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Presidential Documents

Title 3—

The President

Executive Order 12348 of February 25, 1982

Federal Real Property

By virtue of the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 205(a) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(a)), in order to improve management of Federal real property, it is hereby ordered as follows:

Section 1. (a) There is hereby established a Property Review Board.

(b) The members of the Board shall be the Counsellor to the President; Director, Office of Management and Budget; Chairman, Council of Economic Advisers; Assistant to the President for Policy Development; Chief of Staff and Assistant to the President; Assistant to the President for National Security Affairs; and such other officers or employees of the Executive branch as the President may from time to time designate. One of the members of the Board shall be designated by the President as Chairman.

(c) Staff, including an Executive Director, and other administrative support shall be provided from resources available to the President.

Sec. 2. The Board shall perform such functions as may be directed by the President, including the following:

(a) develop and review Federal real property acquisition, utilization, and disposal policies with respect to their relationship to other Federal policies;

(b) advise the Administrator of General Services with respect to such standards and procedures for executive agencies that are necessary to ensure that real property holdings no longer essential to their activities and responsibilities are promptly identified and released for appropriate disposition;

(c) review and examine prior disposals of surplus property for public benefit discount conveyances to ensure that the property is being used and maintained for the purpose for which it was conveyed;

(d) receive the surveys and reports made by or to the Administrator of General Services pursuant to Sections 3 and 4 of this Order as well as other reports on Federal real property that are requested by the Board, with particular attention to resolution of conflicting claims on, and alternate uses for, any property described in those reports, consistent with laws governing Federal real property;

(e) provide guidance to the Administrator of General Services in accord with Section 6 of this Order;

(f) establish for each Executive agency annually the target amount of its real property holdings to be identified as excess; and

(g) submit such recommendations and reports to the President as may be appropriate.

Sec. 3. (a) All Executive agencies shall periodically review their real property holdings and conduct surveys of such property in accordance with standards and procedures determined by the Administrator of General Services pursuant to Section 206 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 487), and this Order.

(b) The head of each Executive agency, within 60 days of the date of this Order, shall report to the Administrator of General Services and the Board the agency's real property holdings which, in his judgment, are not utilized, are underutilized, or are not being put to optimum use.

(c) The head of each Executive agency shall identify, and report to the Board, all those properties which can be considered for disposition in response to the targets established by the Board in subsection 2(f) of this Order.

Sec. 4. The Administrator of General Services in consultation with the Board shall issue standards and procedures, conduct surveys, and cause surveys to be conducted, to ensure that the real property holdings of Executive agencies shall continually be evaluated with special emphasis on the identification of properties that are not utilized, are underutilized, or are not being put to optimum use. The Administrator shall consult with the Board and appropriate Executive agencies in order to (a) identify real property that is excess or surplus to the needs of the Executive agencies, and (b) make such real property available for its most beneficial use under the various laws of the United States affecting such property.

Sec. 5. The Administrator of General Services shall report to the Board with respect to any property or portion thereof which has not been reported excess to the requirements of the holding agency and which, in the judgment of the Administrator, is not utilized, is underutilized, or is not being put to optimum use, and which he recommends should be reported as excess property.

Sec. 6. Before the Administrator of General Services assigns or conveys property for public benefit discount conveyances, he shall first consult with the Board and consider such guidance as it may provide.

Sec. 7. The Administrator of General Services shall, to the extent permitted by law, provide necessary advice and assistance to the Board to accomplish the objectives of this Order.

Sec. 8. Executive Order No. 11954, as amended, is revoked.

Ronald Reagan

THE WHITE HOUSE,
February 25, 1982.

Presidential Documents

Proclamation 4902 of February 25, 1982

Save Your Vision Week, 1982

By the President of the United States of America

A Proclamation

The ability to see is precious. We depend on it for every waking moment. Most of us take this gift of sight for granted until it is threatened by disease or injury. There are, however, many things we can do to protect our eyes and prevent visual loss or impairment.

A very important sight-saving precaution is to have regular eye examinations by an eye care professional. Each year, checkups of this sort alert thousands of Americans to the fact that they have serious eye disease and should consider prompt treatment. For many, immediate attention to the eye problem saves vision that might otherwise be lost forever. This is particularly true for the more than one million people in this country who have diabetes. For years, diabetes has been the leading cause of blindness among middle-aged Americans. Now, however, there is a treatment that can help people with diabetic eye disease retain their vision. If all those who need help for this eye problem were to obtain treatment in time, thousands of cases of blindness could be prevented.

Children as well as adults can benefit greatly from regular eye examinations. A routine checkup may reveal some unsuspected eye problem that can be better corrected while a child is still young. Some of these childhood eye problems cause permanent visual loss if left untreated. Others remain correctable, but a delay in treatment may mean years of needless handicap in both schoolwork and play.

Protecting the eyes from injury is another important way to prevent visual impairment and even blindness. Safety glasses, goggles, or face shields should be worn in hazardous situations at work and while participating in potentially hazardous sports.

We should also remember that thousands blinded by corneal disease or injury could have their vision restored by corneal transplants if people would pledge their eyes at death to their local eye bank as a legacy of sight.

To encourage citizens of this country to cherish and protect their eyesight, the Congress, by joint resolution approved December 30, 1963 (77 Stat. 629, 36 U.S.C. 169a), has requested the President to proclaim the first week in March of each year as Save Your Vision Week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate the week beginning March 7, 1982, as Save Your Vision Week. I urge all of our citizens to participate in this observance by making plans to take care of their own eyes and by considering what they can do to protect the vision of family members and co-workers as well. I also invite eye care professionals, the communications media, educators, athletic coaches, and all public and private organizations that support sight conservation to join in activities that will foster concern for eye care and eye safety.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of Feb., in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

Ronald Reagan

[FR Doc. 82-5649
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Rules and Regulations

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 959

Onions Grown in South Texas; Handling Regulation

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This continuing regulation requires fresh market shipments of onions grown in designated counties in South Texas to be inspected and meet minimum size and quality requirements. The regulation should promote orderly marketing of such onions and keep less desirable qualities and sizes from being shipped to consumers.

EFFECTIVE DATE: March 10, 1982. Information collection requirements contained in this regulation (§ 959.322) 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 #0581-0074.

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 upon request from Mr. Porter.

SUPPLEMENTARY INFORMATION: This final 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 measurably affect costs for the directly regulated handlers.

Marketing Agreement No. 143 and Order No. 959, both as amended (7 CFR Part 959) regulate the handling of onions grown in designated counties of South Texas. It is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The South Texas Onion Committee, established under the order, is responsible for its local administration.

Notice was published in the December 18, 1981 **Federal Register** (46 FR 61664) regarding the proposal. It afforded interested persons an opportunity to file written comments by February 1, 1982. None was filed.

This continuing regulation is based upon recommendations made by the committee at its public meeting in McAllen, Texas, on October 27, 1981. The recommendations of the committee reflect its appraisal of the expected volume and composition of the 1982 early spring crop of South Texas onions and of the marketing prospects for the shipping season which is expected to begin about March 10, 1982.

The grade and size requirements are similar to last season's and are designed to prevent onions of poor quality or undesirable sizes from being distributed in fresh market channels.

Thus, only onions that contain not more than 20 percent defects of U.S. No. 1 grade and are not packed or loaded on Sunday except for export may be shipped from March 10 through May 10 of each season. In order to provide more orderly marketing from all districts, the inspection and container requirements are extended through June 15 each season.

The container requirements will prevent the use of off-size or deceptive containers which could adversely affect the reputation and returns of South Texas onions. However, they do not preclude the use of containers customarily packed for the retail trade. The prohibition on packaging and loading onions on Sunday is intended principally to provide more orderly marketing by tailoring shipments from the production area more closely to the ability of receiving markets to accept marketings. Again this season handlers are permitted, with the approval of the committee, to grade, package and load onions on Sunday for export, provided that they shut down packing and loading operations on the first working day after shipment for the same length of time as they operated on Sunday. This should prevent handlers who ship on Sunday for export from gaining a competitive advantage due to longer packing hours over handlers who do not have export orders.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements are inappropriate or unreasonable. Up to 110 pounds of onions may be handled, other than for resale, per day without regard to requirements of this section in order to avoid placing an unreasonable burden on persons handling noncommercial quantities of onions.

The requirements with respect to special purpose shipments allow the shipment of onions for experimental purposes or the use of containers including bulk bins which have been the subject of test shipments during past seasons, and encourage exports by allowing the use of containers required for such purposes. Onions for canning and freezing are exempt under the legislative authority for this part. Shipments for relief or charity are exempt since no useful purpose would be served by regulating such shipments. The shipment of small gift packages to individuals is permitted by an exemption from the container requirements.

These standardization and marketing efficiency types of regulation have no measurable effect on the quantity of onions shipped from South Texas, nor is there discernable effect on U.S. retail onion prices. This regulation enables the South Texas onion industry to better compete with major onion producing areas in California and Arizona by ensuring the use of grades, sizes and containers acceptable to buyers.

Requirements contained in this handling regulation, effective March 10, 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 1962. 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 recommendation 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 § 959.50 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. Interested persons may file comments concerning the committee recommendations with Charges W. Porter, Chief, Vegetable Branch, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington, D.C. 20250, before February 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 regulations on shipments of South Texas onions would tend to effectuate the declared policy of the act. Any such changes in the handling regulation will be published in the **Federal Register**.

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 hereby further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the **Federal Register** (5 U.S.C. 553) in that (1) shipments of onions 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 that in effect during the previous marketing seasons, will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective date.

PART 959—ONIONS GROWN IN SOUTH TEXAS

§ 959.321 [Removed]

Section 959.321 (46 FR 16238, March 12, 1981, and 17755, March 20, 1981) is hereby removed and a new § 959.322 is added as follows:

§ 959.322 Handling regulation.

During the period beginning March 10 and ending on June 15 each season no handler may package or load onions on Sunday or handle any onions except red varieties, unless they comply with paragraphs (a) through (d) or (e) or (f) of this section. However, the requirements of paragraphs (a) and (b) and the Sunday prohibition shall terminate at 11:59 p.m. on May 10 of each season.

(a) *Grade requirements.* Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Application of tolerances in U.S. onion standards shall apply to in-grade lots.

(b) *Size requirements.* (1) "Small"—1 to 2¼ inches in diameter, and limited to whites only;

(2) "Repacker"—1¾ to 3 inches in diameter, with 60 percent or more 2 inches in diameter or larger;

(3) "Medium"—2 to 3½ inches in diameter; or

(4) "Jumbo"—3 inches or larger in diameter.

(5) Tolerances for size in the U.S. onion standards shall apply except that for "repacker" and "medium" sizes not more than 20 percent, by weight, of onions in any lot may be larger than the maximum diameter specified. Application of tolerances in the U.S. onion standards shall apply.

(c) *Container requirements.* Except as provided in paragraph (f) this section, only the following containers may be used:

(1) 25-pound bags, with an average net weight in any lot of not more than 27½ pounds per bag, and with inside dimensions not larger than 29 inches by 31 inches; or

(2) 50-pound bags, with an average net weight in any lot of not more than 55 pounds per bag, and with inside dimensions not larger than 33 inches by 39½ inches.

(3) These container requirements shall not be applicable to onions sold to Federal agencies or for export.

(d) *Inspection.* (1) No handler may handle any onions regulated hereunder, except pursuant to paragraphs (e), (f)(1), or (f)(4)(ii) of this section, unless an inspection certificate has been issued by the Texas-Federal Inspection Service covering them and the certificate is valid at the time of shipment.

(2) No handler may transport by motor vehicle or cause such transportation of any shipment of onions for which an inspection certificate is required unless each such shipment is accompanied by a copy of the inspection certificate applicable thereto or by documentary evidence on forms furnished by the committee identifying truck lots to which a valid inspection certificate is applicable and a copy of such inspection certificate or committee document is surrendered upon request to authorities designated by the committee.

(3) For purpose of operation under this part each inspection certificate or committee form required as evidence of inspection is hereby determined to be valid for a period not to exceed 72 hours following completion of inspection as shown on the certificate.

(4) Handlers shall pay assessments on all assessable onions according to the provisions of § 959.42.

(e) *Minimum quantity exemption.* Any handler may handle, other than for resale, up to, but not to exceed 110 pounds of onions per day without regard to the requirements of this section, but this exemption shall not apply to any shipment or any portion thereof of over 110 pounds of onions.

(f) *Special purpose shipments.* (1) The minimum grade, size, quality, container, and inspection requirements set forth in paragraphs (a) through (d) shall not be applicable to shipments of onions for charity, relief, canning and freezing if handled in accordance with paragraph (g) of this section.

(2) Onions may be packed in 50-pound cartons or in 2, 3 or 5 pound containers customarily used for the retail trade. Such shipments shall be exempt from paragraph (c) of this section but must meet the provisions of paragraphs (a), (b) and (d) or paragraph (e) of this section and be handled in accordance with paragraph (g) of this section.

(i) Shipment of such containers shall not exceed 10 percent of a handler's total weekly onion shipments.

(ii) The average gross weight per lot of onions packed in master containers shall not exceed 115 percent of the designated net contents.

(iii) The average net weight per lot of 50-pound cartons shall not exceed 55 pounds.

(3) *Gift packages.* The handling to any person of gift packages of onions, not exceeding 25 pounds per package, individually addressed to such person and not for resale, is exempt from the

container requirements of paragraph (c) of this section, but shall conform to all assessment requirements of § 959.42 and the grade, size and inspection requirements of paragraphs (a), (b), and (d) of this section.

(4) *Experimental shipments.* (i) Upon approval of the committee, onions may be shipped in bulk bins with inside dimensions of 47 inches x 37½ inches x 36 inches deep and having a volume of 63,450 cubic inches, or containers deemed similar by the committee. Each container shall have a new perforated polyethylene liner at least 2 mils in thickness. Also, onions may be shipped in 40-pound cartons, upon approval of the committee. Such experimental shipments shall be exempt from paragraph (c) of this section but shall not exceed 10 percent of a handler's total weekly onion shipments and shall be handled in accordance with safeguard provisions of § 959.54 and paragraph (g) of this section. The receiver shall furnish the committee with a report on the arrival condition of each shipment.

(ii) Upon approval of the committee, onions may be shipped for other experimental purposes exempt from regulations issued pursuant to §§ 959.42, 959.52 and 959.60, provided they are handled in accordance with safeguard provisions of § 959.54 and paragraph (g) of this section.

(iii) Upon approval of the committee, onions may be shipped for testing in types and sizes of containers other than those specified in paragraphs (c), (f)(2), and (3) of this section, provided that the handling of onions in such experimental containers shall be under the supervision of the committee.

(5) *Export shipments.* (i) Upon approval of the committee, the prohibition against packaging or loading onions on any Sunday may be modified or suspended to permit the handling of onions for export provided such handling complies with the procedures and safeguards specified by the committee.

(ii) Following approval, if the handler grades, packages, and ships onions for export on any Sunday, such handler shall on the first weekday following shipment, cease all grading, packaging and shipping operations for the same length of time as the handler operated on Sunday. Upon completion of such shipments, the handler shall report thereon as prescribed by the committee.

(iii) Export shipments shall also be exempt from all container requirements of this section.

(6) *Onions failing to meet requirements.* Onions failing to meet the grade, size and container requirements of this section, and not exempt under paragraphs (e) or (f) of this section, may be handled only pursuant to § 959.126. Such onions not handled in accordance with paragraph (g) of this section shall be mechanically mutilated at the packing shed rendering them unsuitable for fresh market.

(g) *Safeguards.* Each handler making shipments of onions for relief, charity, canning, freezing or experimental purposes or onions packed in 50-pound cartons or 2, 3 or 5 pound containers customarily packed for the retail trade shall:

(1) Apply to the committee for and obtain a Certificate of Privilege to make such shipments;

(2) Furnish reports of each shipment made under the applicable Certificate of Privilege;

(3) Such reports, in accordance with § 959.80, shall be furnished to the committee in such manner, on such forms and at such times as it may prescribe. Each handler shall maintain records of such shipments pursuant to § 959.80(c), and the records shall be subject to review and audit by the committee to verify reports thereon.

(4) In addition to the above, each handler making shipments for canning or freezing shall:

(i) Weigh or cause to be weighed each shipment prior to, or upon arrival at the canner or freezer.

(ii) Attach a copy of the weight ticket to a completed copy of the Report of Special Purpose Onion Shipment and return both promptly to the committee office.

(iii) Make each shipment directly to the applicable processor and attach a copy of the Report of Special Purpose Onion Shipment.

(iv) Each canner or freezer who receives cull onions shall weigh the onions upon receipt, complete the Report of Special Purpose Onion Shipment which accompanies each load and mail it immediately to the committee office.

(v) Each canner or freezer who receives cull onions shall make available at its business office at any reasonable time during business hours, copies of all applicable purchase orders, sales contracts, or disposition documents for examination by the Department or by the committee, together with any other information which the committee or the Department may deem necessary to enable it to determine the disposition of the onions.

(h) *Definitions.* "U.S. onion standards" means the United States Standards for Grades of Bermuda-Granex-Grano Type Onions (7 CFR 2851.3195–2851.3209), or the United States Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types) (7 CFR 2851.2830–2851.2854), whichever is applicable to the particular variety, or variations thereof specified in this section. The term "U.S. No. 1" shall have the same meaning as set forth in these standards. All other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 143, as amended, and this part.

(i) *Applicability to imports.* During the approximately mid-March through May period of each year, imported onions shall comply with the minimum grade, size, quality and maturity requirements imposed under this marketing order. The specific beginning and ending dates will be set forth in the summary of onion import regulation to be issued prior to the beginning of each season, after the Secretary determines when the imported onions are in most direct competition with regulated onions grown in South Texas. Therefore, under Section 8e of the act and Section 980.117 "Import regulations: onions" (7 CFR Part 980.117) such imported onions shall have not more than 20 percent defects of U.S. No. 1 grade and be at least 1 inch in diameter for white varieties and at least 1¾ inches in diameter for all other varieties. In percentage grade lots, tolerance for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Applications of tolerances in the U.S. onion standards shall apply to in-grade lots.

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

Dated: February 23, 1982, to become effective March 10, 1982.

D. S. Kuryloski,

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

[FR Doc. 82-5369 Filed 2-26-82; 8:45 am]

BILLING CODE 3410-02-M

Commodity Credit Corporation

7 CFR Part 1446

[Amdt. 4]

General Regulations Governing 1979 and Subsequent Crops Peanut Warehouse Storage Loans and Handler Operations

AGENCY: Commodity Credit Corporation, Agriculture.

ACTION: Final rule.

SUMMARY: This rule amends the regulations at 7 CFR 1446.9 and 1446.10, the General Regulations Governing 1979 and Subsequent Crops Peanut Warehouse Storage Loans and Handler Operations, to authorize the Executive Vice President of the Commodity Credit Corporation (CCC) to reduce or waive the liquidated damages specified in those regulations if the Executive Vice President determines that such reduction or waiver will not impair the effective operation of the price support program.

EFFECTIVE DATE: March 1, 1982.

FOR FURTHER INFORMATION CONTACT: David L. Kincannon, Agricultural Stabilization and Conservation Service (ASCS), (202) 382–0154. The Final Impact Statement describing the options considered in developing this final rule and the impact of implementing each option is available on request from the above-named individual.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under USDA procedures and Executive Order 12291 and Secretary's Memorandum No. 1512–1 and has been classified as "not major." It has been determined that the provisions of this rule will not result in (1) an annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local governments, or a geographic region; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal Assistance Program to which this rule applies are: Commodity Loans and Purchases; 10.051, as found in the Catalog of Federal Domestic Assistance.

This action will not have a significant impact specifically on area and community development. Therefore, a review, as established by Office of Management and Budget 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 CCC 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.

Section 359(i) of the Agricultural Adjustment Act of 1938, as amended, authorizes handlers to contract with producers for the purchase of additional peanuts for crushing, export, or both. The regulations governing the peanut price support program provide that once such peanuts are exported, they are required to remain outside the United States in order to prevent damage to the domestic price support program for peanuts. (See 7 CFR 1446.9(j)(4) and 1446.10(k)(4).) If contract additional peanuts which have been exported are later reentered into the United States, the handler originally responsible for their exportation is subject to liquidated damages at a rate of 10 cents per pound.

The 1980 crop peanut short supply situation caused domestic buyers to seek supplies of peanuts in the world market. As a result, contract additional peanuts which had been exported were sold back to U.S. manufacturers for reentry into the United States. Under the regulations, such peanuts were subject to 10 cents per pound liquidated damages. Liquidated damages are intended to prevent contract additional peanuts from reentering the domestic market and thereby causing CCC to lose money on quota peanuts which were supported by CCC under the price support program at prices above the world market price.

However, because of the short crop, only small quantities of edible quality peanuts from the 1980 crop were placed under the CCC price support loan program and they have all been resold at prices substantially above the support level. Therefore, for the 1980 crop, it was not likely that CCC would incur program damage as a result of the entry into the United States of contract additional peanuts.

As a result, an interim rule was published in the **Federal Register** (46 FR 48117) on October 1, 1981, amending 7 CFR 1446.9 to authorize the Executive Vice President, CCC to waive or reduce the amount of liquidated damages assessed against contract additional peanuts which are subject to physical supervision and handling that had been exported and reentered into the United States.

There were no comments to the interim rule received by the end of the 60 day comment period. Accordingly, the interim rule published at 46 FR 48117 is adopted as a final rule with minor editorial changes. In addition, it has been determined that this rule should have also been made applicable to contract additional peanuts subject to nonphysical supervision, 7 CFR 1446.10(k)(4), as well as physical supervision, 7 CFR 1446.9(j)(4).

Final Rule

PART 1446—PEANUTS

Accordingly, the regulations at 7 CFR Part 1446 are amended to read as follows:

1. Section 1446.9 is amended by revising the section heading and paragraph (j)(4)(iii) to read as follows:

§ 1446.9 Physical supervision and handling of contract additional peanuts.

* * * * *

(j) * * *

(4) * * *

(iii) *Waiver or Reduction of Liquidated Damages.* The liquidated damages specified in paragraph (j)(4)(iii) of this section may be reduced or waived if the Executive Vice President determines that such waiver or reduction will not impair the effective operation of the peanut price support program. Such reduction or waiver may contain such terms and conditions as the Executive Vice President determines to be appropriate and necessary for effectuating the purposes of the peanut price support program.

2. Section 1446.10 is amended by adding a new paragraph (k)(4)(iii) to read as follows:

§ 1446.10 Nonphysical supervision and handling of contract additional peanuts.

* * * * *

(k) * * *

(4) * * *

(iii) *Waiver or Reduction of Liquidated Damages.* The liquidated damages specified in paragraph (k)(4)(ii) of this section may be reduced or waived if the Executive Vice President determines that such waiver or reduction will not impair the effective operation of the peanut price support program. Such reduction or waiver may contain such terms and conditions as the Executive Vice President determines to be appropriate and necessary for effectuating the purposes of the peanut price support program.

