desiring their seasons on sea ducks in certain defined areas to open in September must make their selection no later than July 30, 1982. Those which desire this season to open after September may make their selection when they select their regular waterfowl seasons.

Outside Dates: All dates noted are inclusive.

Shooting Hours: Between 1/2 hour before sunrise and sunset daily for all species except as noted below. The hours noted here and elsewhere also apply to hawking (taking by falconry).

MOURNING DOVES

Outside Dates: Between September 1, 1982, and January 15, 1983, except as otherwise provided, States may select hunting seasons and bag limits as follows:

Eastern Management Unit
(All States east of the Mississippi River and Louisiana)

Hunting Seasons, and Daily Bag and Possession Limits:

Not more than 70 full or half days with bag and possession limits of 12 and 24, respectively,

or

Not more than 45 full or half days with bag and possession limits of 15 and 30, respectively.

Hunting seasons may be split into not more than 3 periods under either option.

Shooting Hours: Between 1/2 hour before sunrise and sunset daily, or as an option, between 12 o'clock noon and sunset daily.

Zoning: Alabama, Georgia, Louisiana, and Mississippi may elect to zone their States as follows:

A. Two zones per State having the following descriptions or division lines:

Alabama - The South Zone consists of the area south of U.S. Highway 84 running east to the Covington County line, and including Coffee, Covington, Dale, Geneva, Henry, and Houston Counties. The North Zone consists of the remainder of Alabama.

Georgia - U.S. Highway 280 from Columbus to the Ocmulgee River, along the Ocmulgee River to the western border of Jeff Davis County, south along the western border of Jeff Davis County, east along the southern border of Jeff Davis and Appling Counties, north along the eastern border of Appling County to the Altamaha River, west to the western border of Tattnall County, north along the western boundary of Tattnall and Emanuel Counties, east along the northern boundary of Jenkins County, south along the western border and east along the southern border of Screven County to the South Carolina line.

Louisiana - Interstate Highway 10 from the Texas State line to Baton Rouge, Interstate Highway 12 from Baton Rouge to Slidell, and Interstate Highway 10 from Slidell to the Mississippi State line.

Mississippi - U.S. Highway 84.

B. Within each zone, these States may select hunting seasons of not more than 70 days which may be split into not more than 3 periods.

C. The hunting seasons in the South Zones of these States may commence no earlier than September 20, 1982.

Central Management Unit
(Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming)

Hunting Seasons, and Daily Bag and Possession Limits:

Not more than 70 days with bag and possession limits of 12 and 24, respectively,

or

Not more than 45 days with bag and possession limits of 15 and 30, respectively.

Hunting seasons may be split into not more than 3 periods under either option.

Texas Zoning: Option 1 - In addition to the basic framework and the alternative, Texas may select hunting seasons for each of 2 previously established zones subject to the following conditions:

A. The hunting season may be split into not more than 2 periods.

B. The North Zone may have a season of not more than 70 (or 45 under the alternative) days between September 1, 1982, and January 22, 1983.

C. The South Zone may have a season of not more than 70 (or 45 under the alternative) days between September 20, 1982, and January 22, 1983. In that portion of Texas where white-winged dove hunting is allowed, the mourning dove season may be held concurrently with the white-winged dove season and with shooting hours coinciding with those for white-winged doves. However, the remaining days must be within the September 20, 1982-January 22, 1983, period.

or

Option 2 - Texas may select hunting seasons for each of 3 zones (to be designated), subject to the following conditions:

A. The hunting season may be split into not more than 2 periods, except that, in that portion of Texas where white-winged dove hunting is allowed, the mourning dove season may be held concurrently with the white-winged dove season and with shooting hours coinciding with those for white-winged doves.

B. Each zone may have a season of not more than 70 (or 45 under the alternative) days between September 1, 1982, and January 25, 1983.

Western Management Unit

(Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington)

Hunting Seasons, and Daily Bag and Possession Limits:

Not more than 70 days with bag and possession limits of 12 and 24, respectively,

or

Not more than 45 days with bag and possession limits of 15 and 30, respectively.

Hunting seasons may be split into not more than 3 periods under either option.