Authority: Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714b and 714c; secs. 101, 108, 401, 63 Stat. 1051, as amended (7 U.S.C. 1441, 1421); sec. 359, 52 Stat. 31, as amended (7 U.S.C. 1359)).

Signed at Washington, D.C. on February 23, 1982.

Everett Rank,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 82–5367 Filed 2–26–82; 8:45 am]

BILLING CODE 3410–05–M

DEPARTMENT OF ENERGY

Office of Conservation and Renewable Energy

10 CFR Part 790

Federal Loan Guarantees for Geothermal Energy Utilization

AGENCY: Office of Conservation and Renewable Energy, DOE.

ACTION: Rule-related notice.

SUMMARY: The Department of Energy (DOE) hereby gives notice that applications for new projects will no longer be accepted under the Geothermal Loan Guaranty Program. However, the Department will evaluate pending applications and, if such applications are eligible, may issue loan guarantees under its continuing authority.

EFFECTIVE DATE: This notice is effective March 1, 1982.

FOR FURTHER INFORMATION CONTACT:
As to geothermal loan guaranty matters: Pauline A. Labrie, Geothermal and Hydropower Technology Division, Department of Energy, Room 5G–030, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252–5343.
As to legal matters: Diane J. Stubbs, Office of General Counsel, Department of Energy, Room 6F067, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252–2440.

SUPPLEMENTARY INFORMATION: The Geothermal Loan Guaranty Program was established by Title II of the Geothermal Energy Research, Development, and Demonstration Act of 1974 (the Act), Pub. L. 93–410, as amended by Pub. L. 95–238 and Pub. L. 96–294. The program authorizes the Secretary of Energy to guarantee loans, and, under certain circumstances, to make interest payments on such loans for activities related to the development, construction and operation of facilities for the production of energy from geothermal resources. The Act also established the Geothermal Resources Development Fund to carry out the loan guaranty and interest assistance programs, including the payment of administrative expenses.

The Energy and Water Development Appropriations Act of 1981, Pub. L. 97–367, limits DOE authority to guarantee loans to an aggregate amount no greater than $500 million. At the present time, the DOE has committed $136 million in loan guarantees. The total amount of the loan guarantees requested by those eleven applications currently under evaluation by the Department exceeds the balance of $364 million in loan guaranty authority available for commitments. In light of this limitation on its guaranty authority, the Department considers it prudent from a program management standpoint and fairer to those parties who have applications pending with DOE to concentrate program efforts on applications presently undergoing review. In addition, those projects to which the Department has committed the $136 million have been undertaken with the understanding that commitment may be increased to accommodate follow on projects that might reasonably be necessary to assure successful project completion. Accordingly, the Department has determined that no further applications will be accepted for new projects under the Geothermal Loan Guaranty Program at this time.

Authority

Title II of the Geothermal Research, Development, and Demonstration Act of 1974, Pub. L. 93–410, set forth in Title VI of the Energy Security Act, Pub. L. 96–294.

Issued in Washington, D.C., February 22, 1982.

Joseph J. Tribble,

Assistant Secretary, Conservation and Renewable Energy.

[FR Doc. 82–5347 Filed 2–26–82; 8:45 am]

BILLING CODE 6450–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 81–NM–93–AD, Amdt. 39–4327]

Airworthiness Directives: Canadair Model CL–600–1A11 Airplanes, Serial Numbers 1005 Through 1007, 1010 Through 1014, and 1016 Through 1022

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new Airworthiness Directive (AD) which requires the inspection and repair, if required, of the crimped No. 8 AWG generator feeder wire on certain Canadair CL–600–1A11 airplanes. This inspection is necessary to ensure that the wire terminals are properly crimped. Incorrectly crimped terminals have been found on three separate aircraft.

EFFECTIVE DATE: March 11, 1982.

ADDRESSES: The service bulletin specified in this Airworthiness Directive may be obtained upon request to Canadair Ltd., Commercial Aircraft Technical Services, Box 6087, Station A, Montreal, Canada, PQ H3C 3G9, or may be examined at the FAA Northwest Mountain Region, 9010 E. Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT:
Mr. Robert J. Huhn, Foreign Aircraft Certification Branch, ANM–150S, Seattle Area Aircraft Certification Office, FAA Northwest Mountain Region, 9010 E. Marginal Way South, Seattle, Washington 98108, telephone (206) 767–2530.

SUPPLEMENTARY INFORMATION: The Canadian Department of Transport (DOT) has issued an Airworthiness Directive which requires a one-time inspection to ensure that No. 8 AWG generator feeder wire terminals are properly crimped. Incorrectly crimped No. 8 AWG generator feeder wire terminals have been found on three CL–600 aircraft. Separation of the wire from the terminal could result in loss of electrical power from the affected generator. In order to prevent this from occurring, the DOT, which is the Civil Air Authority of Canada, is requiring an inspection of the cable terminals in accordance with Canadair Service Bulletin A–600–0087, Revision 1, dated September 3, 1981.

This airplane model is manufactured in Canada and type certificated in the United States under the provisions of § 21.29 of the Federal Aviation Regulations and the applicable airworthiness bilateral agreement.

Since this condition is likely to exist or develop on airplanes of this model registered in the United States, an AD is being issued which requires a one-time inspection of the cable wire terminals on certain Canadair CL–600 airplanes.

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

Adoption of the Amendment

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

Canadair: Applies to Canadair Model CL–600–1A11 airplanes, serial numbers 1005 thru 1007, 1010 thru 1014, and 1016 thru 1022. To prevent loss of electrical power, unless already accomplished, accomplish the following:

1. Within the next 50 flight hours, or within the next 15 calendar days after the effective date of this Airworthiness Directive, whichever comes first, inspect, and repair if necessary, in accordance with accomplishment instructions contained in Canadair Alert Service Bulletin No. A600-0087, Revision 1, dated September 3, 1981, or a later revision approved by the Chief, Seattle Area Aircraft Certification Office, FAA Northwest Mountain Region.

2. Airplanes may be flown in accordance with FAR 21.197 to a maintenance base for accomplishment of the inspection required by this AD.

3. Alternate methods of compliance with this AD may be used when they provide an equivalent level of safety and are approved by the Chief, Seattle Area Aircraft Certification Office, FAA Northwest Mountain Region.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the addresses listed above. These documents may also be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108.

This amendment becomes effective March 11, 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)); and 14 CFR 11.89)

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Executive Order 12291. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT."

This rule is a final order of the Administrator. Under section 1006(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1486(a)), it is subject to review by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Wash., on February 16, 1982.

Robert O. Brown,

Acting Director, Northwest Mountain Region.

[FR Doc. 82-5128 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 81-NW-72-AD; Amdt. 39-4329]

Airworthiness Directives; Lockheed-California Company Model L-1011-385 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: On October 1, 1981, the FAA issued a Telegraphic Airworthiness Directive (AD) T81-21-51, effective upon receipt, to all known operators of Lockheed Model L-1011-385 series aircraft, certificated in all categories. This AD requires revision of the FAA approved Airplane Flight Manual, reactivation of the AVM input to the engine/APU status light, and modifications to the pilots' caution and warning panel. This action was prompted by three instances of failure of the Rolls-Royce RB.211 engine fan shaft, each resulting in significant damage to the aircraft. These instances were preceded by abnormally high vibration indication on the airborne vibration monitor (AVM) system and/or illumination of the engine oil filter pressure light. This AD is hereby published in the **Federal Register** to make it effective to all persons.

DATE: Effective date: March 11, 1982.

This AD was effective earlier to all recipients of Telegraphic AD T81-21-51, dated October 1, 1981.

Compliance schedule as prescribed in the body of the AD, unless previously accomplish.

ADDRESSES: The applicable service information may be obtained from: Lockheed-California Company, Attention: Commercial Support Contracts, Dept. 63-11, U-33, B-1, P.O. Box 551, Burbank, California 91520. A copy of the service information may also be reviewed at the Federal Aviation Administration, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108, or the Los Angeles Area Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California 90808.

FOR FURTHER INFORMATION CONTACT: Duane Naff, Supervisory Aerospace Engineer, Propulsion Branch, ANM-140L, Federal Aviation Administration, Northwest Mountain Region, Los Angeles Area Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California 90808, telephone (213) 548-2835.

SUPPLEMENTARY INFORMATION: There have been three instances of inflight failure of the low pressure (LP) fan shaft in RB.211 engines which resulted in significant damage to the aircraft. Failure of the fan shaft in each case was caused by LP shaft locator (thrust) bearing failure. All cases were preceded by unusually high vibration indication, and two cases were also preceded by illumination of the engine oil filter pressure light. A fourth case of imminent shaft failure was indicated by a high AVM reading during takeoff roll, whereupon the engine was shut down and the takeoff aborted, thus precluding damage to the aircraft.

Engine modifications which will prevent such consequences in case of bearing failure are not yet available. It is, therefore, necessary that the flight crew be promptly alerted to indications of possible LP shaft bearing failure and take appropriate action. Since this condition was likely to exist or develop on other airplanes of the same type design, a telegraphic airworthiness directive was issued October 1, 1981, to all known operators of Lockheed L-1011-385 series aircraft, which: (1) Requires at least one channel of the AVM system to be operative for each engine, (2) requires the AFM to be revised to direct shutdown of an engine which indicates high AVM or high oil filter pressure, (3) requires activation of the AVM input to the ENG/APU STATUS light on the caution and warning panel and changing the color of such status light from amber to red, and (4) subsequently requires the caution and warning panel and associated circuitry to be modified to remove the AVM signals from the status light and add them to the TURB AIR OVHT lights, as well as change these to be designated Vib/Turb OVHT. The AD is now published to make it effective to all persons.

The AD, as herein published, incorporates by reference Revision 1 of Lockheed Service Bulletin 093-77-A049, which was issued on October 13, 1981.

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

Adoption of the Amendment

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

Lockheed-California Company: Applies to Lockheed Model L-1011-385 series airplanes, certificated in all categories.

To alert the flight crew to conditions which may precede engine failure, perform the following, unless previously accomplished:

A. Within 25 hours time in service after the receipt of this AD or within 3 calendar days, whichever occurs later, revise the Lockheed L-1011 FAA approved Airplane Flight Manual LR-25925 to add the following and provide to flight crews:

Note.—FAA approved Lockheed L-1011 Airplane Flight Manual revision dated September 29, 1981, is considered an acceptable means of compliance for paragraph A.

Section 1—Limitations

Powerplant Limitations

Airborne Vibration Monitor (AVM) System

- At least one channel (A or B) (FAN or TURB) of the AVM System must be operative for each engine for all flight operations.
- The operative AVM channel (A or B) (FAN or TURB) must be the same for all engines and must be latched in.
- When both channels of the AVM System are operative, channel A or FAN must be latched in. If this channel becomes inoperative (indication goes to zero) inflight, select B or TURB.
- For single or dual channel operation, the AVM filter selector must be set to the NORM position.

Section 2—Emergencies

Engine Abnormal Vibration Indication

During steady running conditions, if an Airborne Vibration Monitor (AVM) System channel indicates a sudden increase of 1 unit or more, or exceeds 2.5 units (warning light setting) for more than 2 seconds, even if the indication returns to normal:

Immediate Action

Throttle—Close
Fuel and Ignition Switch—Off

Note.—During takeoff roll, a momentary fluctuation of the AVM indication with no other indication of engine malfunction is not cause for engine shutdown.

Reference

Hydraulic power—Check
Electrical loads—Monitor
AC essential power—Check

Do not attempt a relight unless a greater emergency exists.

Note.—When holding or descending in heavy icing conditions, the AVM indication may gradually increase to above 2.5 units (warning light setting). No action is required unless other indications of engine malfunction are observed. This condition can be alleviated by increasing Nl to 90% for 5 seconds when ice accumulation (gradual vibration increase) is first detected.

Section 2—Emergencies

Engine Oil Filter Pressure Light Illuminated

If the engine oil FILTER PRESSURE light illuminates steadily:

Immediate Action

Throttle—Close
Fuel and ignition switch—Off

Reference

Hydraulic power—Check
Electrical loads—Monitor
AC essential power—Check

Do not attempt a relight unless a greater emergency exists.

B. Within 25 hours time in service after the receipt of this AD, reactivate the AVM input to the ENG/APU STATUS light in accordance with the Accomplishment Instructions in Lockheed L-1011 Alert Service Bulletin 093-77-A044, Revision 2, dated September 29, 1981, or later revisions approved by the Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Mountain Region.

C. Within 75 days calendar time after receipt of this AD, comply with paragraphs A and B (Parts I and II) of the Accomplishment Instructions in Lockheed L-1011 Alert Service Bulletin 093-77-A049 dated September 29, 1981, or Revision 1, dated October 13, 1981, or later revisions approved by the Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Mountain Region.

D. When the indications specified in paragraph A above occur, engines must undergo the following appropriate maintenance actions prior to further engine operation for flight:

1. Rolls Royce Alert Service Bulletin RB.211-77-A6422 dated September 4, 1981, paragraph D.(3) for oil pressure and/or AVM indications.

2. Lockheed L-1011 Maintenance Manual Chapter 71-91-00, High Indicated Vibration.

E. Special flight permits for a two-engine ferry flight may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

F. Alternate methods of compliance with this AD which provide an equivalent level of safety may be used when approved by the Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Mountain Region.

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

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts. These documents may also be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 4344 Donald Douglas Drive, Long Beach, California 90808.

This amendment becomes effective March 11, 1982, to all persons, except those to whom it was made immediately effective by Telegraphic AD T81-21-51, dated October 1, 1981.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1523); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.89)

Note.—The Federal Aviation Administration has determined that this regulation is an emergency regulation that is not major under Executive Order 12291. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

This rule is a final order of the Administrator. Under section 1006(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1486(a)), it is subject to review by the courts of appeals of the United States, or the United State Court of Appeals for the District of Columbia.

Issued in Seattle, Washington, on February 16, 1982.

Robert O. Brown,

Acting Director, Northwest Mountain Region.

[FR Doc. 82-5187 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 81-NM-94-AD; Amdt. 39-4328]

Airworthiness Directive; Lockheed-California Company Model L-1011-385 Series Airplanes, Serial No. 1052 and Subsequent

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: On December 11, 1981, the FAA issued a Telegraphic Airworthiness Directive (AD) T81-26-51, to all known operators of Lockheed Model L-1011-385 series aircraft, Serial Numbers 1052 and subsequent, with 10,000 or more landings, certificated in all categories. This AD requires inspection for cracks in the Fuselage Station (FS) 1363 bulkhead and repair and/or replacement of defective parts as necessary. This action was prompted by reports of fuselage cracks in the main landing gear wheel well area FS 1363 on the Lockheed L-1011 aircraft in that serial number range. Progression of these cracks could result in sudden decompression of the aircraft. This AD is hereby published in the Federal Register to make it effective to all persons. Further, this document amends T81-26-51 to require repetitive inspections, to increase the initial inspection threshold, and to include an alternate inspection procedure.

DATES: Effective date March 11, 1982.

This AD was effective earlier to all recipients of Telegraphic AD T81-26-51, dated December 11, 1981.

Compliance schedule as prescribed in the body of the AD, unless previously accomplished.

ADDRESSES: The applicable service information may be obtained from: Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts, Dept. 63-11, U-33, B-1. This information also may be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 4344 Donald Douglas Drive, Long Beach, California 90808.

FOR FURTHER INFORMATION CONTACT: Harvey Chimerine, Aerospace Engineer, Airframe Branch, ANM-120L, Federal Aviation Administration, Northwest Mountain Region, Los Angeles Area Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California 90808, telephone (213) 548-2825.

SUPPLEMENTARY INFORMATION: On August 21, 1981, the FAA issued Telegraphic AD T81-18-51 applicable to the Lockheed L-1011-385 series aircraft, serial numbers 1001 through 1051, requiring inspection and repair, as necessary, of the aft bulkhead of the main landing gear wheel well as a result of cracks reported in that area on five aircraft with serial numbers within that range. Since then, three or more aircraft with serial numbers above 1051 have experienced similar cracks. Since progression of these cracks could result in sudden decompression of the aircraft, action was necessary to assure that cracking is detected and repaired on those aircraft with later serial numbers. On December 11, 1981 the FAA issued Telegraphic AD T81-26-51 applicable to L-1011-385 series airplanes, serial numbers 1052 and subsequent requiring inspection and repair as necessary.

Since this condition is likely to exist or develop in other airplanes of the same type design, an Airworthiness Directive (AD) is being issued which requires inspection for cracks and repair, as necessary, of defective parts. It is now published to make it effective to all persons.

This AD differs from the telegraphic AD by a revision to the inspection procedures to include an alternative inspection procedure called out in Lockheed L-1011 Service Bulletin 093-53-208, Revision 1, dated December 23, 1981. This AD also changes the initial inspection threshold from 50 hours to 300 flights and adds a repetitive inspection at intervals of 2000 flights thereafter until a permanent modification is incorporated.

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

Adoption of the Amendment

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

Lockheed-California Company: Applies to Lockheed Model L-1011-385 series airplanes, Serial Numbers 1052 and subsequent, certificated in all categories. Compliance is required in accordance with paragraphs A and B or C below, unless previously accomplished:

To detect cracks in the Fuselage Station (FS) 1363 bulkhead lower cap, fuselage skin, adjacent web, and web horizontal stiffeners; and to prevent failure and possible sudden decompression of the pressurized fuselage, accomplish the following:

A. *Compliance Schedule*

Compliance is required within 300 flights after the effective date of this AD and at intervals not to exceed 2000 flights thereafter. Previously accomplished inspections, if conducted within the previous 300 flights in accordance with paragraph B *or* C below, satisfy this initial 300 flight inspection requirement.

B. *Accomplishment Instructions—OPTION 1*

1. Remove main landing gear fairing panel 195B, left hand side and;

2. Remove main landing gear fairing panel 196B, right hand side or;

3. Remove splash panels, Lockheed-California Company L-1011 P/N 1541920-101 and 1541920-102.

4. Perform a close visual inspection for cracks in Fuselage Station 1363 bulkhead, left hand side. Inspect from the main landing gear wheel well, paying particular attention to web and horizontal stiffeners at bulkhead cap, above and below water line 140 and;

5. Perform a close visual inspection for cracks in fuselage skin between Fuselage Stations 1363 and 1403, left hand side, paying particular attention to the area between Stringers 44 and 46 and;

6. Perform a close visual inspection for cracks in Fuselage Station 1363 bulkhead, right hand side. Inspect from the main landing gear wheel well, paying particular attention to the web and horizontal stiffeners at the bulkhead cap, above and below water line 140; and

7. Perform a close visual inspection for cracks in the fuselage skin between Fuselage Stations 1363 and 1403, right hand side, paying particular attention to the area between Stringers 20 and 22.

C. *Accomplishment Instructions—OPTION 2*

Inspect for cracks in FS 1363 bulkhead cap and surrounding areas in accordance with the inspection procedures called out in Section 2, Accomplishment Instruction, of Lockheed L-1011 Service Bulletins 093-53-206, dated August 26, 1981, or 093-53-208, Revision 1, dated December 23, 1981.

D. If cracks are found in the lower cap, adjacent web, fuselage skin, or web stiffeners they must be repaired before further flight in a manner approved by the Chief, Los Angeles Area Aircraft Certification Office, FAA, Northwest Mountain Region.

E. If cracks are found only in the 1518531-121 reinforcing strap and not repaired, reinspect every 500 flights until a repair or permanent modification is incorporated.

F. Alternative means of compliance with this AD which provide an equivalent level of safety may be used when approved by the Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Mountain Region.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts. These documents may also be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108; or 4344 Donald Douglas Drive, Long Beach, California 90808.

This amendment becomes effective March 11, 1982, and was effective earlier to those recipients of Telegraphic AD T81-26-51, dated December 11, 1981.

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

Note.—The Federal Aviation Administration has determined that this regulation is an emergency regulation that is not major under Executive Order 12291. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

This rule is a final order of the Administrator under section 1006(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1486(a)), it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Washington, on February 16, 1982.

Robert O. Brown,

Acting Director, Northwest Mountain Region.

[FR Doc. 82-5188 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Airworthiness Docket No. 81-ASW-67; Amdt. 39-4330]

Bell Models 206L and 206L-1 Helicopters; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires modification, replacement, or retirement of the horizontal stabilizer assembly on Bell Models 206L and 206L-1 helicopters. The AD is needed to prevent possible failure of the horizontal stabilizer which could result in loss of the helicopter.

DATES: Effective March 30, 1982. Compliance required as prescribed in body of AD.

ADDRESSES: Bell Helicopter Service Information may be obtained from Product Support Department, Bell Helicopter Textron, 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: Tom Dragset, Airframe Branch, Aircraft Certification Division, ASW-120, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone number (817) 624-4911, extension 517.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification, replacement, or retirement of the horizontal stabilizer assembly installed on Bell Models 206L and 206L-1 helicopters was published in the **Federal Register** on December 24, 1981 (46 FR 62468). The proposal was prompted by the FAA's determination, based on additional flight strain data obtained on the horizontal stabilizer, that the stabilizers should be modified, replaced, or retired, depending on which part number is installed, to prevent possible failure of the horizontal stabilizer, which could result in loss of the helicopter. Interested persons have been afforded an opportunity to participate in the making of the amendment. No comments were received. Accordingly, the proposal is adopted without change.

Adoption of the Amendment

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

Bell: Applies to Bell Model 206L helicopters, all serial numbers, and 206L-1 helicopters, serial numbers 45154 through 45398, 45400 through 45491, 45493 through 45543, 45545 through 45614, 45616 through 45634, 45636 through 45638, 45643 through 45647, 45649 through 45652, and 45655 through 45657, certificated in all categories (Airworthiness Docket No. 81-ASW-67).

Compliance is required as indicated, unless previously accomplished.

To prevent possible failure of the horizontal stabilizer, accomplish the following, in accordance with Bell Helicopter Textron Alert Service Bulletin (ASB) 206L-81-23, Revision A, dated October 23, 1981, or FAA approved equivalent.

a. Remove horizontal stabilizer assemblies, P/N 206-704-143-105, -113, and -131, from service within 25 hours' time in service after March 31, 1982, and replace with a serviceable stabilizer.

b. Inspect horizontal stabilizer assemblies, P/N 206-023-119-011, -075, -107, and -113, and P/N 206-961-439-003, in accordance with paragraph B1 of Accomplishment Instructions of ASB 206L-81-23, Revision A, or FAA approved equivalent, within 25 hours' time in service after March 31, 1982.

c. Remove horizontal stabilizer assemblies, P/N 206-023-119-011, -075, -107, and -113, and P/N 206-961-439-003, that do not meet the inspection criteria for modification within 25 hours' time in service after March 31, 1982, and replace with a serviceable stabilizer.

d. Modify horizontal stabilizer assemblies, P/N 206-023-119-011, -075, -107, and -113, and 206-961-439-003, that meet the inspection criteria for modification, at one of the approved service centers listed in ASB 206L-81-23, Revision A, or remove from service within 25 hours' time in service after March 31, 1982, and replace with a serviceable stabilizer.

e. A serviceable horizontal stabilizer assembly (reference page 5 of ASB 206L-81-23) is one which is marked with modified P/N 206-704-040-003, -011, -075, -107, or -113, or current production P/N 206-023-119-151 or -703.

f. Compliance with this airworthiness directive and AD 78-24-06 is not required if serviceable horizontal stabilizer assemblies, modified P/N 206-704-040-003, -011, -075, -107, or -113, or current production P/N 206-023-119-151, or -703, are installed.

g. Compliance with this airworthiness directive eliminates the requirement for modification of the stabilizer supports and the daily inspection requirement for cracks required by AD 78-24-06, Amendment 39-3358, as amended by Amendment 39-4032.

h. The helicopter may be flown in accordance with FAR 21.197 to a base where compliance with this AD can be performed.