WHITE-WINGED DOVES

Outside Dates: Arizona, California, Nevada, New Mexico, and Texas (except as shown below) may select hunting seasons between September 1 and December 31, 1982.

Arizona may select a hunting season of not more than 29 consecutive days running concurrently with the first period of the split mourning dove season. The daily bag limit may not exceed 12 mourning and white-winged doves in the aggregate, no more than 6 of which may be white-winged doves, and a possession limit twice the daily bag limit after the opening day.

In the Nevada counties of Clark and Nye, and in the California counties of Imperial, Riverside, and San Bernardino, the aggregate daily bag and possession limits of mourning and white-winged doves may not exceed 12 and 24, respectively, with a 70-day season, or 15 and 30 with a 45-day season; however, in either season, the bag and possession limits of white-winged doves may not exceed 10 and 20, respectively.

New Mexico may select a hunting season with daily bag and possession limits not to exceed 12 and 24 (or 15 and 30 if the 45-day option for mourning doves is selected) white-winged and mourning doves, respectively, singly or in the aggregate of the 2 species. Dates, limits, and hours are to conform with those for mourning doves.

Texas may select a hunting season of not more than 4 days for that portion of the State where the species occurs. The daily bag and possession limits may not exceed 10 and 20 white-winged doves, respectively. The season may be split within the overall time frame.

and

In addition, Texas may also select a white-winged dove season of not more than 70 (or 45 under the alternative) days to be held between September 1, 1982, and January 25, 1983, and coinciding with the mourning dove season. The daily bag limit of both species in the aggregate may not exceed 12 (or 15 under the alternative), of which not more than 2 may be whitewings. The possession limit of both species in the aggregate may not exceed 24 (or 30 under the alternative), of which not more than 4 may be whitewings.

Florida may select a white-winged dove season of not more than 70 (or 45 under the alternative) days to be held between September 1, 1982, and January 15, 1983, and coinciding with the mourning dove season. The daily bag limit of both species in the aggregate may not exceed 12 (or 15 under the alternative), of which not more than 4 may be whitewings. The possession limit of both species in the aggregate may not exceed 24 (or 30 under the alternative), of which not more than 8 may be whitewings.

BAND-TAILED PIGEONS

West Coast States: California, Oregon, Washington, and the Nevada counties of Carson City, Douglas, and Lyon.

Outside Dates: Between September 1, 1982, and January 15, 1983.

Hunting Seasons, and Daily Bag and Possession Limits: Not more than 30 consecutive days, with a bag and possession limit of 5. Nevada may select an experimental season in Carson City, Douglas, and Lyon Counties coinciding with that selected by California in Alpine County.

Zoning: California may select hunting seasons of 30 consecutive days in each of the following two zones:

1. In the counties of Alpine, Butte, Del Norte, Glenn, Humboldt, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity; and

2. The remainder of the State.

Four-Corners States: Arizona, Colorado, New Mexico, and Utah.

Outside Dates: Between September 1 and November 30, 1982.

Hunting Seasons, and Daily Bag and Possession Limits: Not more than 30 consecutive days, with bag and possession limits of 5 and 10, respectively.

Areas: These seasons shall be open only in the areas delineated by the respective States in their hunting regulations.

Zoning: New Mexico may be divided into North and South Zones along a line following U.S. Highway 60 from the Arizona State line east to Interstate Highway 25 at Socorro and along Interstate Highway 25 from Socorro to the Texas State line. Hunting seasons not to exceed 20 consecutive days may be selected between September 1 and November 30, 1982, in the North Zone and October 1 and November 30, 1982, in the South Zone.

Permit Regulation in Nevada and Four-Corners States: Each hunter must have been issued and carry on his person while hunting band-tailed pigeons a valid band-tailed pigeon hunting permit issued by the respective State conservation agency.

RAILS
(Clapper, King, Sora, and Virginia)

Outside Dates: States included herein may select seasons between September 1, 1982, and January 20, 1983, on clapper, king, sora, and Virginia rails as follows:

Hunting Seasons: 70 days. Any State may split its season into two segments.