This amendment becomes effective March 30, 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 which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 25, 1979) and it is certified it 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 a relatively low cost per aircraft. A final regulatory evaluation has been prepared for this regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Note.—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, Tex., on February 18, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-5286 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 81-CE-1-AD; Amdt. 39-4332]

Cessna Model 172RG Airplanes; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule, Revision of existing Airworthiness Directive (AD).

SUMMARY: This amendment revises Airworthiness Directive (AD) 81-05-05 (Amendment 39-4075) applicable to Cessna Model 172RG airplanes. AD 81-05-05 presently requires inspection and modification of the heater muffler on these airplanes to preclude dislocation of the shroud and resulting damage to the exhaust chamber. This revision authorizes an alternate modification of the shroud, which accomplishes the same objective. Either of these actions is necessary to prevent carbon monoxide poisoning in the airplane cabin.

EFFECTIVE DATE: March 8, 1982.

COMPLIANCE: As prescribed in the body of the AD.

ADDRESSES: Cessna Single-Engine Customer Care Service Information Letter SE82–4 dated January 25, 1982, applicable to this AD, may be obtained from Cessna Aircraft Company, Marketing Division, Attention: Customer Service Department, Wichita, Kansas 67201; Telephone (316) 685–9111. A copy of the Service Information Letter is also contained in the Rules Docket, FAA, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106; and/or Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: Paul O. Pendleton, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, Room 238, Terminal Building No. 2299, Mid-Continent Airport, Wichita, Kansas 67209; Telephone (316) 269–7010.

SUPPLEMENTARY INFORMATION: As a result of field reports of dislocation of the cabin heater shroud and resulting damage to the heater muffler exhaust chamber and possible carbon monoxide contamination of cabin air, the FAA issued AD 81–05–05, Amendment 39–4075 (44 FR 19222–24), applicable to certain Cessna Model 172RG airplanes. AD 81–05–05 requires inspection and installation of screws in the cabin heater shroud, to preclude dislocation of the shroud and resulting damage to the exhaust Chamber. Subsequent to the issuance of AD 81–05–05, the manufacturer has developed and made available an alternate modification to the shroud, which accomplishes the same objective. Accordingly the FAA is revising AD–81–05–05 to permit use of this alternative method on Cessna Model 172RG airplanes by those persons desiring to do so. The alternate modification is covered in Cessna Service Information Letter SE82–4, dated January 25, 1982.

Since this amendment is relieving in nature and imposes no additional burden on any person, notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days after the date of publication in the **Federal Register.**

Adoption of The Amendment

Accordingly and pursuant to the authority delegated to me by the Administrator, Amendment 39–4075 (44 FR 19222–19224), AD 81–05–05, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended as follows: Revise paragraph 2.b. so that it now reads:

b. Reinstall the shroud and drill a No. 36 (.107) hole in each end of the shroud and muffler flange and insert a #6, 7/16 inch long steel sheet-metal screw in each hole as shown in Figure 1 (CAUTION: Place a metal strip below the muffler flange prior to drilling through the flange to prevent damage to the muffler can), or comply with Cessna Service Information Letter SE82–4, dated January 25, 1982.

This amendment becomes effective on March 8, 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)); Sec. 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 the action prescribed herein is estimated to cost less than 1 percent of the value of any affected airplanes which may be 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 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 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, Mo., on February 18, 1982.

Murray E. Smith,

Director, Central Region.

[FR Doc. 82–5289 Filed 2–26–82; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 82–CE–6–AD; Amendment 39–4333]

Piper Models PA–28–151 and PA–28–161 Airplanes; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment codifies into the **Federal Register** Emergency Letter Airworthiness Directive (AD) 81–23–05 issued November 3, 1981, applicable to Piper Models PA–28–151 and PA–28–161 airplanes. The AD requires, prior to further flight, inspection of the rear seat and the battery cover for condition and security and installation of a placard prohibiting use of the rear seat until the affected airplanes are modified per the applicable Piper Service Kit. This action is necessary to prevent possible inflight fire resulting from an electrical short between the rear seat bottom spring and the battery terminal.

EFFECTIVE DATE: March 8, 1982, to all persons except those to whom it has already been made effective by letter dated November 3, 1981.

COMPLIANCE: As prescribed in the body of the AD.

ADDRESSES: Piper Service Bulletin 631B dated October 29, 1981, applicable to this AD, may be obtained from Piper Aircraft Corporation, 620 East Bald Eagle Street, Lock Haven, Pennsylvania 17745. A copy of the Service Bulletin is also contained in the Rules Docket, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106; and/or Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: C. W. Kaiser, Systems and Equipment Section, ACE–130A, Atlanta Aircraft Certification Office, FAA, P.O. Box 20636, Atlanta, Georgia 30320; Telephone (404) 763–7781.

SUPPLEMENTARY INFORMATION: There have been two confirmed reports of smoke and fire in the cabin resulting from the rear seat bottom spring contacting the battery terminal on the affected Piper model airplanes. This condition also may have contributed to a recent inflight fire and accident which resulted in two fatalities. The contact between the seat spring and the battery terminal can occur when the rear seat bottom is not properly positioned and the battery cover is not installed or is damaged. The weight of a rear seat passenger deflects the rear spring sufficiently to bring the spring in contact with the battery terminal, shorting the battery to ground. When this occurs, the seat spring can get sufficiently hot to ignite the rear seat material. Accordingly, the FAA determined that compliance with the instructions contained in Piper Aircraft Corporation Service Bulletin 631B dated October 29, 1981, was necessary in the interest of safety. As a result, Emergency AD 81–23–05 was mailed to all Piper PA–28–151 and PA–28–161 airplane owners of record on November 3, 1981.

Because the unsafe condition described herein may still exist on other

affected Piper model airplanes described herein, the AD is being published in the **Federal Register** as an amendment to Part 39 of the Federal Aviation Regulations (14 CFR Part 39) to make it effective to all persons who did not receive the emergency letter notification.

Since the FAA has determined that there is an immediate need for this regulation to correct an unsafe condition and assure safe operation of the affected airplanes, notice and public procedure under 5 U.S.C. 553(b) are considered impractical and contrary to the public interest, and good cause exists for making the amendment effective in less than thirty (30) days after the publication in the **Federal Register**.

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:

Piper Aircraft Corporation: Applies to Piper Aircraft Models PA-28-151 (S/N 28-7415001 through 28-7715314), and PA-28-161 (S/N 28-7716001 through 28-8216066) airplanes certified in any category.

Compliance: Required prior to further flight and as indicated in the body of this AD.

To prevent possible inflight fire, accomplish the following:

(A) On Piper Models PA-28-151 (S/N 28-7415001 through 28-7715314) and PA-28-161 (S/N 28-7716001 through 28-7916210) airplanes:

(1) Remove the rear seat base and check for any broken springs or evidence of electrical contact between the seat springs and the battery. Check the battery box and cover for any evidence of damage, especially wear of the battery box cover caused by contact with the seat springs. If the seat spring or the battery box cover is damaged, repair or replace with serviceable items. If not, reinstall the battery box cover and ensure that all fasteners lock and that the cover is secure.

(2) Install the seat base, ensuring that the saddle clamps at the rear of the seat, left and right, are engaged. When the seat base in lowered into position the forward edge of the seat legs must be at least 0.80 inch aft of the forward vertical face of the wing spar box.

(3) Install a placard in clear view of the pilot stating "DO NOT USE REAR SEAT FOR PASSENGERS OR CARGO" and operate the airplane in accordance with this limitation. The placard may be made from any convenient durable material with contrasting color letters at least ¼ inch high.

(4) The requirements of paragraphs (A)(1), (2) and (3) may be complied with by a person authorized to perform preventive maintenance in accordance with Federal Aviation Regulation 43.3(h), except that repair or replacement must be accomplished by appropriately rated persons.

(5) The placard required by paragraph (A)(3) may be removed after the rear seat has been modified in accordance with the instructions contained in Piper Aircraft Corporation Service Kit No. 764, 303V, SEAT AFT BOTTOM MODIFICATION, dated October 29, 1981, and Piper Service Bulletin 631B, dated October 29, 1981.

(B) On Piper Models PA-28-161 (S/N 28-7916211 through 28-8216066) airplanes:

(1) Remove the rear seat base and check for any broken springs or evidence of electrical contact between the seat springs and the battery. Check the battery box and cover for any evidence of damage, especially wear of the battery box cover caused by contact with the seat springs. If the seat spring or the battery box cover is damaged, repair or replace with serviceable items. If not, reinstall the battery box cover and ensure that all fasteners lock and that the cover is secure.

(2) Install the seat base, ensuring that the saddle clamps at the rear of the seat, left and right, are engaged. Ensure that the forward legs on the rear seat base are aft of the reference line established by the placard (Piper P/N 35669-194) on top of the spar box, reference Piper Service Bulletin 631B dated October 29, 1981.

(3) Before each flight, check that the rear seat base is properly positioned as indicated by the placard.

(4) The requirements of paragraphs (B)(1), (2) and (3) may be complied with by a person authorized to perform preventive maintenance in accordance with Federal Aviation Regulation 43.3(h), except that repair or replacement must be accomplished by appropriately rated persons.

(5) Within the next 50 hours time-in-service after the effective date of this AD, modify the rear seat base in accordance with the instructions contained in Piper Aircraft Corporation Servce Kit No. 764 303V, SEAT AFT BOTTOM MODIFICATION, dated October 29, 1981, and Piper Service Bulletin 631B, dated October 29, 1981. The repeat preflight checks of paragraph (B)(3) may be discontinued after this modification.

(C) An equivalent method of compliance may be approved by Chief, Engineering and Manufacturing Branch, FAA, Southern Region, P.O. Box 20636, Atlanta, Georgia 30320.

This amendment becomes effective on March 8, 1982, to all persons except those to whom it has already been made effective by priority letter from the FAA dated November 3, 1981, and is identified as AD 81-23-05.

(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)); sec. 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 the action prescribed herein is estimated to cost less than 1 percent of the value of any affected airplanes which may be 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 of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Note.—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 by the Courts of Appeals of the United States, or the United States Court of Appeals of the District of Columbia.

Issued in Kansas City, Mo., on February 18, 1982.

Murray E. Smith,

Director, Central Region.

[FR Doc. 82-5284 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Airworthiness Docket No. 82-ASW-4; Amdt. 39-4331]

Airworthiness Directives; Societe Nationale Industrielle Aerospatiale (SNIAS) Models SA360C and SA365 Series Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This document adopts a new Airworthiness Directive (AD). The AD requires reinforcement of the optional long slides on the pilot's and copilot's bucket seats on SNIAS Models SA360C and SA365 series helicopters. The long slides may deform and allow the affected seat to tilt backward thereby preventing the crewmember from maintaining proper control of the helicopter.

DATES: Effective March 12, 1982. Compliance required before April 12, 1982.

A copy of the service information may be examined at Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas. A copy of the service information may be obtained from Aerospatiale Helicopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75051, ATTN: Customer Support.

FOR FURTHER INFORMATION CONTACT: Chris Christie, Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, Brussels, Belgium, or James H.

Major, Helicopter Policy and Procedures Staff, Aircraft Certification Division, Federal Aviation Administration, P.O. Box 1689, Forth Worth, Texas 76101, telephone (817) 624–4911, extension 502.

SUPPLEMENTARY INFORMATION: It has been determined that the pilot's or copilot's bucket seat could tilt backwards or aft due to excessive deformation of the seats' long slides on Aerospatiale Model SA360C and SA365C series helicopters. The seat long slides (502mm or 20-inch long) installation is an optional design feature that is installed on several helicopters. When the seat tilts aft the crewmember may lose control of the helicopter.

Since the seats may tilt aft on those helicopters equipped with the optional long slides, an AD is being issued which requires within 30 days after the effective date of the AD the addition of a doubler in the center portion of each long slide for the pilot's and copilot's bucket seats. This doubler will stabilize the seat slide and prevent excessive deformation of the slide and resulting tilt of the seat.

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

Aerospatiale Helicopter Corporation personnel have verbally advised the agency that only 5 of the present 25 U.S. Registered SA360C and SA365C series helicopters do not have the seat slide doublers installed. Dauphin Service Bulletin No. 25.08, dated March 23, 1981, concerns installation of these doublers on affected helicopters prior to May 30, 1981. The expected impact of this AD is minor and expected to cost $535 per helicopter or $2,675 total.

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:

Societe Nationale Industrielle Aerospatiale (SNIAS): Applies to Model SA360C and SA365C series helicopters certificated in all categories (Airworthiness Docket No. 82–ASW–4).

Compliance is required within 30 days after the effective date of this AD.

To prevent possible excessive deformation of the pilot's and copilot's seat long slides and resulting tilt of the seats, accomplish the following modification unless already accomplished.

(a) Add doublers to the 4 long slides as prescribed in Aerospatiale Dauphin Service Bulletin No. 25.08, dated March 23, 1981, or as prescribed in an equivalent modification approved by Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Office.

(b) Aircraft may be flown in accordance with FAR 21.197 and 21.199 to a base where the slide doublers may be installed.

This amendment becomes effective March 12, 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 above under the caption "FOR FURTHER INFORMATION CONTACT."

Note.—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 Forth Worth, Texas, on February 18, 1982.

F. W. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82–5285 Filed 2–26–82; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 81–ANE–13]

Alteration of VOR Federal Airway

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment realigns VOR Federal Airway V–99 between Hartford, CT, and Lawrence, MA. V–99 was realigned in order to provide a bypass route to circumnavigate the proposed Fort Devens, MA, Restricted Area R–4102. This action increases air safety for arrival and departing aircraft in the Boston terminal area.

EFFECTIVE DATE: May 13, 1982.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, 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 October 29, 1981, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to realign VOR Federal Airway V–99 between Hartford, CT, and Lawrence, MA (46 FR 53435). This airway realignment accommodates the proposed Fort Devens, MA, Restricted Area R–4102. This action increases safety for aircraft maneuvering in the Boston, MA, terminal area, and reduces air traffic control delays. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received objecting to the proposal. This amendment is that same as the proposed in the notice. Section 71.123 was republished on January 2, 1981 (46 FR 409).

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) realigns VOR Federal Airway V–99 between Hartford, CT, and Lawrence, MA. The airway realignment would provide for accommodating Fort Devens, MA, Restricted Area R–4102. This action increases airway safety for aircraft maneuvering in the Boston, MA, terminal area.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 409), is amended, effective 0901 G.m.t., May 13, 1982, as follows:

V–99 [Amended]

By deleting the words "INT Putnam 011° and Gardner, MA, 097° radials; INT Gardner 097° and Boston, MA, 015° radials; to Boston." and substituting for them the words "INT Putnam 011° and Lawrence, MA, 229° radials; to Lawrence."

(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)

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 February 18, 1982.

B. Keith Potts,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 82-5288 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 73

[Airspace Docket No. 81-ANE-15]

Designation of Restricted Area R-4102—Fort Devens, MA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment designates new Restricted Area R-4102, located in the Fort Devens area, Fitchburg, MA. The joint use restricted area provides adequate protected airspace for controlled firing ranges necessary to accommodate mandatory training requirements for the U.S. Army, Army National Guard, and the U.S. Army Reserve Units. R-4102 would save considerable time, cost, and energy requirements by not transporting these units to other areas in the United States for training.

EFFECTIVE DATE: May 13, 1982.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, 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 October 15, 1981, the FAA proposed to amend Part 73 of the Federal Aviation Regulations (14 CFR Part 73) to designate new Restricted Area R-4102 located in the Fort Devens area, Fitchburg, MA, (46 FR 50807). Joint use R-4102 provides adequate protected airspace for controlled artillery/mortar firing necessary to accommodate mandatory national defense training for the U.S. Army, U.S. Army National Guard, and U.S. Army Reserve Units. Training will normally be conducted on Friday and Saturday, but may be conducted at other times to be announced by NOTAM. The designation of the joint use Restricted Area R-4102 is necessary in order to enhance air safety during the conduct of this training. Since the controlling agency is the FAA, both the U.S. Army and the public would be assured of adequate air traffic control safety measures.

The original proposal was circularized for comment on July 18, 1980. Forty-three letters objecting to the proposal were received; 24 objections cited safety hazards to air traffic; 10 objected to restricting the airspace; eight voiced economic reasons; and one letter discussed "environmental issues." Additionally, eight meetings were held with interested user groups because the Fitchburg, Shirley, and Minute Man Airports are impacted by the proposed R-4102.

As a result of those meetings, in an attempt to reach an agreement that would be acceptable to all sides, the following procedural/regulatory changes have been or will be made:

1. VOR Federal Airway V-99 will be relocated eastward to provide a new arrival route to the Boston, MA, terminal area.

2. An additional instrument approach to Fitchburg Airport has been developed that will be used when R-4102 is in use.

3. The "missed approach" procedure at Minute Man Airport will be changed from a right turn out to a left turn.

4. Should the proposed new Instrument Landing System (ILS) to serve Runway 32 at Fitchburg become a reality, procedures will be developed to accommodate ILS approaches during instrument weather conditions.

5. The Army has agreed to reduce the size of R-4102 to accommodate operations at Shirley Airport due to its close proximity. Shirley traffic can continue with little or no inconvenience by establishing a right hand traffic pattern.

6. To eliminate some of the concern over the restricted area at Fort Devens, MA, the Army has agreed to the following conditions:

a. In the event that an ILS is installed at the Fitchburg Airfield and the instrument procedure developed for the ILS penetrates the restricted airspace, the Commander of Fort Devens will negotiate a Letter of Agreement with the Chief of the Boston TRACON or other appropriate ATC facility that will permit aircraft on instrument flight plans to fly the ILS procedure when:

(1) The weather is below VFR minimums, and

(2) Other instrument procedures are not suitable or available, or

(3) An inflight emergency exists that will require flight through the restricted area.

b. The Commander, Fort Devens, will ensure that the present direct telephone line between the range facilities and Moore Army Airfield at Fort Devens, and the direct line between Moore Army Airfield and Boston TRACON remain as is or that an acceptable substitute will be installed.

The current NDB-"A" approach serving Fitchburg Airport has been supplemented with the new NDB-"B" approach to Runway 20. This procedure will provide instrument approach minima of 1,180 feet Minimum Decision Altitude (MDA), utilizing a step down fix on final approach course. (The Gardner, MA, 090° radial will be utilized.)

This action permits the U.S. Army to carry out mandatory training maneuvers without greatly restricting the operations at area airports. Section 73.41 of Part 73 was republished on January 2, 1981 (46 FR 807).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. The Aircraft Owners and Pilots Association (AOPA) objected to the proposal and has petitioned for a hearing concerning Airspace Docket No. 81-ANE-15. AOPA stated that a hearing is warranted because the FAA, New England Region and the Department of the Army held a number of informal airspace meetings concerning the R-4102 proposal and apparently failed to take into account comments made at those meetings. The FAA denied the petition for a hearing. As a result of all comments received the FAA and the Department of the Army made additional adjustments and compromises in order to answer AOPA's objections. FAA has determined that the Fort Devens training program can be conducted safely and without delay or inconvenience to the public.

The Rule

This amendment to Part 73 of the Federal Aviation Regulations (14 CFR Part 73) designates new Restricted Area R-4102, located in the Fort Devens, MA, area. The joint use restricted area provides protected airspace for controlled firing ranges to accommodate military training requirements for the Department of the Army.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 73.41 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as republished (46 FR 807), is

amended, effective 0901 G.m.t., May 13, 1982, by adding the following:

R-4102 Fort Devens, MA [Added]

Boundaries. Beginning at lat. 42°31'15" N., long. 71°36'30" W.; to lat. 42°31'00" N., long. 71°39'15" W.; to lat. 42°30'45" N., long. 71°39'15" W.; to lat. 42°30'15" N., long. 71°40'00" W.; to lat. 42°29'45" N., long. 71°41'15" W.; to lat. 42°28'15" N., long. 71°41'15" W.; to lat. 42°28'00" N., long. 71°39'45" W.; to lat. 42°29'45" N., long. 71°37'45" W.; thence to point of beginning.

Designated altitudes. Surface up to and including 3,995 feet MSL.

Time of designation. 0000 Friday to 2359 Saturday—local time. Other times as specified by NOTAM issued 48 hours in advance.

Controlling agency. Federal Aviation Administration, Boston Control Tower.

Using agency. Director of Plans, Training and Security, Fort Devens, MA.

(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)

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, DC, on February 18, 1982.

B. Keith Potts,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 82-5287 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM79-76 (Louisiana-6); Order No. 212]

High-Cost Gas Produced From Tight Formations, Louisiana

AGENCY: Federal Energy Regulatory Commission.

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 Office of Conservation of the State of Louisiana that the James Lime Formation be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: February 22, 1982.

FOR FURTHER INFORMATION CONTACT: Peter Roidakis, (202) 357-8307 or Walter W. Lawson, (202) 357-8556.

Issued: February 22, 1982.

The Commission hereby amends § 271.703(d) of its regulations to include the James Lime Formation in Louisiana 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, OPPR, issued November 13, 1981 (46 FR 56819, November 19, 1981)[1] based on a recommendation by the Office of Conservation of the State of Louisiana (Louisiana) in accordance with § 271.703(c) that the James Lime Formation be designated as a tight formation.

Evidence submitted by Louisiana supports the assertion that the James Lime Formation meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Louisiana 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 available immediately establishes good cause to waive the thirty-day publication period.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3342; 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 February 22, 1982.

By the Commisison.

Kenneth F. Plumb,

Secretary.

PART 271—CEILING PRICES

Section 271.703(d) is amended by adding new subparagraph (69) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.* * * *

(69) *James Lime Formation in Louisiana.* RM79-76 (Lousiana-6)

(i) *Delineation of formation.* The James Lime Formation is found in the Benson Field in the southern portion of De Soto Parish, Louisiana, in the area of Township 10 North, Range 13 West, Sections 1-18; Township 10 North, Range 14 West, Sections 1-18; Township 11 North, Range 13 West, Sections 1-36; and Township 11 North, Range 14 West, Sections 1-36.

(ii) *Depth.* The top of the James Lime Formation is encountered at approximately −5,072 feet subsea in the northwest portion and at approximately −5,400 feet subsea in the southern portion. It is situated directly below the Bexar Formation and above the Pine Island Formation. The maximum thickness of the formation is approximately 260 feet.