Clapper and King Rails

Daily Bag and Possession Limits: In Rhode Island, Connecticut, New Jersey, Delaware, and Maryland, 10 and 20, respectively, singly or in the aggregate of these two species. In Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, and Virginia, 15 and 30, respectively, singly or in the aggregate of the two species.

Sora and Virginia Rails

Daily Bag and Possession Limits: In the Atlantic, Mississippi, and Central Flyways, and portions of Colorado, Montana, New Mexico, and Wyoming in the Pacific Flyway[1, 2], 25 and 25, singly or in the aggregate of the two species.

[1] The Central Flyway is defined as follows: Colorado (east of the Continental Divide), Kansas, Montana (east of Hill, Chouteau, Cascade, Meagher, and Park Counties), Nebraska, New Mexico (east of the Continental Divide but outside the Jicarilla Apache Indian Reservation), North Dakota, Oklahoma, South Dakota, Texas, and Wyoming (east of the Continental Divide).

[2] The Pacific Flyway is defined as follows: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington; those portions of Colorado and Wyoming lying west of the Continental Divide; New Mexico west of the Continental Divide plus the entire Jicarilla Apache Indian Reservation; and in Montana, the counties of Hill, Chouteau, Cascade, Meagher, and Park, and all counties west thereof.

WOODCOCK

Outside Dates: States in the Atlantic Flyway may select hunting seasons between October 5, 1982, and February 28, 1983. In Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, and Virginia the season must end no later than January 31. States in the Central and Mississippi Flyways may select hunting seasons between September 1, 1982, and February 28, 1983.

Hunting Seasons, and Daily Bag and Possession Limits: Not more than 65 days, with bag and possession limits of 5 and 10, respectively. Seasons may be split.

Zoning: New Jersey may select seasons by north and south zones divided by State Highway 70. The season in each zone may not exceed 55 days.

COMMON SNIPE

Outside Dates: Between September 1, 1982, and February 28, 1983. In Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, and Virginia the season must end no later than January 31.

Hunting Seasons, and Daily Bag and Possession Limits: Not more than 107 days in the Atlantic, Mississippi, and Central Flyways; 93 days in Pacific Flyway portions of Montana, Wyoming, Colorado, and New Mexico; and coinciding with the duck seasons in the remainder of the Pacific Flyway. Seasons may be split into two segments. Bag and possession limits are 8 and 16, respectively.

GALLINULES

Outside Dates: States in the Atlantic, Mississippi, and Central Flyways may select hunting seasons between September 1, 1982, and January 20, 1983. States in the Pacific Flyway must select their hunting seasons coinciding with the duck seasons.

Hunting Seasons, and Daily Bag and Possession Limits: Not more than 70 days in the Atlantic, Mississippi, and Central Flyways and the same as the duck season in the Pacific Flyway. Seasons may be split. Bag and possession limits are 15 and 30, respectively; except in the Pacific Flyway the daily bag and possession limits may not exceed 25 coots and gallinules, singly or in the aggregate of the two species.

SANDHILL CRANES

Regular Seasons in the Central Flyway:

North Dakota: Between September 1 and 20, 1982, a season of 9 days in Benson, Burleigh, Emmons, Kidder, Logan, McHenry, Pierce, and Stutsman Counties; and a season of 16 days in McLean and Sheridan Counties.

Colorado (the Central Flyway portion except the San Luis Valley); **Kansas; Montana** (the Central Flyway portion except that area south of I-90 and west of the Bighorn River); **South Dakota;** and **Wyoming** (in the counties of Campbell, Converse, Crook, Goshen, Laramie, Niobrara, Platte, and Weston): not to exceed 58 days between September 1, 1982, and January 31, 1983.

New Mexico (the counties of Chaves, Curry, DeBaca, Eddy, Lea, Quay, and Roosevelt); **Oklahoma** (that portion west of I-35); and **Texas** (that portion west of a line from Del Rio along U.S. Highway 277 to Abilene; Texas Highway 351 to Albany; U.S. Highway 283 to Vernon; and U.S. Highway 183 to the Texas-Oklahoma boundary): not to exceed 93 days between September 1, 1982, and January 31, 1983.