[FR Doc. 82-5371 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 271

[Docket No. RM79-76 (Louisiana-5); Order No. 211]

High-Cost Gas Produced From Tight Formations, Louisiana

AGENCY: Federal Energy Regulatory Commission.

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

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

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 Office of Conservation of the State of Louisiana that the Smackover C Zone be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: February 22, 1982.

FOR FURTHER INFORMATION CONTACT: Peter Roidakis, (202) 357–8307 or Walter W. Lawson, (202) 357–8556.

Issued: February 22, 1982.

The Commission hereby amends § 271.703(d) of its regulations to include the Smackover C Zone in Louisiana 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, OPPR, issued October 22, 1981 (46 FR 52390, October 27, 1981)[1] based on a recommendation by the Office of Conservation of the State of Louisiana (Louisiana) in accordance with § 271.703(c) that the Smackover C Zone be designated as a tight formation.

Evidence submitted by Louisiana supports the assertion that the Smackover C Zone meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Louisiana 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 available immediately establishes good cause to waive the thirty-day publication period.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301–3342; 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 February 22, 1982.

By the Commission.

Kenneth F. Plumb,

Secretary.

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

PART 271—CEILING PRICES

Section 271.703(d) is amended by adding new subparagraph (68) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.* * * *

(68) *Smackover C Zone in Louisiana.* RM79–76 (Louisiana–5).

(i) *Delineation of formation.* The Smackover C Zone is found within the East Dykesville Field in Claiborne and Webster Parishes, Louisiana, in the area of Township 22 North, Range 8 West, Sections 3–10, 15–18; Township 22 North, Range 9 West, Sections 1–3, 10–15; Township 23 North, Range 8 West, Sections 30–34; and Township 23 North, Range 9 West, Sections 25–27, 34–36.

(ii) *Depth.* The Smackover C Zone occurs between the measured depths of 11,290 feet and 11,340 feet on the induction electrical log of the Wheless Industries-Pelto Oil-Guy Lewis *et al.* No. 1 well.

[FR Doc. 82-5370 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

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18 CFR Part 271

[Docket No. RM79–76 (Texas-14); Order No. 213]

High-Cost Gas Produced From Tight Formations, Texas

AGENCY: Federal Energy Regulatory Commission.

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 Wolfcamp Formation be designated as a tight formation under 271.703(d).

EFFECTIVE DATE: February 22, 1982.

FOR FURTHER INFORMATION CONTACT: Peter J. Roidakis, (202) 357–8307 or Walter W. Lawson, (202) 357–8556.

Issued: February 22, 1982.

The Commission hereby amends § 271.703(d) of its regulations to include the Wolfcamp Formation in 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, OPPR, issued November 4, 1981 (46 FR 55540, November 10, 1981),[1] based on a recommendation by the Railroad Commission of Texas (Texas) in accordance with § 271.703(c) that the Wolfcamp Formation be designated as a tight formation.

Southern California Gas Company (SoCal) has raised two issues in its comments opposing the Texas recommendation:

(1) That production test data under unstable conditions "does not lend credible support" towards production rates under stable conditions, and

(2) That the Commission's regulations do not define condensate and SoCal is uncertain if the Railroad Commission's use of the term "condensate" is included within the Commission's use of the term "crude oil."

Among the guidelines that a formation must meet in order to be designated a tight formation are those set forth at § 271.703(c)(2) (B) and (C):

(B) 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:

[The table shows that maximum allowable production rate is 927 Mcf per day for the average depth of the Wolfcamp Formation in the Gomez, N.W. (Wolfcamp) Field]

(C) No well drilled into the recommended tight formation is expected to produce, without stimulation, more than five barrels of crude oil per day.

SoCal's comments take issue first with Texas' filing of post-stimulation rates to qualify the Wolfcamp Formation in the Gomez, N.W. (Wolfcamp) Field. The Commission agrees that expected production rates should be based on pre-stimulation tests if such tests are available. Texas has filed both pre- and post-stimulation rates here. The flow rate of the one well tested prior to stimulation showed essentially no gas flow. The post-stimulation flow rates, with only one exception, do not exceed

[1] Comments were invited on the proposed rule and two were received, one supporting the recommendation (Champlin Petroleum Company), and the other opposing the recommendation (Southern California Gas Company).

the guidelines and the average post-stimulation flow rate of 708 Mcfd also does not exceed the maximum allowable of 927 Mcfd for the Gomez, N.W. Field. This information is a sufficient basis for finding that the stabilized production rate is not expected to exceed the limits prescribed by the Commission's regulations.

SoCal's second comment concerns the definition of "crude oil" in the Commission's regulations and as used by Texas. The Commission defines "crude oil" as follows:

> "Crude oil" means a mixture of hydrocarbons that exists in the liquid phase in natural underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities. 18 CFR 270.102(b)(5).

The definition of the term, "crude oil" used by Texas states that it shall "not be construed to mean any liquid hydrocarbon mixture, or portion thereof, which is not in the liquid phase in the reservoir."

"Condensate," though not defined in the Commission's regulations, is the liquid hydrocarbons that were originally in the gaseous phase while in the reservoir. Since both Texas's and the Commission's definitions of "crude oil" require that the hydrocarbons be in the liquid phase in the reservoir, it is clear that Texas properly ignored "condensate" in determining whether any well in the recommended tight formation is expected to produce, without stimulation, more than five barrels of crude oil per day.

Evidence submitted by Texas supports the assertion that the Wolfcamp Formation meets the guidelines contained in § 271.703(c)(2). For the foregoing reasons, the Commission adopts the Texas recommendation, SoCal's comments notwithstanding.

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 available immediately establishes good cause to waive the thirty-day publication period.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301–33; 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 February 22, 1982.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—CEILING PRICES

Section 271.703(d) is amended by adding new subparagraph (70) to read as follows:

§ 271.703 Tight formations

* * * * *

(d) *Designated tight formations.* * * *

(70) *Wolfcamp Formation in Texas.* RM79–76 (Texas–14)

(i) *Delineation of formation.* The specified areas of the Wolfcamp formation are found in (1) the Gomez, N.W. (Wolfcamp) Field, in northern Pecos County northwest of Fort Stockton, Texas, underlying approximately 24,457, acres and in (2) the Wolf (Wolfcamp) Field, in the extreme southwestern portion of Loving County, between the town of Mentone, Texas, and the Pecos River in Sections 78–82, Block 33, H&TC RR Company Survey.

(ii) *Depth.* The top and base of the Wolfcamp Formation are encountered at the approximate depths of 11,384 feet and 11,720 feet, respectively, in the Gomez, N.W. (Wolfcamp) Field, and at the approximate depths of 10,118 feet and 10,696 feet, respectively, in the Wolf (Wolfcamp) Field.

[FR Doc. 82–5372 Filed 2–26–82; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD7 82–06]

Drawbridge Operation Regulations; Broward River, Fla.

AGENCY: Coast Guard, DOT.

ACTION: Final rule; revocation.

SUMMARY: This amendment revokes the regulations for the drawbridge across the Broward River, mile 0.6, because the drawbridge has been removed from the waterway. Notice and public procedure has been omitted from this action due to removal of the bridge concerned.

EFFECTIVE DATE: This amendment is effective on March 1, 1982.

FOR FURTHER INFORMATION CONTACT: James R. Kretschmer, Bridge Administrator, Bridge Section (oan), Room 1006, Federal Building, 51 Southwest First Avenue, Miami, Florida 33130, telephone (305) 350–4108.

Drafting Information: The principal persons involved in drafting this proposal are: James Davis, Bridge Administration Specialist, Office of Aids to Navigation, Bridge Section and Lieutenant William J. Petersen, Office of Commander, Seventh Coast Guard District, Legal Office.

SUPPLEMENTARY INFORMATION: This action has no economic consequences. It merely revokes regulations that are now meaningless because they pertain to a drawbridge that no longer exists. Consequently, this action cannot be considered a major rule under Executive Order 12291. Furthermore, it has been found nonsignificant under the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5–22–80), and does not warrant preparation of an economic evaluation. Because no notice of proposed rulemaking is required under 5 U.S.C. 553, this action is exempt from the Regulatory Flexibility Act (94 Stat. 1164). However, the requirements of the Act were taken into consideration, and this action will not have a significant effect on small entities.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

§ 117.245 [Amended]

In consideration of the above facts, Part 117 of Title 33 of the Code of Federal Regulations is amended by removing § 117.245(h)(23a).

(33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5))

Dated: February 3, 1982.

B. L. Stabile,

Rear Admiral, U.S. Coast Guard, Seventh Coast Guard District.

[FR Doc. 82–5428 Filed 2–26–82; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Docket No. AH400VA; A–3–FRL–20448]

Approval of Revision to the Commonwealth of Virginia State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces the Administrator's approval of a revision to the Virginia State Implementation Plan (SIP). This submittal contains a revision to Part III, Ambient Air Quality Standards. Section 3.08, Lead, is added to attain and maintain the national

ambient air quality standard for lead The revisions are made in compliance with applicable provisions of the Clean Air Act.

EFFECTIVE DATE: March 31, 1982.

ADDRESSES: Copies of the amendment and associated support material are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Curtis Building, Tenth Floor, 6th and Walnut Streets, Philadelphia, PA 19106; ATTN: Patricia Sheridan

Virginia State Air Pollution Control Board, Room 801, Ninth Street Office Building, Richmond, VA 23219; ATTN: William Meyer, Executive Director

Public Information Reference Unit, EPA Library, Room 2922, Waterside Mall, 401 "M" Street, SW., Washington, D.C. 20460

The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408

FOR FURTHER INFORMATION CONTACT: Carol D. Peters (3AW13) at the address for EPA Region III above or telephone (215) 597–9139.

SUPPLEMENTARY INFORMATION: On December 30, 1980, the Commonwealth of Virginia submitted to EPA a revision to the Virginia State Implementation Plan (SIP). Section 3.08, Lead, is added to attain and maintain the national ambient air quality standard (NAAQS) for lead.

The available monitoring data on ambient air quality in Virginia indicate no violation of the NAAQS for lead. There is only one point source in the Commonwealth of Virginia which emits 5 tons or more of lead per year. The air quality analysis performed for the area around this source indicated lead concentrations far below the standards. Hence, Virginia determined that the NAAQS for lead has been attained and the same will be maintained without additional State regulations.

The control strategy demonstration that accompanies the regulation contained several deficiencies, as outlined in the proposed **Federal Register** Notice of June 23, 1981 (46 FR 32455). The baseline emission inventory did not contain a summary of the area or mobile sources. A more detailed summary of all lead air quality data collected since 1974 was needed with an evaluation of the data for reliability and representativeness (40 CFR 51.82(a)). The demonstration also did not contain a projection of maximum air quality concentrations based upon projected emissions (40 CFR 51.82(c)).

On November 25, 1981, the Commonwealth of Virginia submitted additional information to address the deficiencies noted above. EPA has evaluated this submittal and has determined that it adequately addresses all of the deficiencies.

In view of the above evaluation, the Administrator approves the Commonwealth of Virginia's plan to maintain the national ambient air quality standard for lead which includes the addition of § 3.08, Lead. In conjunction with the Administrator's approval, 40 CFR 52.2420 (Identification of Plan) of Subpart VV (Virginia) is revised to incorporate these amendments.

Pursuant to the provision of 5 U.S.C. 605(b), I hereby certify that SIP approvals under sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. This action only approves State actions. It imposes no new requirements.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of The Executive Order 12291.

Under section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

(42 U.S.C. 7401–642)

Dated: February 19, 1982.

Anne M. Gorsuch,

Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Virginia was approved by the Director of the Federal Register on July 1, 1981.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Title 40, Code of Federal Regulations is amended by adding a new paragraph (c)(61) to § 52.2420, to read as follows:

Subpart VV—Virginia

§ 52.2420 Identification of plan.

* * * * *

(c) * * *

(61) Amendments to Part III, Ambient Air Quality Standards, Section 3.08, Lead, submitted on December 30, 1980 by the Secretary of Commerce and Resources.

[FR Doc. 82–5358 Filed 2–26–82; 8:45 am]

BILLING CODE 6560–38–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 447

Medicaid Program; Public Notice of Changes in Method or Level of Reimbursement; Correction

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Correction of interim final rule.

SUMMARY: This document corrects a technical error made in regulations published in the **Federal Register** on December 3, 1981, concerning public notice of changes in method or level of reimbursement.

EFFECTIVE DATE: December 3, 1981.

FOR FURTHER INFORMATION CONTACT: Nancy Drucker; (301) 594–1102.

SUPPLEMENTARY INFORMATION: Regulations at 42 CFR 447.205(d), published in the **Federal Register** on December 3, 1981 (46 FR 58677), contained a technical error in language. The word "and" was omitted in 42 CFR 447.205(d)(1).

PART 447—PAYMENTS FOR SERVICES

FR Doc. 81–34778, "Medicaid Program; Public Notice of Changes in Method or Level of Reimbursement", appearing at 46 FR 58677, is corrected as follows:

On page 58680, column 3, § 447.205(d)(1), in line 2, the word "and" is added after the semicolon.

(Sec. 1102, Social Security Act (42 U.S.C. 1302))

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program)

Approved: February 23, 1982.

Robert F. Sermier,

Deputy Assistant Secretary for Management Analysis and Systems.

[FR Doc. 82–5366 Filed 2–26–82; 8:45 am]

BILLING CODE 4120–03–M

Office of Child Support Enforcement

45 CFR Part 301

Child Support Enforcement Program; Withholding of Advance Funds for Not Reporting

AGENCY: Office of Child Support Enforcement (OCSE), HHS.

ACTION: Final rule.

SUMMARY: Section 407 of Pub. L. 96–265, the Social Security Disability Amendments of 1980, prohibits advance payment of the Federal share of State child support enforcement expenses for a calendar quarter unless the State submits a full and complete expenditure report and a full and complete report of the amount of child support collected and distributed for all calendar quarters, except the prior two. This regulation implements this new requirement. We published a Notice of Proposed Rulemaking (NPRM) on these provisions on January 6, 1981 (46 FR 1319). The comments received on this notice and our responses to the comments are discussed below.

EFFECTIVE DATE: January 1, 1981.

FOR FURTHER INFORMATION CONTACT: Tom DePippo, Chief, Policy Branch, OCSE, (301) 443–5350.

SUPPLEMENTARY INFORMATION:

Background

Child support enforcement regulations at 45 CFR 301.15 describe the procedures for making grants to IV–D agencies. Under these procedures, IV–D agencies estimate the funds they will need for the ensuing quarter to operate the program. OCSE regional and central offices review the State's estimate and the central office computes the grant award after making any necessary adjustments to the estimate. The grant award computation form is transmitted to the IV–D agency and provides notification to the agency that it may draw the amount of the grant award as needed. In this way, IV–D agencies are able to obtain advances on the Federal share of IV–D expenditures for each quarter. The States use these advances for operating their IV–D programs during the period before their actual claims are submitted and processed for payment by OCSE.

Statutory Requirement

Section 407 of Pub. L. 96–265, enacted on June 9, 1980, prohibits the Department from paying an IV–D agency an advance for a quarter unless, for all quarters but the previous two, the agency has submitted a full and complete expenditure report and a full and complete report on child support collections received and distributed.

OMB Clearance of Reporting Forms

OCSE recently obtained clearance of new expenditure and collection reporting forms from the Office of Management and Budget (OMB). At present, the new form OCSE–34 (OMB clearance number 0960–0238) must be used for reporting collections. The OCSE–41 (OMB clearance number 0960–0235) must be used for reporting expenditures. OCSE published a supplemental notice to our NPRM on June 8, 1981 (46 FR 30372) to announce the approval of these new forms. OCSE is presently seeking an extension to OMB approval of these new forms which replaced form OCSE–4134 and the combined forms SRS–OA–41 and OCSE–OA–41.17.

Reporting of Expenditures

45 CFR 301.15 requires IV–D agencies to file with OCSE a statement of quarterly expenditures and any necessary supporting schedules within 30 days of the end of each quarter. The State shall use the OCSE–41 for this purpose. The OCSE–41 includes user instructions which reiterate the requirement that the report be submitted within 30 days of the end of the reporting quarter.

Reporting of Collections and Distributions

45 CFR 302.15 includes requirements that IV–D agencies maintain records on amounts of child support collections and distributions, and make reports as required by the Secretary of the Department of Health and Human Services. The State shall use the OCSE–34 to report child support collections and distributions. The OCSE–34 includes user instructions which require that the report be submitted within 30 days of the end of the reporting quarter.

Regulatory Requirement

To implement Section 407 of Pub. L. 96–265, we have added to the regulations a new 45 CFR 301.16, Withholding of advance funds for not reporting. This regulation provides that a State agency which fails to submit full and complete expenditure and collection reports for any quarter except the two most recent quarters cannot receive an advance of Federal funds for subsequent quarters. For example, in order for a State to receive advance funding for a quarter beginning January 1, it must have submitted full and complete expenditure and collection reports for all prior quarters except for the preceding quarters ended September 30, and December 31. It does not, however, alter the existing requirements that such reports be submitted to OCSE within 30 days of the close of the reporting quarter. Rather, this new statutory provision and regulation require OCSE to withhold advance funds until reports are complete when incompleteness persists for five months beyond this 30 day reporting deadline.

Definition of Complete Report

Section 407 of Pub. L. 96–265 specifies that IV–D agency reports must be full and complete in order for the agency to receive advance FFP. It also specifies that the reports shall be "in such form and manner and containing such information as the Secretary shall prescribe or require." We have defined a "full and complete" report for purposes of this regulation as follows. A full and complete report is a report in which all applicable line items of information are reported in accordance with OCSE instructions. Those line items must contain all of the applicable information the State has in its possession for the quarter being reported and prior quarters that is appropriate for inclusion in the report. This means a State report may be judged complete even if (1) an entity participating in the program under the State plan has failed to report data to the State and these data are, therefore, not included in the report or if (2) the entity has, in fact, reported data to the State but these data are not included in a report because the data are being questioned by the State and, therefore, not suitable for inclusion in the report. It also means that if a State fails to appropriately segregate its expenditures between AFDC and non-AFDC cases (line items on the expenditure report) or fails to report collections received from other States (a line item on the collection report), a State report may be judged incomplete. Under this definition, only line items that do not apply to a particular State may be left out of a report. If any applicable line items are not completed, the regional office will judge the entire report incomplete and notify the State in accordance with the procedures described below. With respect to a collection report, collections received by a State but not yet distributed due to adherence to normal distribution procedures under §§ 302.32 and 302.51 must be reported as undistributed collections on line 9 of the OCSE–34.

If the regional office receives a State expenditure report (OCSE–41) or collection report (OCSE–34) which it determines to be incomplete according to the criteria described above, the

following procedures will be carried out. First, the regional office will review the expenditure and collection reports for purposes of determining the allowability of the expenditures claimed and acceptability of the collection data reported. In notifying a State of the results of its review, the regional office will, if appropriate, also inform a State that the report(s) is incomplete. If the complete expenditure and/or collection report is not submitted within two quarters after the close of the reporting quarter, the regional office will recommend to the central office, with proper notification to the State, that no funds be advanced to the State for the upcoming quarter. Advance funds will continue to be withheld until the State submits a complete report(s) for all quarters other than the two quarters prior to the quarter for which the advance is to be made.

Processing of Expenditure Claims

As noted above, the provisions of this final rule apply to the filing of both expenditure and collection reports with OCSE by the States. We believe the requirements for filing collection reports (OCSE–34) are adequately described above. However, with respect to the filing of expenditure reports (OCSE–41), we believe it is necessary to clarify the distinction between the provisions of the new § 301.16, Withholding of advance funds for not reporting, and the provisions of the new 45 CFR Part 95, Subpart A, Time Limits for States to File Claims. The latter provisions implement Section 306 of Pub. L. 96–272, which requires States to file claims for FFP (expenditure reports) within certain time limits. These time limits apply to all the public assistance programs under the Social Security Act. For more information regarding the time limits for filing claims, see the Final Rule published by the Department in the **Federal Register** on January 15, 1981 (46 FR 3527), and a subsequent clarifying Final Rule published in the **Federal Register** on September 17, 1981 (46 FR 46134). State requests for advance funds are submitted on the form OCSE–65. Until the enactment of the withholding of advance provisions, expenditure reports were used solely to report the disposition of the funds advanced under the OCSE–65 and to claim reimbursement for allowable expenditures. Now, under the requirements of Section 407 of Pub. L. 96–265, the submittal of the expenditure report (the OCSE–41) within two quarters after the close of the reporting quarter has for the first time become a prerequisite for receiving advance funds as requested on the OCSE–65.

Under the statute, OCSE must withhold advance funds from any State that fails to submit complete expenditure and collection reports within two quarters of the close of the reporting quarter. The term "complete" for purposes of this regulation has been defined above. We must stress, however, that the two quarter time limit of § 301.16 applies only to the *advance* Federal funds provided to the State and not to the time limit within which a claim must be submitted in order for it to be eligible for reimbursement by OCSE. Rather, the time limit for filing claims is covered by the new regulations at 45 CFR Part 95, Subpart A. Thus, an expenditure report which does not meet the requirements as previously defined will cause a withholding of advance Federal funds from the State if it remains incomplete after two quarters. OCSE will nevertheless determine the allowability of State expenditures if claims for those expenditures are submitted within the time limits prescribed in the regulations at Part 95, Subpart A on claims payment. Allowable expenditures for which claims are submitted within the time limits of Part 95, Subpart A will be eligible for reimbursement, notwithstanding any incompleteness in the State's OCSE–41 which might cause a withholding of advance funds.

Effective Date

Section 407(d) of Pub. L. 96–265 specifies that the provisions of Section 407 "shall be effective in the case of calendar quarters commencing on or after January 1, 1981." We believe this effective date clearly refers to the first quarter for which an advance might be withheld. Thus, to avoid having its advance funds withheld for the January through March 1981 quarter, each State must have submitted its collection and expenditure reports for all quarters through the quarter ending June 30, 1980. OCSE issued interim instructions to the States to implement the provisions of Section 407 on this schedule. The standard for judging completeness of State collection and expenditure reports in the interim period before the issuance of final regulations has been simply that the reports be submitted to OSCE.

In our NPRM, we proposed that the new, more stringent standards for judging "completeness" be adopted retroactively to the reporting quarter ended June 30, 1980. For the reasons discussed below under the heading "Discussion of Comments," we have instead decided that the new completeness standard will take effect beginning with the first full quarter after the quarter in which this final rule is published. Thus, a State's reports for the quarter ending June 30, 1982 would have to be full and complete in order for the State to avoid a withholding of its advance funds by OCSE for the quarter beginning January 1, 1983. Until the new completeness standard takes effect (for the quarter ending June 30, 1982), the State must continue to submit reports in accordance with the interim standards established in OCSE–AT–80–18, dated December 15, 1980.