Bag and Possession Limits: 3 and 6, respectively.

Permits: Each person participating in the regular season must obtain and have in his possession while hunting, a valid Federal sandhill crane hunting permit. Exceptions are made for experimental seasons described below where State permits are required.

Experimental Seasons in New Mexico: New Mexico may select experimental seasons, to be described in detail in State hunting regulations, in portions of Dona Ana, Luna, and Sierra Counties as follows:

Area 1 (those portions of Dona Ana, Luna, and Sierra Counties west of Interstate Highway 25, north of Interstate Highway 10, east of New Mexico Highways 26 and 27 between Deming and Hillsboro, and south of New Mexico Highway 90): October 30 through November 1, 1982; December 4 through 6, 1982; and January 15 through 17, 1983, with not to exceed 40 special permits during each season; and

Area 2 (that portion of Luna County south of Interstate Highway 10): October 30 through November 1, 1982; December 4 through 6, 1982; and January 15 through 17, 1983, with not to exceed 75 special permits during each season.

Bag and Possession Limits: Not to exceed 3 cranes which must be tagged upon taking.

Permits: Each person participating in the experimental season must obtain and have in his possession while hunting, a valid special permit issued by the State of New Mexico.

Experimental Season in Arizona: Arizona may select an experimental sandhill crane season subject to the following conditions:

1. The season may not exceed 4 days in November 1982.
2. The hunting area is confined to Game Management Units 30A, 30B, and 32.
3. Each hunter must obtain and possess a special permit issued by the State. No more than 200 permits may be issued. Each permittee may take 2 sandhill cranes per season.
4. Emergency closures for all crane hunting may be invoked as necessary.

SPECIAL SANDHILL CRANE-CANADA GOOSE SEASON

Wyoming may select an experimental season on sandhill cranes and Canada geese subject to the following conditions:

1. The season will be September 1-14.
2. Hunting would be by State permit, with 125 permits issued for the Bear River drainage and 125 permits issued for Star Valley, all in Lincoln County. Each permittee may take 2 sandhill cranes and 3 Canada geese per season.
3. Emergency closures for all crane hunting may be invoked as necessary.

SCOTERS, EIDERS, AND OLDSQUAW DUCKS (Atlantic Flyway)

Outside Dates: Between September 15, 1982, and January 20, 1983.

Hunting Seasons, and Daily Bag and Possession Limits: Not to exceed 107 days, with bag and possession limits of 7 and 14, respectively, singly or in the aggregate of these species.

Bonus During Regular Duck Season: In the Atlantic Flyway, States may set, in addition to the regular limits, a daily limit of 7 and a possession limit of 14 scoter, eider, and oldsquaw ducks, singly or in the aggregate of these species.

Areas: In all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut; in those coastal waters of the State of New York lying in Long Island and Block Island Sounds and associated bays eastward from a line running between Miamogue Point in the town of Riverhead to Red Cedar Point in the town of Southampton, including any ocean waters of New York lying south of Long Island; in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 1 mile of open water from any shore, island, and emergent vegetation in New Jersey, South Carolina, and Georgia; and in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in Delaware, Maryland, North Carolina, and Virginia; and provided that any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States. In all other

areas of these States and in all other States in the Atlantic Flyway, sea ducks may be taken only during the regular open season for ducks.

Deferred Selection: Any State desiring its sea duck season to open in September must make its selection no later than July 30, 1982. Those States desiring their sea duck season to open after September may make their selection at the time they select their waterfowl seasons.

SEPTEMBER TEAL SEASON

Outside Dates: Between September 1 and September 30, 1982, an open season on all species of teal may be selected by Alabama, Arkansas, Colorado (Central Flyway portion only), Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico (Central Flyway portion only), Ohio, Oklahoma, Tennessee, and Texas in areas delineated by State regulations.

Hunting Seasons, and Bag and Possession Limits: Not to exceed 9 consecutive days, with bag and possession limits of 4 and 8, respectively.

Shooting Hours: From sunrise to sunset daily.

Deadline: States must advise the Service of season dates and special provisions to protect non-target species by July 30, 1982.

SPECIAL SEPTEMBER DUCK SEASONS

Iowa September Duck Season: Iowa is offered the option of holding a portion of its regular duck hunting season in September. All ducks which are legal during the regular duck season may be taken during the September segment of the season. In 1982, the 5-day season segment may commence no earlier than September 18, with daily bag and possession limits being the same as those in effect during the 1982 regular duck season.

Tennessee, Kentucky, and Florida September Duck Seasons: Experimental 5-consecutive-day duck seasons may be selected in September by Tennessee, Kentucky, and Florida subject to the following conditions:

1. In Kentucky and Tennessee the seasons will be in lieu of September teal seasons;

2. In all States, the daily bag limit will be 4 ducks, no more than 1 of which may be a species other than teal or wood ducks, and the possession limit will be double the daily bag limit;

3. The experimental season will be for 3 years to facilitate evaluation; and

4. Additional information to be gathered by the States to evaluate the experiment will include hunter and harvest surveys, banding, and population surveys.

SPECIAL FALCONRY REGULATIONS

Extended Seasons: Falconry is a permitted means of taking migratory game birds in any State meeting Federal falconry standards in 50 CFR 21.29(k). These States may select an extended season for taking migratory game birds in accordance with the following:

Framework Dates: Seasons must fall within the regular season framework dates and, if offered and accepted, other special season framework dates for hunting.

Daily Bag and Possession Limits: Falconry daily bag and possession limits for all permitted migratory game birds shall not exceed 3 and 6 birds, respectively, singly or in the aggregate, during both regular hunting seasons and extended falconry seasons.

Regulations Publication: Each State selecting the special season must inform the Service of the season dates and publish said regulations.

Regular Seasons: General hunting regulations, including seasons, hours, and limits, apply to falconry in each State listed in 50 CFR 21.29(k) which does not select an extended falconry season.

NOTE: In no instance shall the total number of days in any combination of duck seasons (regular duck season, sea duck season, September seasons, special scaup season, special scaup and goldeneye season, or falconry season) exceed 107 days for a species in one geographical area.

BILLING CODE 4310-55-C

Dated: July 22, 1982.

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-21374 Filed 8-6-82; 8:45 am]

BILLING CODE 4310-55-M

Reader Aids

Federal Register

Vol. 47, No. 153

Monday, August 9, 1982

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419 523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Privacy Act	523-5237
Public Inspection Desk	523-5215
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282 523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

United States Government Manual 523-5230

SERVICES

Agency services	523-4534
Automation	523-3408
Library	523-4986
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public Inspection Desk	523-5215
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, AUGUST

33245-33478.....2
33479-33664.....3
33665-33948.....4
33949-34102.....5
34103-34348.....6
34349-34508.....9

CFR PARTS AFFECTED DURING AUGUST

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

51.....34107

3 CFR

Proclamations:
4955.....33479
4956.....33481
4957.....34103

Executive Orders:
11912 (Amended by EO 12375).....34105
12358 (Amended by EO 12376.....34349
12375.....34105
12376.....34349

5 CFR

1303.....33483

Proposed Rules:
530.....33713, 34152

7 CFR

301.....33665, 33666, 34109
650.....34111
905.....34351
908.....33949
910.....33949, 34115
911.....34351
915.....34351
916.....34351
917.....34115, 34351
918.....34351
919.....34351
921.....34351
922.....34351
923.....34351
924.....34351
930.....34351
932.....34117
944.....34117
945.....34351, 34353
946.....33245, 34351
947.....34351
948.....34351
953.....34351
958.....34351
967.....34351
985.....34351
993.....34351
1474.....33667
1475.....34356
1941.....33485
1942.....33488
1945.....33485

Proposed Rules:
282.....33513
1004.....33515
1030.....33515, 33974
1139.....33516

9 CFR

92.....33671
307.....33673
310.....33673
312.....33490
381.....33490

Proposed Rules:
301.....33517
318.....33517
381.....33517, 34428

10 CFR

463.....33679

Proposed Rules:
50.....33980

12 CFR

Ch. VII.....33950
4.....33491
509.....34120
556.....34125
563.....34120
1204.....34127