Discussion of Comments

Comments on the NPRM were received from four State agencies. A summary of the substantive comments and our responses follow:

1. *Comment.* One State commented on the potential difficulty of applying the standard for completeness of State reports retroactively to the reporting quarter which ended June 30, 1980.

Response. As noted above under the heading "Effective Date," we have decided to apply the new standard for completeness prospectively, that is, beginning with the first full quarter after the quarter in which this final rule is published. We agree that applying the standard for completeness retroactively to a period during which forms' clearances were being obtained would be unfair to the States and would achieve a result not intended by the Congress in enacting the new provisions.

2. *Comment.* Two States commented that the final regulation should provide sufficient flexibility so that States would not be subject to a withholding of advance funds because of incompleteness of reports when that incompleteness was caused by failure of only one or two political subdivisions to file claims or to report collection data to the State.

Response. As noted above under the heading "Definition of Complete Report", OCSE will judge a report incomplete if a State fails to report *all* appropriate information in its possession for the quarter being reported and prior quarters. This means a State report may be judged complete even if entities participating in the program under the State plan have not reported to the State. Such entities include, but are not limited to, agencies of political subdivisions, courts and law enforcement officials, and private attorneys. OCSE will withhold advance funds, however, if a State report fails to include all available information appropriate for inclusion within two quarters from the close of the quarter in which the data became available to the State. OCSE firmly believes, however, that State agencies have a responsibility to ensure timely reporting from all entities participating in the program for which it has ultimate responsibility. Appropriate management steps should be taken to ensure such timely reporting.

3. *Comment.* One State commented that, because we refer to "line items that do not apply to a particular State" under our discussion of complete reports in the preamble to the NPRM, "the States and

Regional Offices should determine those line items not applicable to the States and put their agreement in writing * * * prior to the implementation of this regulation."

Response. The only line items on either of the new reporting forms which may not be applicable to all States are items 14 and 15 on the OCSE-41, pertaining to non-AFDC fees and cost recovery, respectively. Each of these items is a State plan option under Section 454(6) of the Social Security Act (42 U.S.C. 654(6)) and 45 CFR 302.33. The applicability of either of the two line items is determined by whether a given State elects either option in its IV-D State plan at Section 2.6 of the plan preprint. Therefore, there is no need for the type of agreement suggested by this commenter. However, if a State has identified a problem in this area, that State should contact the appropriate OCSE regional office to resolve the problem.

PART 301—STATE PLAN APPROVAL AND GRANT PROCEDURES

45 CFR Part 301 is amended to read as follows:

1. In 45 CFR Part 301, the table of contents is revised to read as follows:

Sec.
301.0 Scope and applicability of this part.
301.1 General definitions.
301.10 State plan.
301.11 State plan; format.
301.12 Submittal of State plan for Governor's review.
301.13 Approval of State plans and amendments.
301.14 Administrative review of certain administrative decisions.
301.15 Grants.
301.16 Withholding of advance funds for not reporting.

Authority: Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302).

In 45 CFR Part 301, § 301.16 is added to read as follows:

§ 301.16 Withholding of advance funds for not reporting.

(a) No advance for any quarter will be made unless full and complete reports on expenditures and collections, as required by §§ 301.15 and 302.15 of this chapter, respectively, have been submitted to the Office by the IV-D agency for all quarters with the exception of the two quarters immediately preceding the quarter for which the advance is to be made.

(b) For purposes of this section, a report is full and complete if:

(1) All line items of information are reported in accordance with OCSE instructions; and

(2) The report contains all applicable information available to the State and appropriate for inclusion in the report for the quarter being reported and prior quarters.

(Collection reporting form approved by OMB under OMB No. 0960-0238 and expenditure reporting form approved by OMB under OMB No. 0960-0235)

(Sec. 1102, Social Security Act, 49 Stat. 647 (42 U.S.C. 1302))

(Catalog of Federal Domestic Assistance Program No. 13.679, Child Support Enforcement Program)

Note 1.—The Secretary has determined that this document is not a major rule as described by Executive Order 12291, because it does not meet any of the criteria set forth in Section 1 of the Executive Order.

Note 2.—The Secretary certifies that because these regulations apply to States and will not have a significant economic impact on a substantial number of small entities, they do not require a regulatory flexibility analysis as provided in Pub. L. 96-354, the Regulatory Flexibility Act of 1980.

Dated: December 9, 1981.

John A. Svahn,

Director, Office of Child Support Enforcement.

Approved: February 9, 1982.

Richard S. Schweiker,

Secretary.

[FR Doc. 82-5368 Filed 2-26-82; 8:45 am]

BILLING CODE 4190-11-M

NATIONAL SCIENCE FOUNDATION

45 CFR Part 605

Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting From Federal Financial Assistance

AGENCY: National Science Foundation.

ACTION: Final rules.

SUMMARY: These rules implement section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, with regard to federal financial assistance administered by the National Science Foundation. Section 504 provides that "no otherwise qualified handicapped individual in the United States * * * shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." These rules, which apply to all recipients of NSF assistance, are intended to ensure that their federally assisted programs and activities are operated without discrimination on the basis of handicap. The rules define and forbid acts of discrimination against qualified handicapped persons in employment and in the operation of programs and activities receiving assistance from NSF. As employers, recipients must make reasonable accommodation to the handicaps of applicants and employees unless the accommodation would cause undue hardship. Otherwise, recipients are required to make programs operated in existing facilities accessible to qualified handicapped persons, and to ensure that new facilities are constructed so as to be readily accessible in a nondiscriminatory manner. The meaning of "qualified handicapped persons" in the context of scientific and technical experimentation, observation, or field work is specially elaborated.

DATES: Effective date: March 1, 1982. Comment date: No comment closing date has been established.

ADDRESS: Send comments to Director, Office of Equal Opportunity, National Science Foundation, 1800 G Street, NW., Washington, D.C. 20550, Attention: Perry W. Hooks.

FOR FURTHER INFORMATION CONTACT: Perry W. Hooks, (202) 357-9867.

SUPPLEMENTARY INFORMATION:

Comments and Changes From Proposed Rules

NSF published proposed rules for comment at 43 FR 16518 (19 April 1978). These final rules adhere to the philosophy there expressed that NSF's rules should parallel as closely as possible HHS's (previously HEW's) corresponding rules so as to ease comprehension, administration, and enforcement. Originally the Foundation sought to facilitate administration of NSF rules by those familiar with HHS rules by incorporating-by-reference HHS's rules. But this procedure was not permitted, as it is inconsistent with the rules of the Code of Federal Regulations, 1 CFR Part 51. Instead, at the end of this Supplementary Information section, we have indicated all changes made in the NSF rules compared with those of HHS. In addition, we have added a § 605.0 to our rules which sets out in an abbreviated form the changes that have been made. The few NSF departures from the HHS rules are explained below.

As a result of comments and further review NSF is incorporating in these final rules some changes from its proposed rules. Many are minor changes in wording or format that do not affect the substance. We should like to explain those changes that could be significant and to respond to substantive comments received on the proposed rules, particularly those that related to the few NSF provisions which would differ from HHS's.

The proposed rules elaborated the definition of "qualified handicapped person" in the special context of scientific facilities. Three comments expressed concern that this provision

could prove a means for recipients to avoid the intent of the rules. Typical is the comment to the effect that the provision as proposed:

> * * * is unnecessary and would provide a loophole for those recipients who wish to evade the nondiscrimination requirements of section 504. Assertions that a handicapped person will be a danger to him- or herself or others are often used to exclude handicapped people from employment, education, and other activities. Such predictions of danger are often made on the basis of false assumptions about the capabilities and limitations of the handicapped persons involved. In addition, these assumptions often ignore the possibility of accommodations which would remove any possible source of danger. Any case in which a person's handicap could prove to be a genuine source of danger which could not be removed by a reasonable accommodation would be adequately covered by the "undue hardship" exception.

The concerns expressed in this comment are important, and NSF understands the problem of casual and unfounded assumptions about the limitations of handicapped persons. It also shares the belief that the concepts of "reasonable accommodation" and "undue hardship" might be adequate to deal with the exceptional cases. The difficulty is that, contrary to the assumption implicit in the comment, those concepts are not generally available to deal with such cases under the HHS rules. They are available under the employment subpart, but not under other important provisions. At one point the NSF seriously considered importing the concepts of "reasonable accommodation" and "undue hardship" into the scientific-activities provision. The principal enforcement agencies have indicated, however, that they prefer to reserve those concepts for use in the context of employment. The NSF is respecting their preference, but remains convinced that similar concepts are needed in the context of scientific and technical experimentation, observation, and field work. In infrequent but forseeable circumstances the participation of persons with particular handicaps could be made possible only by incurring undue costs, running undue risks (particularly safety risks), or unduly sacrificing other objectives. Such circumstances may arise, for example, on seagoing research vessels,[1] on research aircraft,[1] in remote field observing facilities (particularly in extreme weather conditions), or in laboratories handling extremely dangerous or delicate materials. An actual example of such a circumstance that may preclude the participation of persons with particular physical or mental handicaps is that experienced by researchers who spend the winter in Antarctica under unusually stressful conditions of extreme isolation and severe weather and without the possibility of medical evacuation. NSF is therefore retaining the intended substance of the proposed provision. But it has made several changes designed to clarify the provision and to ensure its effectiveness for the intended purpose and no other.

First, the application of the provision has been shifted from any program or activity in certain types of facilities to only those types of activities for which there may be reasonable physical qualifications for participation. Second, by focusing on physical qualifications, the provision precludes exclusion of otherwise eligible handicapped persons on any other basis.

And third, the provision makes clear that physical qualifications are not "reasonable" if they could be obviated without unreasonable burden by modifying facilities or programs or by providing auxiliary aids.

A sentence has also been added to the provision in response to informal comments to make clear that decisions on the design and conduct of scientific research, such as choice of experiments, design of research protocols, location of observing sites, and so on, may continue to be made primarily on the basis of scientific merit, using scientific judgment. This does *not*, however, eliminate the obligation to provide for the participation of handicapped persons who are qualified to participate in the research so designed. Moreover, it does not apply to educational programs; in a "hands-on" science course, for example, a change in required experiments or in observing locations might very well be required as a modification to allow otherwise qualified handicapped students to participate.

NSF's proposed rules also deleted subsection (b) of § 84.46 of the HHS rules, which deals in essence with placement services, on the ground that it "would seem to require a college or university to assure itself that employers with which it places students for employment, either directly or through an agency, are in full compliance with Subpart B of the rules." Such a requirement, NSF believed and still believes, "would overextend the reach of its rules" and would be unwise on several counts. Three comments criticized this deletion, fearing its actual or perceived effect on the continuing unemployment or underemployment of the handicapped. One comment in particular questioned our conclusion that the provision would overextend the reach of the rules. The HHS rules, it suggests:

> add the words "as a whole", which are high[ly] significant in their policy interpretations of the rules. "On the whole" means that when an institution views all employment opportunities for students * * * a reasonable and representative sample of the whole are accessible to handicapped students. This provision allows institutions to choose some sites that are inaccessible, as long as other sites are accessible and that [sic] when looking at all placement opportunities, there are a variety of placements available to the handicapped which are comparable to those afforded the able-bodied.

NSF agrees that the provision interpreted in this way would be entirely reasonable and appropriate and would not overextend the reach of the rules. We also believe that this is the intended interpretation. However, the provision as it appears in the HHS rules seems susceptible to the more sweeping interpretation called out in the preamble to NSF's proposed rules. Instead of deleting the provision, NSF's final rules retain it with an amendment that eliminated the possibility of that interpretation and secures instead the interpretation suggested by the comment from which we have quoted.

One comment we received praised the definition of "undue hardship" that was included in NSF's proposed rules, saying that the clarification it provided "strengthened the language of the DHEW rules and reduced the possibilities for misinterpretations." The same comment urged, however, that the determination of undue "real dangers to people" which the "undue hardship" definition would have allowed should be made "only after (1) consultation with handicapped scientists or with materials produced [by] and about handicapped scientists; (2) consultation with the scientist whose handicap is being questioned as an undue hazard; or (3) demonstrable carelessness." For reasons already given, the "undue hardship" concept and the definition of that concept have been eliminated from these final rules, but a very similar test remains. Wishing to avoid overprescription and overregulation, we have not incorporated detailed consultation requirements. In many circumstances, however, a failure to consult handicapped persons or literature on means for accommodating handicapped persons or a failure to consult the handicapped person directly concerned (an obvious breach of

[1] Note That research vessels and research aircraft are "facilities" within the ambit of these rules.

courtesy, if not of due process) would be very likely to vititate the recipient's findings.

We received three comments relating to provisions other than those in which NSF's rules would differ from HHS's. Two of these sought special language related to historic preservation; the third criticized a number of provisions NSF is adopting without significant change from the HHS rules. We have considered each of these comments carefully, but have decided to make no further changes in these provisions. None of them concerned matters on which NSF has any special expertise or involvement. Nor was any of them otherwise so inherently compelling that NSF would feel justified in overriding the judgment of those at HHS who were able to devote full attention over many months to the formulation of these rules and to whom all of the same points were presumably made. As a precaution, however, we have forwarded copies of these three comments to the HHS specialists for their consideration.

Some minor changes have been made to the procedures section to reflect the fact that HEW has been reorganized. NSF anticipates cooperating with the Department of Health and Human Services and the Department of Education in enforcement activities but has not yet made any formal delegation of enforcement authority. Any general delegation will be published as an appendix to this part. In the meantime, any delegations will be on a case-by-case basis.

To facilitate the administration of the Foundation's rules, we are setting out below in full the changes in the Foundation's rules and how ours differ from those of HHS.

1. In § 84.2; in paragraph (g) and (h) of § 84.3; and in paragraph (a) of § 84.5, "NSF" has been substituted for "HEW" or "Department."

2. In paragraph (k) of § 84.3 the following paragraph (5) has been added:

(5) With respect to scientific and technical experimentation, observation or field work a person who meets the academic, scientific, and technical standards for participation and any reasonable physical qualifications for participation. Physical qualifications are not "reasonable," however, if they can be obviated without unreasonable burden by facilities or programs or by providing auxiliary aids. In determining whether the burdens are unreasonable, factors such as costs, risks, or sacrifice of legitimate program objectives may be considered. In exceptional cases psychological qualifications may be considered 'reasonable physical qualifications' under this paragraph. Nothing in this provision or these regulations requires reversal of scientific judgments on research, including choice of experiments, protocols that are considered necessary to any line of scientific inquiry by the research scientists involved.

3. In paragraph (j) of § 84.3, "in the United States" has been inserted following the term "any person."

4. Also the assurances section of the HEW regulations (§ 84.5(a)) has been changed to allow NSF greater administrative flexibility now that most recipients of NSF support have already filed assurances with HEW.

5. Paragraph (c) of § 84.5 has been removed.

6. In §§ 84.6 and 84.9, "Director of NSF" has been substituted for "Director" wherever it appears.

7. In § 84.4(b)95) and in Subpart C (§§ 84.21 through 84.23) "qualified handicapped persons" has been substituted for "handicapped persons" wherever that phrase appears.

8. In § 84.33(d) the date "July 1, 1983, has been substituted as the date of compliance.

9. The following paragraph has been subtituted for paragraph (b) of § 84.46:

(b) *Assistance in making available outside employment.* A recipient that helps its students to obtain employment shall assure itself that the employment opportunities it helps to make available to students are, as a whole, made available in a manner that would not violate subpart B if they were provided by the recipient.

10. The following section has been substituted for § 84.61:

§ 605.61 Procedures.

The procedural provisions applicable to Title VI of the Civil Rights Act of 1964 apply to this part. These procedures are found in §§ 611.6–611.10 of this title (45 CFR). In the event that the Department of Education or the Department of Health and Human Services conducts a hearing under this part on behalf of NSF, the provisions of 45 CFR 84.61 shall also apply except that the Director of NSF or his designee shall also be 'the responsible Department official' for purposes of 45 CFR 81.102 and 81.121 and 'the reviewing authority' for purposes of 45 CFR 81.103, 81.104, and 81.105. Also, in such cases, the Director of NSF rather than the Secretary of HHS or Education shall conduct the review provided for in 45 CFR 81.106.

Request for Comment

The Department of Justice (DOJ) and the Equal Employment Opportunity Commission (EEOC) are currently reviewing the Government-wide section 504 guidelines and NSF's rules will be modified in compliance with any revisions that DOJ and EEOC make in those guidelines. Any revision in NSF rules will also have to comply with the provisions of Executive Order 12291.

Because of the possibility that the NSF rules will change as a result of the DOJ and EEOC reviews, the Foundation requests that comments as to desirable modifications in these rules be forwarded to the contact person identified below. Also information would be welcome that would allow the Foundation to accurately assess the economic impacts of the rules, as required by Executive Order 12291.

NSF therefore adds the following Part 605 to Title 45 of the Code of Federal Regulations.

Dated: February 22, 1982.

John B. Slaughter,

Director.

PART 605—NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE

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Authority: Sec. 504, Rehabilitation Act of 1973, Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 794); sec. 111(a), Rehabilitation Act Amendments of 1974, Pub. L. 93–516, 88 Stat. 1619 (29 U.S.C. 706).

Subpart A—General Provisions

§ 605.0 Adoption of HHS regulations.

The regulations of the Department of Health and Human Services on Nondiscrimination on the Basis of Handicap, 45 CFR Part 605, including any amendments thereto, have been adopted almost in their entirety to programs and activities receiving federal financial assistance from the National Science Foundation. The few changes in the Foundation's rules include a newly added sub-paragraph (5) to paragraph (k) of § 605.3; and modifications in paragraph (j), § 605.3; paragraph (a) of § 605.5; paragraph (b) of § 605.46; and § 605.61. Paragraph (c) of § 605.5 has been removed, and "qualified handicapped persons" has been substituted for "handicapped persons" wherever that phrase appears in § 605.4(b)(5) and in Subpart C (§§ 605.21 through 605.23). The date for compliance with § 605.33(d) has been changed.

§ 605.1 Purpose.

The purpose of this part is to effectuate section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity receiving Federal financial assistance.

§ 605.2 Application.

This part applies to each recipient of Federal financial assistance from the National Science Foundation and to each program or activity that receives or benefits from such assistance.

§ 605.3 Definitions.

As used in this part, the term:

(a) "The Act" means the Rehabilitation Act of 1973, Pub. L. 93–112, as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93–516, 29 U.S.C. 794.

(b) "Section 504" means section 504 of the Act.

(c) "Education of the Handicapped Act" means that statute as amended by the Education for all Handicapped Children Act of 1975, Pub. L. 94–142, 20 U.S.C. 1401 et seq.

(d) "Foundation" means the National Science Foundation.

(e) "Director" means the Director of the National Science Foundation.

(f) "Recipient" means any state or its political subdivision, any instrumentality of a state or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance.

(g) "Applicant for assistance" means one who submits an application, request, or plan required to be approved by a Foundation official or by a recipient as a condition to becoming a recipient.

(h) "Federal financial assistance" means any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the Foundation provides or otherwise makes available assistance in the form of:

(1) Funds;

(2) Services of Federal personnel; or

(3) Real and personal property or any interest in or use of such property, including:

(i) Transfers or leases of such property for less than fair market value or for reduced consideration; and

(ii) Proceeds from a subsequent transfer or lease of such property if the Federal share of its fair market value is not returned to the Federal Government.

(i) "Facility" means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in such property.

(j) "Handicapped person."

(1) "Handicapped persons" means any person in the United States who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

(2) As used in paragraph (j)(1) of this section, the phrase:

(i) "Physical or mental impairment" means (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(ii) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(iii) "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(iv) "Is regarded as having an impairment" means (A) has a physical or mental impairment that does not subtantially limit major life activities but that is treated by a recipient as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (C) has none of the impairments defined in paragraph (j)(2)(i) of this section but is treated by a recipient as having such an impairment.

(k) "Qualified handicapped person" means:

(1) With respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question;

(2) With respect to public preschool elementary, secondary, or adult educational services, a handicapped person (i) of an age during which nonhandicapped persons are provided such services, (ii) of any age during which it is mandatory under state law to provide such services to handicapped persons, or (iii) to whom a state is required to provide a free appropriate public education under section 612 of the Education of the Handicapped Act; and

(3) With respect to postsecondary and vocational education services, a handicapped person who meets the academic and technical standards requisite to admission or participation in the recipient's education program or activity;

(4) With respect to other services, a handicapped person who meets the essential eligibility requirements for the receipt of such services.

(5) With respect to scientific and technical experimentation, observation, or field work a person who meets the academic, scientific and technical standards for participation and any reasonable physical qualifications for participation. Physical qualifications are not "reasonable," however, if they can be obviated without unreasonable burden by modifying facilities or programs or by providing auxiliary aids. In determining whether the burdens are unreasonable, factors such as cost, risks, or sacrifice of legitimate program objectives may be considered. In exceptional cases psychological qualifications may be considered 'reasonable physical qualifications' under this paragraph. Nothing in this provision or these regulations requires reversal of scientific judgments on research, including choice of experiments, protocols for experiments, location of observing sites, or the like that are considered necessary to any line of scientific inquiry by the research scientists involved.

(l) "Handicap" means any condition or characteristic that renders a person a handicapped person as defined in paragraph (j) of this section.

§ 605.4 Discrimination prohibited.

(a) *General.* No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.

(b) *Discriminatory actions prohibited.* (1) A recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap:

(i) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified handicapped person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective as that provided to others;

(iv) Provide different or separate aid, benefits, or services to handicapped persons or to any class of handicapped persons unless such action is necessary to provide qualified handicapped persons with aid, benefits, or services that are as effective as those provided to others;

(v) Aid or perpetuate discrimination against a qualified handicapped person by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any aid, benefit, or service to beneficiaries of the recipients program;

(vi) Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards; or

(vii) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

(2) For purposes of this part, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and nonhandicapped persons, but must afford handicapped persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

(3) Despite the existence of separate or different programs or activities provided in accordance with this part, a recipient may not deny a qualified handicapped person the opportunity to participate in such programs or activities that are not separate or different.

(4) A recipient may not, directly or through contractual or other arrangements, utilize criteria or methods of administration (i) that have the effect of subjecting qualified handicapped persons to discrimination on the basis of handicap, (ii) that have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the recipient's program with respect to handicapped persons, or (iii) that perpetuate the discrimination of another recipient if both recipients are subject to common administrative control or are agencies of the same State.

(5) In determining the site or location of a facility, an applicant for assistance or a recipient may not make selections (i) that have the effect of excluding qualified handicapped persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity that receives or benefits from Federal financial assistance or (ii) that have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity with respect to qualified handicapped persons.

(6) As used in this section, the aid, benefit, or service provided under a program or activity receiving or benefiting from Federal financial assistance includes any aid, benefit, or service provided in or through a facility that has been constructed, expanded, altered, leased or rented, or otherwise acquired, in whole or in part, with Federal financial assistance.

(c) *Programs limited by Federal law.* The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or executive order to handicapped persons or the exclusion of a specific class of handicapped persons from a program limited by Federal statute or executive order to a different class of handicapped persons is not prohibited by this part.