Proposed Rules:
329.....33276
523.....34152
545.....34152
563.....34152

14 CFR

39.....33246-33248, 33951, 34357-34360
71.....33249-33251, 33952, 34361, 34362
73.....34362
91.....34363
95.....34364
121.....33384
135.....33394
145.....33384

Proposed Rules:
1.....33277
39.....34439-34430
43.....33277
71.....33278-33280, 34431
73.....33280
253.....33713
320.....33981

15 CFR

4b.....33680
301.....34368

16 CFR

2.....33251

17 CFR

249.....33490, 34368
259.....33590
274.....33590
301.....33590

18 CFR

271.....34371-34374

Proposed Rules:
1 34155
3 34155
375 34155
381 34155

19 CFR
201 33681
207 33681

21 CFR
74 33491
81 33491
82 33491
146 34131
177 33492
178 33492
430 33493
436 33493
440 33493
442 33493
444 33493
446 33493
449 34132
556 34133
558 ..... 33493, 34133
Proposed Rules:
155 33519
172 ..... 33519, 34155
182 34155–34164
184 34155–34164
358 34166
1308 33986

23 CFR
140 33952
646 33952
772 33956

24 CFR
115 33682
200 ..... 34334, 34375
203 ..... 33252, 33494, 33495
204 33252
221 33494
222 33494
235 ..... 33494, 33495
300 34376
590 33258
865 33259
882 ..... 33496, 34376
883 33263
3282 33264

26 CFR
Proposed Rules:
1 34431
301 33519

28 CFR
2 33956

29 CFR
Proposed Rules:
519 34166
570 34166

30 CFR
211 33265
221 33265
231 33265
250 ..... 33265, 34134
251 34134
270 33265
700 ..... 33424, 33683
705 33683
707 33683
710 33683
715 33683
716 33683
717 33683
718 33683
720 33683
771 33683
776 33683
778 33683
779 33683
780 33683
782 33683
783 33683
784 33683
785 33683
786 33683
788 33683
816 33683
817 33683
822 33683
825 33424
826 33683
Proposed Rules:
Ch. VII 33520
700 33714
701 33714
740 33714
741 33714
742 33714
743 33714
744 33714
745 33714
746 33714
820 33988
915 33714

32 CFR
822 34134
824 34134
825 34134
827a 34134
837 34134
293 33500

33 CFR
100 ..... 33265, 33266, 33956–33958
117 33267
161 33958
164 34388
165 33266
Proposed Rules:
115 33990
117 33281
166 34432

34 CFR
674 33398
675 33398
676 33398
Proposed Rules:
300 33836
668 33412
690 33412

36 CFR
50 34137
1190 33862

37 CFR
1 ..... 33688, 33959
2 ..... 33688, 33959
Proposed Rules:
2 33991

40 CFR
52 ..... 33502, 33688
60 34137
81 34147
123 33268
162 33959
180 33689–33693
Proposed Rules:
52 ..... 33282, 33522, 33991
60 34342
65 33715
81 33282
162 33716
180 ..... 33719, 33720
723 ..... 33896, 33924

41 CFR
Ch. I 33693
1–1 33693
3–3 33503
8–3 33694
Ch. 101 33960
101–4 34148
101–41 33959
Proposed Rules:
101–47 33993

42 CFR
50 33695
405 34082
416 34082
441 33695

43 CFR
1780 34389
Public Land Orders:
6289 33964

44 CFR
64 ..... 33508, 34392–34395
65 ..... 34397, 34400
67 ..... 34397, 34399
70 ..... 34389–34391, 34400–34415
Proposed Rules:
59 33721
64 33721
65 33721
67 33721
70 33721

45 CFR
96 33696
600 34151
680 34151
681 34151
682 34151
683 34151
684 34151

46 CFR
Proposed Rules:
80 33284

47 CFR
2 34415
15 34420
73 ..... 33268, 33269, 33702, 34423–34426
90 34415
Proposed Rules:
73 ..... 33285–33287, 34436

49 CFR
1 33964
25 33270
193 33965
670 33965
1039 33274
1090 33274
1129 33703
1300 33274
Proposed Rules:
171 ..... 33288, 33295
172 ..... 33288, 33295
173 ..... 33288, 33295
174 33288
175 33295
176 33288
177 33288
178 33288
1128 33993
1310 33722