§ 605.5 Assurances required.

(a) Assurances. Recipients of Federal financial assistance under a program or activity to which this part applies will assure NSF, in a manner specified by the Director, that the programs will be operated in compliance with this part.

(b) *Duration of obligation.* (1) In the case of Federal financial assistance extended in the form of real property or to provide real property or structures on the property, the assurance will obligate the recipient or, in the case of a subsequent transfer, the transferee, for the period during which the real property or structures are used for the purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

(2) In the case of Federal financial assistance extended to provide personal property, the assurance will obligate the recipient for the period during which it retains ownership or possession of the property.

(3) In all other cases the assurance will obligate the recipient for the period during which Federal financial assistance is extended.

§ 605.6 Remedial action, voluntary action, and self-evaluation.

(a) *Remedial action.* (1) If the Director finds that a recipient has discriminated against persons on the basis of handicap in violation of section 504 or this part, the recipient shall take such remedial action as the Director deems necessary to overcome the effects of the discrimination.

(2) Where a recipient is found to have discriminated against persons on the basis of handicap in violation of section 504 or this part and where another recipient exercises control over the recipient that has discriminated, the Director, where appropriate, may require either or both recipients to take remedial action.

(3) The Director may, where necessary to overcome the effects of discrimination in violation of section 504 or this part, require a recipient to take remedial action (i) with respect to handicapped persons who are no longer participants in the recipient's program but who were participants in the program when such discrimination occurred or (ii) with respect to handicapped persons who would have been participants in the program had the discrimination not occurred.

(b) *Voluntary action.* A recipient may take steps, in addition to any action that is required by this part, to overcome the effects of conditions that resulted in limited participation in the recipient's program or activity by qualified handicapped persons.

(c) *Self-evaluation.* (1) A recipient shall, within one year of the effective date of this part:

(i) Evaluate, with the assistance of interested persons, including handicapped persons or organizations representing handicapped persons, its current policies and practices and the effects thereof that do not or may not meet the requirements of this part;

(ii) Modify, after consultation with interested persons, including handicapped persons or organizations representing handicapped persons, any policies and practices that do not meet the requirements of this part; and

(iii) Take, after consultation with interested persons, including handicapped persons or organizations representing handicapped persons, appropriate remedial steps to eliminate the effects of any discrimination that resulted from adherence to these policies and practices.

(2) A recipient that employs fifteen or more persons shall, for at least three years following completion of the evaluation required under paragraph (c)(1) of this section, maintain on file, make available for public inspection, and provide to the Director upon request: (i) A list of the interested person consulted (ii) a description of areas examined and any problems identified, and (iii) a description of any modifications made and any remedial steps taken.

§ 605.7 Designation of responsible employee and adoption of grievance procedures.

(a) *Designation of responsible employee.* A recipient that employs fifteen or more persons shall designate at least one person to coordinate its efforts to comply with this part.

(b) *Adoption of grievance procedures.* A recipient that employs fifteen or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part. Such procedures need not be established with respect to complaints from applicants for employment or from applicants for admission to postsecondary educational institutions.

§ 605.8 Notice.

(a) A recipient that employs fifteen or more persons shall take appropriate initial and continuing steps to notify participants, beneficiaries, applications, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of handicap in violation of section 504 and this part. The notification shall state, where appropriate, that the recipient does not discriminate in admission or access to, or treatment or employment in, its programs and activities. The notification shall also include an identification of the responsible employee designated pursuant to § 605.7(a). A recipient shall make the initial notification required by this paragraph within 90 days of the effective date of this part. Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in recipient's publication, and distribution of memoranda or other written communications.

(b) If a recipient publishes or uses recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants, or employees, it shall include in those materials or publications a statement of the policy described in paragraph (a) of this section. A recipient may meet the requirement of this paragraph either by including appropriate inserts in existing materials and publications or by revising and reprinting the materials and publications.

§ 605.9 Administrative requirements for small recipients.

The Director may require any recipient with fewer than fifteen employees, or any class of such recipients, to comply with §§ 605.7 and 605.8, in whole or in part, when the Director finds a violation of this part or finds that such compliance will not significantly impair the ability of the recipient or class or recipients to provide benefits or services.

§ 605.10 Effect of state or local law or other requirements and effect of employment opportunities.

(a) The obligation to comply with this part is not obviated or alleviated by the existence of any state or local law or other requirement that, on the basis of handicap, imposes prohibitions or limits upon the eligibility of qualified handicapped persons to receive services or to practice any occupation or profession.

(b) The obligation to comply with this part is not obviated or alleviated because employment opportunities in any occupation or profession are or may be more limited for handicapped persons than for nonhandicapped persons.

Subpart B—Employment Practices

§ 605.11 Discrimination prohibited.

(a) *General.* (1) No qualified handicapped person shall, on the basis of handicap, be subjected to discrimination in employment under any program or activity to which this part applies.

(2) A recipient that receives assistance under the Education of the Handicapped Act shall take positive steps to employ and advance in employment qualified handicapped persons in programs assisted under that Act.

(3) A recipient shall make all decisions concerning employment under any program or activity to which this part applies in a manner which ensures that discrimination on the basis of handicap does not occur and may not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of handicap.

(4) A recipient may not participate in a contractual or other relationship that has the effect of subjecting qualified handicapped applicants or employees to discrimination prohibited by this subpart. The relationships referred to in this subparagraph include relationships with employment and referral agencies, with labor unions, with organizations providing or administering fringe benefits to employees of the recipient, and with organizations providing training and apprenticeship programs.

(b) *Specific activities.* The provisions of this subpart apply to:

(1) Recruitment, advertising, and the processing of applications for employment;

(2) Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff and rehiring;

(3) Rates of pay or any other form of compensation and changes in compensation;

(4) Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

(5) Leaves of absence, sick leave, or any other leave;

(6) Fringe benefits available by virtue of employment, whether or not administered by the recipient;

(7) Selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities, and selection for leaves of absence to pursue training;

(8) Employer sponsored activities, including social or recreational programs; and

(9) Any other term, condition, or privilege of employment.

(c) A recipient's obligation to comply with this subpart is not affected by any inconsistent term of any collective bargaining agreement to which it is a party.

§ 605.12 Reasonable accommodation.

(a) A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

(b) Reasonable accommodation may include: (1) Making facilities used by employees readily accessible to and usable by handicapped persons, and (2) job restructuring, part-time or modified work schedules, acquisition or modification or equipment or devices, the provision of readers or interpreters, and other similar actions.

(c) In determining pursuant to paragraph (a) of this section whether an accommodation would impose an undue hardship on the operation of a recipient's program, factors to be considered include:

(1) The overall size of the recipient's program with respect to number of employees, number and type of facilities, and size of budget;

(2) The type of the recipient's operation, including the composition and structure of the recipient's workforce; and

(3) The nature and cost of the accommodation needed.

(d) A recipient may not deny any employment opportunity to a qualified handicapped employee or applicant if the basis for the denial is the need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

§ 605.13 Employment criteria.

(a) A recipient may not make use of any employment test or other selection criterion that screens out or tends to screen out handicapped persons or any class of handicapped persons unless: (1) The test score or other selection critierion, as used by the recipient, is shown to be job-related for the position in question, and (2) alternative job-related tests or criteria that do not screen out or tend to screen out as many handicapped persons are not shown by the Director to be available.

(b) A recipient shall select and administer tests concerning employment so as best to ensure that, when administered to an applicant or employee who has a handicap that impairs sensory, manual, or speaking skills, the test results accurately reflect the applicant's or employee's job skills, aptitude, or whatever other factor the test purports to measure, rather than reflecting the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

§ 605.14 Preemployment inquiries.

(a) Except as provided in paragraphs (b) and (c) of this section, a recipient may not conduct a preemployment medical examination or may not make preemployment inquiry of an applicant as to whether the applicant is a handicapped person or as to the nature or severity of a handicap. A recipient may, however, make preemployment inquiry into an applicant's ability to perform job-related functions.

(b) When a recipient is taking remedial action to correct the effects of past discrimination pursuant to § 605.6(a), when a recipient is taking voluntary action to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity pursuant to § 605.6(b), or when a recipient is taking affirmative action pursuant to section 503 of the Act, the recipient may invite applicants for employment to indicate whether and to what extent they are handicapped, *Provided,* That:

(1) The recipient states clearly on any written questionnaire used for this purpose or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary or affirmative action efforts; and

(2) The recipient states clearly that the information is being requested on a voluntary basis, that it will be kept confidential as provided in paragraph (d) of this section, that refusal to provide it will not subject the applicant or employee to any adverse treatment, and that it will be used only in accordance with this part.

(c) Nothing in this section shall prohibit a recipient from conditioning an offer of employment on the results of a medical examination conducted prior to the employee's entrance on duty, *Provided,* That: (1) All entering employees are subjected to such an examination regardless of handicap, and (2) the results of such an examination are used only in accordance with the requirements of this part.

(d) Information obtained in accordance with this section as to the medical condition or history of the applicant shall be collected and maintained on separate forms that shall be accorded confidentiality as medical records, except that:

(1) Supervisors and managers may be informed regarding restrictions on the work or duties of handicapped persons and regarding necessary accommodations;

(2) First aid and safety personnel may be informed, where appropriate, if the condition might require emergency treatment; and

(3) Government officials investigating compliance with the Act shall be provided relevant information upon request.

§§ 605.15–605.20 [Reserved]

Subpart C—Program Accessibility

§ 605.21 Discrimination prohibited.

No qualified handicapped person shall, because a recipient's facilities are inaccessible to or unusable by handicapped persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which this part applies.

§ 605.22 Existing facilities.

(a) *Program accessibility.* A recipient shall operate each program or activity to which this part applies so that the program or activity, when viewed in its entirety, is readily accessible to qualified handicapped persons. This paragraph does not require a recipient to make each of its existing facilities or every part of a facility accessible to and usable by qualified handicapped persons.

(b) *Methods.* A recipient may comply with the requirements of paragraph (a) of this section through such means as redesign of equipment, reassignment of classes or other services to accessible

buildings, assignment of aides to beneficiaries, home visits, delivery of health, welfare, or other social services at alternate accessible sites, alteration of existing facilities and construction of new facilities in conformance with the requirements of § 605.23, or any other methods that result in making its program or activity accessible to qualified handicapped persons. A recipient is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with paragraph (a) of this section. In choosing among available methods for meeting the requirement of paragraph (a) of this section, a recipient shall give priority to those methods that offer programs and activities to qualified handicapped persons in the most integrated setting appropriate.

(c) *Small health, welfare, or other social service providers.* If a recipient with fewer than fifteen employees that provides health, welfare, or other social services finds, after consultation with a qualified handicapped person seeking its services, that there is no method of complying with paragraph (a) of this section other than making a significant alteration in its existing facilities, the recipient may, as an alternative, refer the qualified handicapped person to other providers of those services that are accessible.

(d) *Time period.* A recipient shall comply with the requirement of paragraph (a) of this section within sixty days of the effective date of this part except that where structural changes in facilities are necessary, such changes shall be made within three years of the effective date of this part, but in any event as expeditiously as possible.

(e) *Transition plan.* In the event that structural changes to facilities are necessary to meet the requirement of paragraph (a) of this section, a recipient shall develop, within six months of the effective date of this part, a transition plan setting forth the steps necessary to complete such changes. The plan shall be developed with the assistance of interested persons, including qualified handicapped persons or organizations representing qualified handicapped persons. A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum:

(1) Identify physical obstacles in the recipient's facilities that limit the accessibility of its program or activity to qualified handicapped persons;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period of the transition plan is longer than one year, identify the steps of that will be taken during each year of the transition period; and

(4) Indicate the person responsible for implementation of the plan.

(f) *Notice.* The recipient shall adopt and implement procedures to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by qualified handicapped persons.

§ 605.23 New construction.

(a) *Design and construction.* Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by qualified handicapped persons, if the construction was commenced after the effective date of this part.

(b) *Alteration.* Each facility or part of a facility which is altered by, on behalf of, or for the use of a recipient after the effective date of this part in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by qualified handicapped persons.

(c) *American National Standards Institute accessibility standards.* Design, construction, or alteration of facilities in conformance with the "American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," published by the American National Standards Institute, Inc. (ANSI A117.1–1961 (R1971)).[1] which is incorporated by reference in this part, shall constitute compliance with paragraphs (a) and (b) of this section. Departures from particular requirements of those standards by the use of other methods shall be permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided.

Note.—Incorporation by reference provisions approved by the Director of the Federal Register on March 1, 1982.

[1] Copies obtainable from American National Standards Institute, Inc., 1430 Broadway, New York, N.Y. 10018.

§§ 605.24–605.30 [Reserved]

Subpart D—Preschool, Elementary, and Secondary Education

§ 605.31 Application of this subpart.

Subpart D applies to preschool, elementary, secondary, and adult education programs and activities that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of, such programs or activities.

§ 605.32 Location and notification.

A recipient that operates a public elementary or secondary education program shall annually:

(a) Undertake to identify and locate every qualified handicapped person residing in the recipient's jurisdiction who is not receiving a public education; and

(b) Take appropriate steps to notify handicapped persons and their parents or guardians or the recipient's duty under this subpart.

§ 605.33 Free appropriate public education.

(a) *General.* A recipient that operates a public elementary or secondary education program shall provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap.

(b) *Appropriate education.* (1) For the purpose of this subpart, the provision of an appropriate education is the provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of handicapped persons as adequately as the needs of nonhandicapped persons are met and (ii) are based upon adherence to procedures that satisfy the requirements of §§ 605.34, 605.35 and 605.36.

(2) Implementation of an individualized education program developed in accordance with the Education of the Handicapped Act is one means of meeting the standard established in paragraph (b)(1)(i) of this section.

(3) A recipient may place a handicapped person in or refer such person to a program other than the one that it operates as its means of carrying out the requirements of this subpart. If so, the recipient remains responsible for ensuring that the requirements of this subpart are met with respect to any handicapped person so placed or referred.

(c) *Free education*—(1) *General.* For the purpose of this section, the provision of a free education is the provision of educational and related services without cost to the handicapped person or to his or her parents or guardian, except for those fees that are imposed on non-handicapped persons or their parents or guardian. It may consist either of the provision of free services or, if a recipient places a handicapped person in or refers such person to a program not operated by the recipient as its means of carrying out the requirements of this subpart, of payment for the costs of the program. Funds available from any public or private agency may be used to meet the requirements of this subpart. Nothing in this section shall be construed to relieve an insurer or similar third party from an otherwise valid obligation to provide or pay for services provided to a handicapped person.

(2) *Transportation.* If a recipient places a handicapped person in or refers such person to a program not operated by the recipient as its means of carrying out the requirements of this subpart, the recipient shall ensure that adequate transportation to and from the program is provided at no greater cost than would be incurred by the person or his or her parents or guardian if the person were placed in the program operated by the recipient.

(3) *Residential placement.* If placement in a public or private residential program is necessary to provide a free appropriate public education to a handicapped person because of his or her handicap, the program, including non-medical care and room and board, shall be provided at no cost to the person or his or her parents or guardian.

(4) *Placement of handicapped persons by parents.* If a recipient has made available, in conformance with the requirements of this section and § 605.34, a free appropriate public education to a handicapped person and the person's parents or guardian chooses to place the person in a private school, the recipient is not required to pay for the person's education in the private school. Disagreements between a parent or guardian and a recipient regarding whether the recipient has made such a program available or otherwise regarding the question of financial responsibility are subject to the due process procedures of § 605.36.

(d) *Compliance.* A recipient may not exclude any qualified handicapped person from a public elementary or secondary education after the effective date of this part. A recipient that is not, on the effective date of this regulation, in full compliance with the other requirements of the preceding paragraphs of this section shall meet such requirements at the earliest practicable time and in no event later than July 1, 1983.

§ 605.34 Educational setting.

(a) *Academic setting.* A recipient to which this subpart applies shall educate, or shall provide for the education of, each qualified handicapped person in its jurisdiction with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person. A recipient shall place a handicapped person in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. Whenever a recipient places a person in a setting other than the regular educational environment pursuant to this paragraph, it shall take into account the proximity of the alternate setting to the person's home.

(b) *Nonacademic settings.* In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in § 605.37(a)(2), a recipient shall ensure that handicapped persons participate with nonhandicapped persons in such activities and services to the maximum extent appropriate to the needs of the handicapped person in question.

(c) *Comparable facilities.* If a recipient, in compliance with paragraph (a) of this section, operates a facility that is identifiable as being for handicapped persons, the recipient shall ensure that the facility and the services and activities provided therein are comparable to the other facilities, services, and activities of the recipient.

§ 605.35 Evaluation and placement.

(a) *Preplacement evaluation.* A recipient that operates a public elementary or secondary education program shall conduct an evaluation in accordance with the requirements of paragraph (b) of this section of any person who, because of handicap, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person in a regular or special education program and any subsequent significant change in placement.

(b) *Evaluation procedures.* A recipient to which this subpart applies shall establish standards and procedures for the evaluation and placement of persons who, because of handicap, need or are believed to need special education or related services which ensure that:

(1) Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;

(2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and

(3) Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

(c) *Placement procedures.* In interpreting evaluation data and in making placement decisions, a recipient shall (1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior, (2) establish procedures to ensure that information obtained from all such sources is documented and carefully considered, (3) ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, and (4) ensure that the placement decision is made in conformity with § 605.34.

(d) *Reevaluation.* A recipient to which this section applies shall establish procedures, in accordance with paragraph (b) of this section, for periodic reevaluation of students who have been provided special education and related services. A reevaluation procedure consistent with the Education for the Handicapped Act is one means of meeting this requirement.

§ 605.36 Procedural safeguards.

A recipient that operates a public elementary or secondary education program shall establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of handicap, need or are believed to need special instruction or related services, a

system of procedural safeguards that includes notice, an opportunity for the parents or guardian of the person to examine relevant records, an impartial hearing with opportunity for participation by the person's parents or guardian and representation by counsel, and a review procedure. Compliance with the procedural safeguards of section 615 of the Education of the Handicapped Act is one means of meeting this requirement.

§ 605.37 Nonacademic services.

(a) *General.* (1) A recipient to which this subpart applies shall provide nonacademic and extracurricular services and activities in such manner as is necessary to afford handicapped students an equal opportunity for participation in such services and activities.

(2) Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the recipients, referrals to agencies which provide assistance to handicapped persons, and employment of students, including both employment by the recipient and assistance in making available outside employment.

(b) *Counseling services.* A recipient to which this subpart applies that provides personal, academic, or vocational counseling, guidance, or placement services to its students shall provide these service without discrimination on the basis of handicap. The recipient shall ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities.

(c) *Physical education and athletics.* (1) In providing physical education courses and athletics and similar programs and activities to any of its students, a recipient to which this subpart applies may not discriminate on the basis of handicap. A recipient that offers physical education courses or that operates or sponsors interscholastic, club, or intramural athletics shall provide to qualified handicapped students an equal opportunity for participation in these activities.

(2) A recipient may offer to handicapped students physical education and athletic activities that are separate or different from those offered to nonhandicapped students only if separation or differentiation is consistent with the requirements of § 605.34 and only if no qualified handicapped student is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

§ 605.38 Preschool and adult education programs.

A recipient to which this subpart applies that operates a preschool education or day care program or activity or an adult education program or activity may not, on the basis of handicap, exclude qualified handicapped persons from the program or activity and shall take into account the needs of such persons in determining the aid, benefits, or services to be provided under the program or activity.

§ 605.39 Private education programs.

(a) A recipient that operates a private elementary or secondary education program may not, on the basis of handicap, exclude a qualified handicapped person from such program if the person can, with minor adjustments, be provided an appropriate education, as defined in § 605.33(b)(1), within the recipient's program.

(b) A recipient to which this section applies may not charge more for the provision of an appropriate education to handicapped persons than to nonhandicapped persons except to the extent that any additional charge is justified by a substantial increase in cost to the recipient.

(c) A recipient to which this section applies that operates special education programs shall operate such programs in accordance with the provisions of §§ 605.35 and 605.36. Each recipient to which this section applies is subject to the provisions of §§ 605.34, 605.37 and 605.38.

§ 605.40 [Reserved]

Subpart E—Postsecondary Education

§ 605.41 Application of this subpart.

Subpart E applies to postsecondary education programs and activities, including postsecondary vocational education programs and activities, that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of, such programs or activities.

§ 605.42 Admissions and recruitment.

(a) *General.* Qualified handicapped persons may not, on the basis of handicap, be denied admission or be subjected to discrimination in admission or recruitment by a recipient to which this subpart applies.

(b) *Admissions.* In administering its admission policies, a recipient to which this subpart applies:

(1) May not apply limitations upon the number or proportion of handicapped persons who may be admitted;

(2) May not make use of any test or criterion for admission that has a disproportionate, adverse effect on handicapped persons or any class of handicapped persons unless (i) the test or criterion, as used by the recipient, has been validated as a predictor of success in the education program or activity in question and (ii) alternate tests or criteria that have a less disproportionate, adverse effect are not shown by the Director to be available.

(3) Shall assure itself that (i) admissions tests are selected and administered so as best to ensure that, when a test is administered to an applicant who has a handicap that impairs sensory, manual, or speaking skills, the test results accurately reflect the applicant's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the applicant's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure); (ii) admissions tests that are designed for persons with impaired sensory, manual, or speaking skills are offered as often and in as timely a manner as are other admissions tests; and (iii) admissions tests are administered in facilities that, on the whole, are accessible to handicapped persons; and

(4) Except as provided in paragraph (c) of this section, may not make preadmission inquiry as to whether an applicant for admission is a handicapped person but, after admission, may make inquiries on a confidential basis as to handicaps that may require accommodation.

(c) *Preadmission inquiry exception.* When a recipient is taking remedial action to correct the effects of past discrimination pursuant to § 605.6(a) or when a recipient is taking voluntary action to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity pursuant to § 605.6(6), the recipient may invite applicants for admission to indicate whether and to what extent they are handicapped, *Provided,* That:

(1) The recipient states clearly on any written questionnaire used for this purpose or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary action efforts; and

(2) The recipient states clearly that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant to any adverse treatment, and that it will be used only in accordance with this part.

(d) *Validity studies.* For the purpose of paragraph (b)(2) of this section, a recipient may base prediction equations on first year grades, but shall conduct periodic validity studies against the criterion of overall success in the education program or activity in question in order to monitor the general validity of the test scores.

§ 605.43 Treatment of students; general.

(a) No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other postsecondary education program or activity to which this subpart applies.

(b) A recipient to which this subpart applies that considers participation by students in education programs or activities not operated wholly by the recipient as part of, or equivalent to, an education program or activity operated by the recipient shall assure itself that the other education program or activity, as a whole, provides an equal opportunity for the participation of qualified handicapped persons.

(c) A recipient to which this subpart applies may not, on the basis of handicap, exclude any qualified handicapped student from any course, course of study, or other part of its education program or activity.

(d) A recipient to which this subpart applies shall operate its programs and activities in the most integrated setting appropriate.

§ 605.44 Academic adjustments.

(a) *Academic requirements.* A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that the recipient can demonstrate are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this section. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

(b) *Other rules.* A recipient to which this subpart applies may not impose upon handicapped students other rules, such as the prohibition of tape recorders in classrooms or of dog guides in campus buildings, that have the effect of limiting the participation of handicapped students in the recipient's education program or activity.

(c) *Course examinations.* In its course examinations or other procedures for evaluating students' academic achievement in its program, a recipient to which this subpart applies shall provide such methods for evaluating the achievement of students who have a handicap that impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represents the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure).

(d) *Auxiliary aids.* (1) A recipient to which this subpart applies shall take such steps as are necessary to ensure that no handicapped student is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under the education program or activity operated by the recipient because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

(2) Auxiliary aids may include taped texts, interpreters or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions. Recipients need not provide attendents, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

§ 605.45 Housing.

(a) *Housing provided by the recipient.* A recipient that provides housing to its nonhandicapped students shall provide comparable, convenient, and accessible housing to handicapped students at the same cost as to others. At the end of the transition period provided for in Subpart C, such housing shall be available in sufficient quantity and variety so that the scope of handicapped students' choice of living accommodations is, as a whole, comparable to that of nonhandicapped students.

(b) *Other housing.* A recipient that assists any agency, organization, or person in making housing available to any of its students shall take such action as may be necessary to assure itself that such housing is, as a whole, made available in a manner that does not result in discrimination on the basis of handicap.

§ 605.46 Financial and employment assistance to students.

(a) *Provision of financial assistance.* (1) In providing financial assistance to qualified handicapped persons, a recipient to which this subpart applies may not (i), on the basis of handicap, provide less assistance than is provided to nonhandicapped persons, limit eligibility for assistance, or otherwise discriminate or (ii) assist any entity or person that provides assistance to any of the recipient's students in a manner that discriminates against qualified handicapped persons on the basis of handicap.

(2) A recipient may administer or assist in the administration of scholarships, fellowships, or other forms of financial assistance established under wills, trusts, bequests, or similar legal instruments that require awards to be made on the basis of factors that discriminate or have the effect of discriminating on the basis of handicap only if the overall effect of the award of scholarships, fellowships, and other forms of financial assistance is not discriminatory on the basis of handicap.

(b) *Assistance in making available outside employment.* A recipient that helps its students to obtain employment shall assure itself that the employment opportunities it helps to make available to students are, as a whole, made available in a manner that would not violate subpart B if they were provided by the recipient.

(c) *Employment of students by recipients.* A recipient that employs any of its students may not do so in a manner that violates Subpart B.

§ 605.47 Nonacademic services.

(a) *Physical education and athletics.* (1) In providing physical education courses and athletics and similar programs and activities to any of its students, a recipient to which this subpart applies may not discriminate on the basis of handicap. A recipient that offers physical education courses or that operates or sponsors intercollegiate, club, or intramural athletics shall provide to qualified handicapped

students an equal opportunity for participation in these activities.

(2) A recipient may offer to handicapped students physical education and athletic activities that are separate or different only if separation or differentiation is consistent with the requirements of § 605.43(d) and only if no qualified handicapped student is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

(b) *Counseling and placement services.* A recipient to which this subpart applies that provides personal, academic, or vocational counseling, guidance, or placement services to its students shall provide these services without discrimination on the basis of handicap. The recipient shall ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities. This requirement does not preclude a recipient from providing factual information about licensing and certification requirements that may present obstacles to handicapped persons in their pursuit of particular careers.

(c) *Social organizations.* A recipient that provides significant assistance to fraternities, sororities, or similar organizations shall assure itself that the membership practices of such organizations do not permit discrimination otherwise prohibited by this subpart.

§§ 605.48–605.50 [Reserved]

Subpart F—Health, Welfare, and Social Services

§ 605.51 Application of this subpart.

Subpart F applies to health, welfare, and other social service programs and activities that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of, such programs or activities.

§ 605.52 Health, welfare, and other social services.

(a) *General.* In providing health, welfare, or other social services or benefits, a recipient may not, on the basis of handicap:

(1) Deny a qualified handicapped person these benefits or services;

(2) Afford a qualified handicapped person an opportunity to receive benefits or services that is not equal to that offered nonhandicapped persons;

(3) Provide a qualified handicapped person which benefits or services that are not as effective (as defined in § 605.4(b)) as the benefits or services provided to others;

(4) Provide benefits or services in a manner that limits or has the effect of limiting the participation of qualified handicapped persons; or

(5) Provide different or separate benefits or services to handicapped persons except where necessary provide qualified handicapped persons with benefits and services that are as effective as those provided to others.

(b) *Notice.* A recipient that provides notice concerning benefits or services or written material concerning waivers of rights or consent to treatment shall take such steps as are necessary to ensure that qualified handicapped persons, including those with impaired sensory or speaking skills, are not denied effective notice because of their handicap.

(c) *Emergency treatment for the hearing impaired.* A recipient hospital that provides health services or benefits shall establish a procedure for effective communication with persons with impaired hearing for the purpose of providing emergency health care.

(d) *Auxiliary aids.* (1) A recipient to which this subpart applies that employs fifteen or more persons shall provide appropriate auxiliary aids to persons with impaired sensory, manual, or speaking skills, where necessary to afford such persons an equal opportunity to benefit from the service in question.

(2) The Director may require recipients with fewer than fifteen employees to provide auxiliary aids where the provision of aids would not significantly impair the ability of the recipient to provide its benefits or services.

(3) For the purpose of this paragraph, auxiliary aids may include brailled and taped material, interpreters, and other aids for persons with impaired hearing or vision.

§ 605.53 Drug and alcohol addicts.

A recipient to which this subpart applies that operates a general hospital or outpatient facility may not discriminate in admission or treatment against a drug or alcohol abuser or alcoholic who is suffering from a medical condition, because of the person's drug or alcohol abuse or alcoholism.

§ 605.54 Education of institutionalized persons.

A recipient to which this subpart applies and that operates or supervises a program or activity for persons who are institutionalized because of handicap shall ensure that each qualified handicapped person, as defined in § 605.3(k)(2), in its program or activity is provided an appropriate education, as defined in § 605.33(b). Nothing in this section shall be interpreted as altering in any way the obligations of recipients under Subpart D.

§§ 605.55–605.60 [Reserved]

Subpart G—Procedures

§ 605.61 Procedures.

The procedural provisions applicable to Title VI of the Civil Rights Act of 1964 apply to this part. These procedures are found in §§ 611.6–611.10 of this title (45 CFR). In the event that the Department of Education or the Department of Health and Human Services conducts a hearing under this part on behalf of NSF, the provisions of 45 CFR 84.61 shall also apply except that the Director of NSF or his designee shall also be "the responsible Department official" for purposes of 45 CFR 81.102 and 81.121 and "the reviewing authority" for purposes of 45 CFR 81.103, 81.104, and 81.105. Also, in such cases, the Director of NSF rather than the Secretary of HHS or Education shall conduct the review provided for in 45 CFR 81.106.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 67

[OST Docket No. 68]

Yacht Documentation Fees

AGENCY: Coast Guard, DOT.

ACTION: Continuation of rule; amendment of authority citation.

SUMMARY: This notice continues the fee schedule established for the documentation of yachts used exclusively for pleasure. Originally, the Department of Transportation (DOT) FY 81 Appropriations Act (Pub. L. 96–400) contained a provision prohibiting any funds provided by the Act from being used for expenses related to yacht documentation, except to the extent fees were collected from yacht owners. The DOT FY 82 Appropriations Act (Pub. L. 97–102) extends this provision for another year. Both acts contain provisions authorizing the Secretary of Transportation to prescribe fees to recover the expense of yacht documentation. Extending the fee schedule established will enable the

Coast Guard to continue yacht documentation services.

In the rule which originally established the fee schedule, the Secretary of Transportation invited comments. This document responds to the public comments on the rule. It has been determined that the rule establishing the yacht documentation fee schedule will not be modified.

EFFECTIVE DATE: February 23, 1982.

FOR FURTHER INFORMATION CONTACT: Commander Michael J. DeWitt, Office of Merchant Marine Safety (G–MP–5/12), U.S. Coast Guard Headquarters, Washington, D.C., 20593 (202) 426–1483.

SUPPLEMENTARY INFORMATION: Originally, the fee schedule for yacht documentation was established under the authority of the Department of Transportation (DOT) FY 81 Appropriation Act (Pub. L. 96–400), which authorized the Secretary of Transportation to prescribe fees to recover the expenses of yacht documentation. The Act also prohibited any funds provided by the Act from being used for expenses related to yacht documentation, except to the extent fees are collected from those seeking to document yachts.

Issuance of the fee schedule was made by final rule, without prior notice of proposed rulemaking, to enable the Coast Guard, the agency within the Department of Transportation which carries out the documentation function, to continue yacht documentation services without interruption. Prior notice was precluded because the extent of the restriction on Coast Guard expenditures could not be determined with certainty until passage of the Appropriation Act and because the restriction became effective upon enactment.

This document contains response to public comments received on the fee schedule established in response to the restrictions contained in the DOT FY–81 Appropriations Act, its appropriateness, and on suggested alternative fee schedules. For the reasons discussed below, that schedule was not changed in response to the comments and is being continued under the authority of the DOT FY–82 Appropriations Act.

DRAFTING INFORMATION: The principal persons involved in drafting this notice are Commander Michael J. DeWitt, Office of Merchant Marine Safety, and Lieutenant Collin Lau, Project Attorney, Office of Chief Counsel, U.S. Coast Guard.

Discussion of Comments

Some of the commentors indicated that the prescribed fees exceeded the actual cost of yacht services performed by the Coast Guard. The established fees were based on the number of yacht documents and renewals/change of master transactions completed in 1979. The Coast Guard reviewed these figures and costs of the program and found them to be correct as stated.

One comment recommended that a committee representing industry, yacht owners, and the Coast Guard be initiated to review the yacht documentation process. Establishment of an advisory committee concerned with a particular class of vessels is not warranted. The documentation process for all vessels is undergoing revision pursuant to Pub. L. 96–594 which will be effective 1 July 1982. There will be ample opportunity for all interested parties to comment on proposed regulations to implement that law.

Numerous comments were received concerning the "discriminatory" nature of fees that were imposed only against yacht owners and not all documented vessel owners. Also, numerous comments were received that indicated there was insufficient public notice of the fee implementation schedule. The Department of Transportation FY 81 Appropriation Act (Pub. L. 96–400) prohibited the expenditure of appropriated funds for yacht documentation, except to the extent fees were collected. The Act did not require or authorize fees for other documentation services. The alternatives were to either immediately cease all yacht documentation or to prescribe full reimbursement for yacht services performed. Since the latter alternative was considered to be in the best interest of the public, fees had to be prescribed and collected promptly. As stated in the preamble to the rule establishing the fees, a yacht owner is not required to obtain a Federal document.

Two commentors submitted alternative fee schedules. One schedule outlined fees for ten separate documentation transactions. The other schedule covered the three transactions as published, but differed in the amounts charged. The three transactions covered by the Coast Guard's fee schedule comprise the most common and most readily identifiable separate transactions. Other transactions are already subject to fees in the form of surcharges authorized under other statutory authority. Therefore, fee costs were based only on the issuance of a new document and document renewals/change of masters.

One commentor thought fees would make it difficult to obtain loans, but did not explain why. The Coast Guard is not aware of any connection between charging fees for the documents and the availability of loans, although obtaining a document is necessary for the vessel to be eligible for financing under the Ship Mortgage Act.

One commentor requested the fees be waived in individual cases. There is no basis or authority under Pub. L. 96–400 for individual waivers of the fees.

Three comments were received concerning the requirement to pay one fee for a change in ownership and a second fee for a name change, when apparently conducting only one transaction. In actuality the changing of a yacht's ownership and a change of name are two transactions requiring two separate documents. A change-of-ownership transaction is required by law to be completed in the vessel's former name. If the new owner desires to change the vessel's name, a new document is issued.

Numerous comments suggested that the requirement for annual renewal for yacht documentation be eliminated. Present law requires annual renewal of vessel licenses.

One comment was received recommending that the method of payment be changed to "fees are to be payable to U.S. Coast Guard" and not to the "Officer in Charge, Marine Inspection." The commentor also recommended that fees be due upon application for documentation rather than upon completion of a transaction. The rule does not require that checks be made payable to the Officer in Charge, Marine Inspection. Rather, the rule requires that payment be made to that officer, who is the official responsible for documentation of vessels. Proper form of payment is specified by that officer. Payment is due upon completion of the transaction, rather than upon initial application, because at that time there is no question as to the amounts due. Since the fee is collected at the time the document is issued, the expenses incurred in providing yacht documentation services will be fully recovered.

Other comments were received that were not directed to the fee schedule established by the rule.

Three comments were received recommending simplification of the present forms used in yacht documentation. Also a more professional design and paper for better certificates of documentation was recommended. The forms currently in use are based on present specific statutory requirements. Regulations to be promulgated under Public Law 96–594

will simplify documentation procedures and forms.

One comment encouraged the Coast Guard to place the burden for reporting yacht documentation changes of status on the owner. The commentor also encouraged the enforcement of penalties for failure to do so. It is already the responsibility of the vessel owner to surrender the vessel document whenever required, such as when there is a change of ownership in whole or in part, rig change, tonnage change, etc.

Four comments were received supporting the rulemaking. One commentor stated that his boating association preferred to pay the fee schedule to continue documentation services. Two commentors, one representing a documentation service firm and the other a private yacht owner, agreed that the fee schedule was in order. The last commentor agreed that a fee schedule was in order as long as it was based on actual cost.

The fee schedule in 45 FR 70261, October 22, 1980 was published without prior notice because it was determined to be impractical if the Coast Guard was to continue yacht documentation services without interruption. A similar situation exists at the present time. Although it was anticipated that the Department of Transportation FY–82 Appropriations Act would continue to require the collection of fees for the documentation of yachts, this could not be determined with certainty until passage of the Act. In addition, these fees will be in effect only until revised documentation procedures are promulgated pursuant to Pub. L. 96–594. Therefore, no prior notice was prepared for this extension of the fee schedule.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis was not prepared for this notice because it was not required under 5 U.S.C. 603 or 604 (Regulatory Flexibility Act). However, these regulations imposes no significant impact on small businesses. The $75 yacht documentation fee and $15 renewal fee are imposed upon individual owners of yachts and are insignificant when compared to the cost of vessels eligible for documentation.

Regulatory Evaluation

This rule was evaluated under E.O. 12291 and DOT Order 2100.5, Policies and Procedures for Simplification, Analysis, and Review of Regulation," dated May 22, 1980, and is considered to be neither significant nor major. An evaluation was prepared for the fee schedule in 45 FR 70261, October 23, 1980. Since this notice merely extends the fee schedule without modification, no new evaluation is necessary.

PART 67—DOCUMENTATION OF VESSELS

§ 67.77–5 [Amended]

Accordingly, the authority citation for § 67.77–5 *fees for the documentation of yachts,* is amended by adding "Pub. L. 97–102, 95 Stat. 1442."

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

Andrew L. Lewis, Jr.,

Secretary of Transportation.

[FR Doc. 82–5430 Filed 2–26–82; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[FCC 82–26]

Radio Broadcast Services; Reregulation and Oversight of the Radio and TV Broadcast Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order amends certain broadcast station rules in Part 73 of the rules of the Federal Communications Commission. These amendments are made to contemporize certain requirements, delete regulations that are no longer necessary and make corrections and editorial revisions as needed for purposes of clarity and ease of understanding.

DATE: Effective February 19, 1982.

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

FOR FURTHER INFORMATION CONTACT: Steve Crane, Philip Cross, John Reiser, (202) 632–5414.

SUPPLEMENTARY INFORMATION:

In the Matter of Reregulation and Oversight of the Radio and TV Broadcast Rules, Order.

Adopted: January 13, 1982.

Released: February 5, 1982.

By the Commission:

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

(a) While the basic reregulation function of reviewing rules to determine their current validity and deciding on their retention, modification or deletion has continued, the Commission has also addressed the need to create an optimal environment in Volume III to facilitate a better understanding of our rules. Such steps have been taken as the development of the alphabetical index, providing quick access to specific regulations; the expansion of Subpart H (Rules Applicable to All Broadcast Stations) and the resultant elimination of rule duplications in the separate service Subparts; the revising and transferrence of "applications and proceedings" rules from Part I to Part 73 which corrected a rule book problem termed by the Commission as "A shortcoming of the structure and format of the rule book [which was] the failure to locate all broadcast regulations in Volume III"; and the listing of all FCC broadcast policies, alphabetically and with citations, in Subpart H. Throughout the reformatting projects, a cross-reference of relocated rules has been clearly stated. For example, when the rule "Notification of filing of applications" was removed from Subparts A, B, C and E into Subpart H (§ 73.1030), a cross-reference was entered at each of the former rule sections in the separate subparts, directing the rule user to the new section with the text "See § 73.1030." [1] These cross-references which have served as "sign posts" for the rule seeker also provide another important service. As the Commission stated in the Reregulation Order adopted September 22, 1978, "Much case law, many documents and policy statements refer to these old section numbers and, for the present, we will retain them with the direction to 'See § 73. [new section number]', " 69 FCC 2d 979. The Commission decided the eventual fate of the cross references in this same Order by stating, "When the restructuring is finished, a complete listing of the transfers will be made a part of the rules for such number of years as this type of record is needed."

Therefore, via this Order, we transfer all the cross-references entered and utilized to this date into one complete listing. Such listing will be printed in Part 73, inserted between the Table of Contents and the alphabetical index. It will take a "from-to" form (see Appendix A, item 1 and items 6 through 10.) The cross-references now entered in Part 73 in the separate Subparts will be deleted. (Appendix A, item 2.) Also excised will be listings in the Table of Contents. Future cross-references will

[1] Of course, the quickest way for the rule seeker to get to a rule is via the alphabetical index.

be added to the "complete listing" and bring to an end the practice of entering them into the separate Subparts.

(b) The undesignated headnotes, *e.g.*, "Definitions," "Administrative Procedure," "Allocation of facilities: Authorizations," etc., are deleted in Subpart A, since they are unnecessary in view of rule relocation, clarification of rule titles and the creation of the alphabetical index. Such headnotes were formerly used to indicate that the rules which followed them pertained to the same subject. Without an alphabetical index, such a device was helpful in locating where the rule had been placed in Part 73. Over the years, as new regulatory philosophies, changes in the state of the art or new procedures were adopted into rule form, the matter of fitting them into the appropriate location in the various Subparts became a space availability problem. Rules, needing a section number, were forced into rule areas reserved for specific regulatory subjects that were completely foreign and unrelated to the new tenant, simply because there was no other place to put them. In view of the above, the validity of the undesignated headnote ceased. But the headnote remained, largely meaningless. They will be excised from Subpart A, and from the other Subparts in subsequent Reregulation Orders. Undesignated Headnotes will be used (and retained where they exist) within a rule section where it is used to identify unique elements of the rule (*e.g.*, a rule governing all TV stations with different provisos for commercial and noncommercial educational stations). (See Appendix A, item 3.)

(c) In formating the Subparts of Part 73, the Commission adopted new rule sections which describe the content of that Subpart. We adopt such a section here for Subpart A which contains those rules applying exclusively to the AM broadcast service and which are "in addition to those rules in Subpart H, which are common to all broadcast services—AM, FM and TV." Titled "Scope," it will be numbered § 73.1 and the text of this section, which presently contains the definition of an AM broadcast station, will be added to a new section (see paragraph (d) below) containing all definitions applicable to the AM service. (See Appendix A, item 4.)

(d) In Subpart A of Part 73, the rules for AM stations, many rule sections hold only a single definition of a term applicable to AM broadcasting. In another section of this Subpart, a large number of definitions are presented under one section number and title. In this larger section, definitions are listed as they were added to the rule over the years without order or alphabetical sequencing. In the FM and TV rules (Subparts B, C and E) definitions pertaining to those services are contained in one rule section and listed alphabetically. Via this Order, all AM broadcast service definitions will be included in one rule Section, § 73.14, in alphabetical sequence and the separate rule sections, each containing a single definition, will be deleted. Definitions which are no longer pertinent due to advances in broadcast technology or past rule amendments are being eliminated. Textual changes are made for clarity. (See Appendix A, item 5.)

(e) The headnote and text of § 73.33, Antenna systems; showing required, was inadvertently deleted from Part 73 due to a printing error (or, more exactly, a failure-to-print error) of the Government Printing Office. The rule is still in the Code of Federal Regulations (47 CFR 73.33) however, and the listing of it is still found in the Table of Contents and the alphabetical index in Part 73 of Volume III. In this Order, an amendment is made to remove it from the Code of Federal Regulations as well as the listing of it from the Table of Contents and the alphabetical index of Part 73, Volume III. The requirements contained in this now completely deleted rule will be transferred to § 73.45, Antenna systems, and denoted paragraphs (a)(1) and (a)(2). (See Appendix A, item 23.)

(f) Section 73.40, Transmission system requirements, and § 73.46, Standards of good engineering practice, contain three separate AM station transmission regulations: installation and safety requirements, emission limitations and performance requirements. For clarity and specificity we will revise the two rules into three new regulations each covering one specific technical subject. In rewriting, much obsolete material is deleted (*e.g.*, Detailed regulations on transmitter cabinet structure, wiring practices, circuit shielding and connections serve no useful purpose because almost no stations construct their own transmitters any more and because transmitter engineering and design are so well advanced since the era when these rules were first written.)

The three new or revised rules will be designated § 73.40, AM transmission system performance requirements; § 73.44, AM transmission system emission limitations; and § 73.49 AM transmission system installation and safety requirements. (See Appendix A, items 14, 21, 22 and 24.)

(g) The specifications for minimum and maximum output power ratings for transmitters at AM stations, based on maximum authorized operating power, is found in § 73.41, Maximum rated carrier power; tolerances. The provisions of § 73.41 are directly related to the main transmitter information as stated in § 73.1665, Main transmitters, and will be incorporated therein as new paragraph (a). § 73.41 will be deleted. (See Appendix A, items 11 and 26.)

Section 73.42, Maximum rated carrier power; how determined, states that the power rating of the transmitters is to be determined by the sum of the power ratings of the "vacuum tubes" used in the transmitter "last radio stage" (amplifier). This rule is obsolete with respect to today's transmitter technology. Modern transmitters use transistors or amplifier devices other than vacuum tubes, which use different types of power ratings. The manufacturer's rated operating power would be more directly applicable to the restrictions on the maximum power rating for the transmitter. Therefore, § 73.42 is deleted, and the amended § 73.1665 will use the manufacturer's rating for determining the station equipment limitations. (See Appendix A, items 12 and 26.)