50 CFR
20 34498
611 ..... 33512, 34151
656 33512
657 ..... 33512, 34151
661 ..... 33709, 34426
662 33710
671 33711
672 33972
674 33274
Proposed Rules:
17 34436
255 33648
285 34437
611 ..... 33722, 34167
674 34167

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

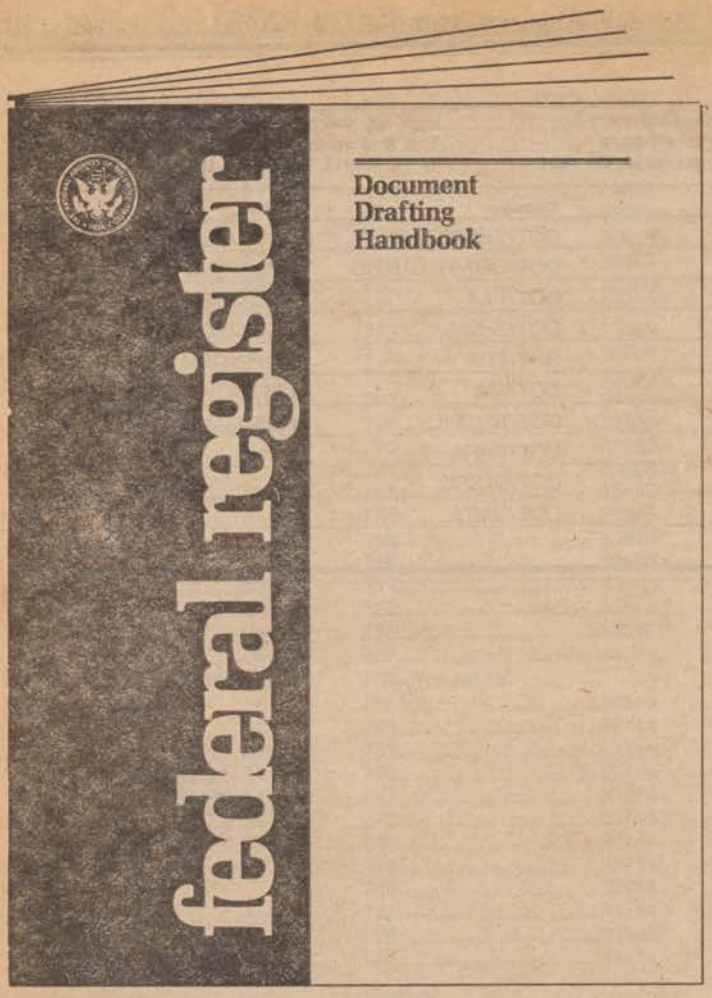
The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	

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 August 6, 1982



Federal Register Document Drafting Handbook

A Handbook for Regulation Drafters

This handbook is designed to help Federal agencies prepare documents for publication in the Federal Register. The updated requirements in the handbook reflect recent changes in regulatory development procedures, document format, and printing technology.

Price $1.75

ORDER FORM To: Superintendent of Documents. U.S. Government Printing Office, Washington, D.C. 20402

Enclosed is $ _____ ☐ check,
☐ money order, or charge to my
Deposit Account No.
☐☐☐☐☐☐☐–☐

Order No._____

VISA® MasterCard

Credit Card Orders Only

Total charges $_____ Fill in the boxes below.

Credit Card No. ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date Month/Year ☐☐☐☐

Please send me ____ copies of the DOCUMENT DRAFTING HANDBOOK at $1.75 per copy. Stock No. 022-001-00088-4.

PLEASE PRINT OR TYPE

Name—First, Last

Company name or additional address line

Street address

City State ZIP Code

(or Country)

For Office Use Only	
Quantity	Charges
.....	Enclosed .....
.....	To be mailed .....
.....	Subscriptions .....
	Postage .....
	Foreign handling .....
	MMOB .....
	OPNR .....
.....	UPNS
.....	Discount
.....	Refund