(h) The AM, FM and NCE–FM Subparts of Part 73 contain the rule titled "Equipment performance measurements." (Sections 73.47, 73.254 and 73.554 respectively.) These rules describe the measurements which must be made when a licensee installs a new transmitter in a new station, installs a new transmitter in an existing station, or makes certain modifications in an existing transmitter. The measurments are made to determine if the station meets the minimum standards of signal quality and is not radiating spurious signals that could interfere with the service of other stations.

The TV equipment performance measurement requirements are similar to the radio requirements. However, the TV requirements are not included in a rule in Subpart E, but are only given in FCC Forms 302 and 341 (the forms used to apply for a license to cover construction of a new station or modification of an existing one). Through previous Reregulation Orders, many of the application filing requirements (including those in Forms 302 and 341) have been deleted. When replacing or modifying transmitting equipment, licensees need only keep a record of the modifications and equipment performance measurements. And notification to the FCC is now only required when certain equipment

descriptions on the station license require revision.

With this Order, the three separate radio rules plus the TV equipment measurement procedures (found in Forms 302 and 341) are combined into a single rule and placed in Subpart H as Section 73.1590, Equipment performance measurements. The separate radio rules will be deleted from Subparts A, B and C. No changes are being made in either the existing measurement requirements or procedures. (See Appendix A, items 15, 16, 18 and 25.)

(i) The rules pertaining to restrictions and procedures for making changes in licensed transmission facilities are printed in the separate Subparts for AM, FM, NCE–FM and TV. (Sections 73.43, 73.257, 73.557 and 73.639 respectively.) These separate rules are essentially the same. In this Order, the separate rules are combined into one rule applicable to all broadcast services. The new rule will be entered into Subpart H as § 73.1690, Modification of transmission system. The new rule will make provision for certain differences which exist between the services. The separate rule sections in Subparts A, B, C and E will be deleted. (See Appendix A, items 13, 17, 19, 20 and 27.)

(j) The Part 73 Alphabetical Index is revised to reflect the rule changes described herein.

2. No substantive changes are made herein which impose additional burdens or remove provisions relied upon by licensees or the public.

3. We conclude that, for the reasons set forth above, adoption of these revisions will serve the public interest, and inasmuch as these amendments impose no additional burdens and raise no issue upon which comments would serve any useful purpose, prior notice of rulemaking, effective date provisions and public procedure thereon are unnecessary pursuant to the Administrative Procedure and Judicial Review Act provisions of 5 U.S.C. 553(b)(3)(B).

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

5. Therefore, it is ordered, That pursuant to Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, the Commission's Rules and regulations are amended as set forth in the attached Appendix, effective February 19, 1982.

6. For further information on this Order, contact Steve Crane, John Reiser or Philip Cross, Broadcast Bureau, (202) 632–9660.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix A

PART 73—RADIO BROADCAST SERVICES

1. The following separate listing of cross references will be added to Part 73 following the "Table of Contents—Part 73" and preceding "ALPHABETICAL INDEX—PART 73."

Cross References—Part 73

The following cross references will indicate certain rule sections in Part 73 which have been relocated to a new rule section as a result of the restructuring and reformatting of Parts 73 and 74.

From	To
Sec.	Sec.
73.6 Daytime	73.1720.
73.9 Broadcast transmitters	73.1700.
73.12 Portable transmitters	73.1530.
73.15 NARBA and the U.S. Mexican agreement	73.1650.
73.17 Cross reference to rules in other parts	73.1010.
73.18 Notification of filing of applications	73.1030.
73.23 Time of operation of the several classes of stations	73.1705.
73.30 Station location and program origination	73.1120, 73.1125, and 73.1130.
73.31 Authority to move main studio	73.1125.
73.32 Special experimental authorizations	73.1510 and 73.1520.
73.34 Normal license period	73.1020.
73.36 Special field test authorization	73.1515.
73.38 Limited time operation	73.1725.
73.39 Indicating instruments—specifications	73.1215.
73.41 Maximum rated carrier power; tolerances	73.1665.
73.42 Maximum rated carrier power; how determined	73.1665.
73.43 Modification of transmission systems	73.1690.
73.46 Standards of good engineering practice	73.49.
73.47 Equipment performance measurements	73.1590.
73.48 Acceptability of broadcast transmitters for licensing	73.1660.
73.52 Operating power	73.62 and 73.1560.
73.55 Modulation	73.1570.
73.59 Frequency tolerance	73.1545.
73.60 Frequency measurements	73.1540.
73.63 Auxiliary transmitter	73.1670.
73.64 Alternate main transmitter	73.1665.
73.65 Antenna structure, marking and lighting	73.1213.
73.70 Extension meters	73.1550.
73.71 Minimum operating schedule	73.1740.
73.73 Specified hours	73.1730.
73.74 Sharing time	73.1715.
73.76 Sharing time; experimental period	73.1715.
73.77 Sharing time; departure from regular schedule	73.1715.
73.78 Sharing time stations; notification to Commission	73.1715.
73.79 License to specify sunrise and sunset hours	73.1720.
73.80 Secondary station; filing of operating schedule	73.1725.
73.81 Secondary station; failure to reach agreement	73.1725.
73.82 Departure from schedule; material violation	73.1725.
73.83 References to time	73.1209.
73.87 Times and modes of program transmission	73.1745.
73.91 Discontinuance of operation	73.1750.
73.92 Station and operator licenses; posting of	73.1230.
73.95 Equipment tests	73.1610.
73.96 Program tests	73.1620.
73.97 Station inspection	73.1225.
73.98 Operation during emergency	73.1250.
73.111 General requirements relating to logs	73.1800.
73.112 Program logs	73.1810.
73.113 Operating logs	73.1820.
73.114 Maintenance logs	73.1830.
73.115 Retention of logs	73.1840.
73.116 Availability of logs and records	73.1225 and 73.1850.
73.117 Station identification	73.1201.
73.119 Sponsorship identification	73.1212.
73.120 Broadcasts by candidates for public office	73.1940.
73.122 Lotteries	73.1211.
73.123 Personal attacks; political editorials	73.1910, 73.1920, and 73.1930.
73.124 Fraudulent billing practices	73.1205.
73.125 Equal employment opportunities	73.2080.
73.126 Broadcast of telephone conversations	73.1206.
73.139 Special rules relating to contracts providing for reservation of time upon sale of a station	73.1150.
73.204 International agreements and other restrictions on use of channels	73.220 and 73.1650.
73.210 Station location, main studio location and program origination	73.1120, 73.1125, and 73.1130.
73.214 Cross reference to rules in other parts	73.1010.
73.215 Notification of filing of applications	73.1030.
73.216 Equipment tests	73.1610.
73.217 Program tests	73.1620.
73.218 Normal license period	73.1020.
73.231 Special rules relating to contracts providing for reservation of time upon sale of station	73.1150.
73.250 Acceptability of broadcast transmitters for licensing	73.1660.
73.252 Frequency measurements	73.1540.
73.254 Equipment performance measurements	73.1590.
73.255 Auxiliary transmitter	73.1670.
73.256 Alternate main transmitters	73.1665.
73.257 Modification of transmission systems	73.1690.
73.261 Time of operation	73.1705 and 73.1740.
73.262 Experimental operation	73.1510 and 73.1520.
73.263 Station inspection	73.1225.
73.264 Station and operator licenses; posting of	73.1230.
73.268 Modulation	73.1570.
73.269 Frequency tolerance	73.1545.
73.270 Antenna structure, marking and lighting	73.1213.
73.271 Discontinuance of operation	73.1750.
73.273 Emergency antenna	73.1680.
73.276 Extension meters	73.1550.
73.278 Special field test authorization	73.1515.
73.281 General requirements relating to logs	73.1800.
73.282 Program logs	73.1810.
73.283 Operating logs	73.1820.
73.284 Maintenance logs	73.1830.
73.285 Retention of logs	73.1840.
73.286 Availability of logs and records	73.1225 and 73.1850.
73.287 Station identification	73.1201.
73.288 Fraudulent billing	73.1205.
73.289 Sponsorship identification	73.1212.
73.290 Broadcasts by candidates for public office	73.1940.
73.291 Personal attacks; political editorials	73.1910, 73.1920 and 73.1930.
73.292 Lotteries	73.1211.
73.296 Broadcast of telephone conversations	73.1206.
73.298 Operation during emergency	73.1250.

From	To
73.299 Equal employment opportunities.	73.2080.
73.320 Indicating instruments—specifications.	73.1215.
73.514 Cross reference to rules in other parts.	73.1010.
73.515 Notification of filing of applications.	73.1030.
73.516 Equipment tests.	73.1610.
73.517 Program tests.	73.1620.
73.518 Normal license period.	73.1020.
73.531 Special rules relating to contracts providing for reservation of time upon sale of a station.	73.1150.
73.550 Acceptability of broadcast transmitters for licensing.	73.1660.
73.552 Frequency measurements.	73.1540.
73.554 Equipment performance measurements.	73.1590.
73.555 Auxiliary transmitter.	73.1670.
73.556 Alternate main transmitters.	73.1665.
73.557 Modification of transmission systems.	73.1690.
73.562 Experimental operation.	73.1510 and 73.1520.
73.563 Station inspection.	73.1225.
73.564 Station and operator licenses; posting of.	73.1230.
73.568 Modulation.	73.1570.
73.569 Frequency tolerance.	73.1545.
73.570 Antenna structure, marking and lighting.	73.1213.
73.571 Discontinuance of operation.	73.1750.
73.573 Emergency antennas.	73.1680.
73.576 Extension meters.	73.1550.
73.578 Special field test authorization.	73.1515.
73.581 General requirements relating to logs.	73.1800.
73.582 Program logs.	73.1810.
73.583 Operating logs.	73.1820.
73.584 Maintenance logs.	73.1830.
73.585 Retention of logs.	73.1840.
73.586 Availability of logs and records.	73.1225 and 73.1850.
73.587 Station identification.	73.1201.
73.590 Broadcasts by candidates for public office.	73.1940.
73.591 Personal attacks.	73.1910 and 73.1920.
73.592 Lotteries.	73.1211.
73.596 Broadcast of telephone conversations.	73.1206.
73.598 Operation during emergency.	73.1250.
73.599 Equal employment opportunities.	73.2080.
73.608 International agreements.	73.1650.
73.613 Main station location.	73.1120, 73.1125, and 73.1130.
73.623 Applications for sharing of television channels.	73.1715.
73.624 Notification of filing of applications.	73.1030.
73.627 Special field test authorization.	73.1515.
73.628 Equipment tests.	73.1610.
73.629 Program test.	73.1620.
73.630 Normal license period.	73.1020.
73.633 Fradulent billing practices.	73.1205.
73.637 Alternate main transmitters.	73.1665.
73.638 Auxiliary transmitter.	73.1670.
73.639 Modification of transmission systems.	73.1690.
73.640 Acceptability of broadcast transmitters for licensing.	73.1660.
73.651 Time of operation.	73.1705 and 73.1740.
73.652 Station identification.	73.1201.
73.654 Sponsorship identification.	73.1212.
73.656 Lotteries.	73.1211.
73.657 Broadcasts by candidates for public office.	73.1940.
73.659 Special rules relating to contracts providing for reservation of time upon sale of a station.	73.1150.
73.660 Station and operator licenses; posting of.	73.1230.
73.662 Antenna structure, marking and lighting.	73.1213.
73.664 Broadcast of telephone conversations.	73.1206.
73.665 Station inspection.	73.1225.
73.666 Experimental operation.	73.1510 and 73.1520.
73.667 Discontinuance of operation.	73.1750.
73.668 Frequency tolerance.	73.1545.
73.669 General requirements relating to logs.	73.1800.
73.670 Program logs.	73.1810.
73.671 Operating logs.	73.1820.
73.672 Maintenance logs.	73.1830.
73.673 Retention of logs.	73.1840.
73.674 Availability of logs and records.	73.1225 and 73.1850.
73.675 Operation during emergency.	73.1250.
73.678 Extension meters.	73.1550.
73.679 Political attacks; political editorials.	73.1910, 73.1920, and 73.1930.
73.680 Equal employment opportunities.	73.2080.
73.690 Frequency measurements.	73.1540.

2. The following section numbers, titles and texts are removed in their entirety:

Sec.
73.2 AM broadcast band (definition).
73.3 AM broadcast channel (definition).
73.4 Dominant station.
73.5 Secondary station.
73.6 Daytime.
73.7 Nighttime.
73.8 Sunrise and sunset.
73.9 Broadcast day.
73.10 Experimental period (definition).
73.11 Service areas.
73.12 Portable transmitters.
73.13 Critical hours.
73.15 NARBA and the U.S./Mexican Agreement.
73.17 Cross reference to rules in other parts.
73.18 Notification of filing of applications.
73.23 Time of operation of the several classes of stations.
73.30 Station location and program origination.
73.31 Authority to move main studio.
73.32 Special experimental authorizations.
73.34 Normal license period.
73.36 Special field test authorization.
73.38 Limited time operation.
73.39 Indicating instruments—specifications.
73.48 Acceptability of broadcast transmitters for licensing.
73.52 Operating power.
73.55 Modulation.
73.59 Frequency tolerance.
73.60 Frequency measurements.
73.63 Auxiliary transmitter.
73.64 Alternate main transmitter.
73.65 Antenna structure, marking and lighting.
73.70 Extension meters.
73.71 Minimum operation schedule.
73.73 Specified hours.
73.74 Sharing time.
73.76 Sharing time; experimental period.
73.77 Sharing time; departure from regular schedule.
73.78 Sharing time stations; notification to Commission.
73.79 License to specify sunrise and sunset hours.
73.80 Secondary station; filing of operation schedule.
73.81 Secondary station; failure to reach agreement.
73.82 Departure from schedule; material violation.
73.83 References to time.
73.87 Times and modes of program transmission.
73.91 Discontinuance of operation.
73.92 Station and operator licenses; posting of.
73.95 Equipment tests.
73.96 Program tests.
73.97 Station inspection.
73.98 Operation during emergency.
73.111 General requirements relating to logs.
73.112 Program logs.
73.113 Operating logs.
73.114 Maintenance logs.
73.115 Retention of logs.
73.116 Availability of logs and records.
73.117 Station identification.
73.119 Sponsorship identification.
73.120 Broadcasts by candidates for public office.
73.122 Lotteries.
73.123 Personal attacks; political editorials.
73.124 Fraudulent billing practices.
73.125 Equal employment opportunities.
73.126 Broadcast of telephone conversations.
73.139 Special rules relating to contracts providing for reservation of time upon sale of a station.
73.204 International agreements and other restrictions on use of channels.
73.210 Station location, main studio location; and program origination.
73.214 Cross reference to rules in other parts.
73.215 Notification of filing of applications.
73.216 Equipment tests.
73.217 Program tests.
73.218 Normal license period.
73.231 Special rules relating to contracts providing for reservation of time upon sale of a station.
73.250 Acceptability of broadcast transmitters for licensing.
73.252 Frequency measurements.
73.255 Auxiliary transmitter.
73.256 Alternate main transmitters.
73.261 Time of operation.
73.262 Experimental operation.
73.263 Station inspection.
73.264 Station and operator licenses; posting of.
73.266 Operating power.
73.268 Modulation.
73.269 Frequency tolerance.
73.270 Antenna structure, marking and lighting.
73.271 Discontinuance of operation.
73.273 Emergency antenna.
73.276 Extension meters.
73.278 Special field test authorization.
73.281 General requirements relating to logs.
73.282 Program logs.
73.283 Operating logs.
73.284 Maintenance logs.
73.285 Retention of logs.
73.286 Availability of logs and records.
73.287 Station identification.
73.288 Fraudulent billing.
73.289 Sponsorship identification.
73.290 Broadcasts by candidates for public office.
73.291 Personal attacks; Political editorials.
73.292 Lotteries.

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73.296 Broadcast of telephone conversations.
73.298 Operation during emergency.
73.299 Equal employment opportunities.
73.320 Indicating instruments—specifications.
73.514 Cross reference to rules in other parts.
73.515 Notification of filing of applications.
73.516 Equipment tests.
73.517 Program tests.
73.518 Normal license period.
73.531 Special rules relating to contracts providing for reservation of time upon sale of a station.
73.550 Acceptability of broadcast transmitters for licensing.
73.552 Frequency measurements.
73.555 Auxiliary transmitter.
73.556 Alternate main transmitters.
73.562 Experimental operation.
73.563 Station inspection.
73.564 Station operator licenses; posting of.
73.566 Operating power.
73.568 Modulation.
73.569 Frequency tolerance.
73.570 Antenna structure, marking and lighting.
73.571 Discontinuance of operation.
73.573 Emergency antennas.
73.576 Extension meters.
73.578 Special field test authorization.
73.581 General requirements relating to logs.
73.582 Program logs.
73.583 Operating logs.
73.584 Maintenance logs.
73.585 Retention of logs.
73.586 Availability of logs and records.
73.587 Station identification.
73.590 Broadcasts by candidates for public office.
73.591 Personal attacks.
73.592 Lotteries.
73.596 Broadcast of telephone conversations.
73.598 Operation during emergency.
73.599 Equal employment opportunities.
73.608 International agreements.
73.613 Main station location.
73.623 Applications for sharing of television channels.
73.624 Notification of filing of applications.
73.627 Special field test authorization.
73.628 Equipment tests.
73.629 Program tests.
73.630 Normal license period.
73.633 Fraudulent billing practices.
73.637 Alternate main transmitters.
73.638 Auxiliary transmitter.
73.640 Acceptability of broadcast transmitters for licensing.
73.651 Time of operation.
73.652 Station identification.
73.654 Sponsorship identification.
73.656 Lotteries.
73.657 Broadcasts by candidates for public office.
73.659 Special rules relating to contracts providing for reservation of time upon sale of a station.
73.660 Station and operator licenses; posting of.
73.662 Antenna structure, marking and lighting.
73.664 Broadcast of telephone conversations.

Sec.

73.665 Station inspection.
73.666 Experimental operation.
73.667 Discontinuance of operation.
73.668 Frequency tolerance.
73.669 General requirements relating to logs.
73.670 Program logs.
73.671 Operating logs.
73.672 Maintenance logs.
73.673 Retention of logs.
73.674 Availability of logs and records.
73.675 Operation during emergency.
73.678 Extension meters.
73.679 Political attacks; political editorials.
73.680 Equal employment opportunities.
73.689 Operating power.
73.690 Frequency measurements.

3. In Part 73, Subpart A, the following undesignated headnotes, preceding the sections indicated in parenthesis, are removed: "Definitions" (§ 73.1); "Administrative Procedure" (§ 73.17); "Allocation of Facilities; Authorizations" (§ 73.21); "Equipment" (§ 73.39); "Technical Operation" (§ 73.51). "Operation" (§ 73.72); "Licensing Policies" (§ 73.132); "Data and Measurements" (§ 73.150); "AM Technical Standards" (§ 73.181).

4. § 73.1 is revised in its entirety to read as follows:

§ 73.1 Scope.

This subpart contains those rules which apply exclusively to the AM broadcast service and are in addition to those rules in Subpart H which are common to all AM, FM and TV broadcast services, commercial and noncommercial.

5. Section 73.14 is revised in its entirety to read as follows:

§ 73.14 AM broadcast definitions.

AM broadcast band: The band of frequencies extending from 535 to 1605 kHz.

AM broadcast channel: The band of frequencies occupied by the carrier and two sidebands of a broadcast signal with the carrier frequency at the center. Channels shall be designated by their assigned carrier frequencies. The 107 carrier frequencies assigned to AM broadcast stations begin at 540 kHz and are in successive steps of 10 kHz.

Note.—See § 73.21 for the classification of AM broadcast channels.

AM broadcast station: A broadcast station licensed for the dissemination of radio communications intended to be received by the public and operated on a channel in the band 535–1605 kilohertz (kHz). The term "AM broadcast" is synonymous with the term "standard broadcast" as may appear elsewhere in this Chapter.

Antenna current: The radio-frequency current in the antenna with no modulation.

Antenna input power: The product of the square of the antenna current and the antenna resistance at the point where the current is measured.

Antenna resistance: The total resistance of the transmitting antenna system at the operating frequency and at the point at which the antenna current is measured.

Blanketing: The interference which is caused by the presence of an AM broadcast signal of one volt per meter (V/m) or greater intensity in the area adjacent to the antenna of the transmitting station. The 1 V/m contour is referred to as the blanket contour and the area within this contour is referred to as the blanket area.

Carrier-amplitude regulation: (Carrier shift): The change in amplitude of the carrier wave in an amplitude-modulated transmitter when modulation is applied under conditions of symmetrical modulation.

Combined audio harmonics: The arithmetical sum of the amplitudes of all the separate harmonic components. Root sum square harmonic readings may be accepted under conditions prescribed by the FCC.

Critical hours: The two hour period immediately following local sunrise and the two hour period immediately preceding local sunset.

Daytime: The period of time between local sunrise and local sunset.

Dominant station: A Class I station, as defined in § 73.21.

Effective field; Effective field strength: The root-mean-square (RMS) value of the inverse distance fields at a distance of 1 mile from the antenna in all directions in the horizontal plane. The term "field strength" is synonymous with the term "field intensity" as contained elsewhere in this Part.

Equipment performance measurements: The measurements performed to determine the overall performance characteristics of a broadcast transmission system from point of program origination at main studio to sampling of signal as radiated. (See § 73.1590)

Experimental period: the time between 12 midnight local time and local sunrise, used by AM stations for tests, maintenance and experimentation.

Frequency departure: The amount of variation of a carrier frequency or center frequency from its assigned value.

Input power: Means the product of the direct voltage applied to the last radio stage and the total direct current flowing to the last radio stage, measured without modulation.

Intermittent service area: Means the area receiving service from the

groundwave of a broadcast station but beyond the primary service area and subject to some interference and fading.

Last radio stage: The radio-frequency power amplifier stage which supplies power to the antenna.

Maximum percentage of modulation: The greatest percentage of modulation that may be obtained by a transmitter without producing in its output harmonics of the modulating frequency in excess of those permitted by these regulations.

Maximum rated carrier power: The maximum power at which the transmitter can be operated satisfactorily and is determined by the design of the transmitter and the type and number of vacuum tubes or other amplifier devices used in the last radio stage.

Modulated stage: The radio-frequency stage to which the modulator is coupled and in which the continuous wave (carrier wave) is modulated in accordance with the system of modulation and the characteristics of the modulating wave.

Modulator stage: The last amplifier stage of the modulating wave which modulates a radio-frequency stage.

Nighttime: The period of time between local sunset and local sunrise.

Percentage modulation (amplitude) In a positive direction:

$$M = \frac{MAX-C}{C} \times 100$$

In a negative direction:

$$M = \frac{C-MIN}{C} \times 100$$

Where:

M = Modulation level in percent.
MAX = Instantaneous maximum level of the modulated radio frequency envelope.
MIN = Instantaneous minimum level of the modulated radio frequency envelope.
C = (Carrier) level of radio frequency envelope without modulation.

Plate modulation: The modulation produced by introduction of the modulating wave into the plate circuit of any tube in which the carrier frequency wave is present.

Primary service area: Means the service area of a broadcast station in which the groundwave is not subject to objectionable interference or objectionable fading.

Proof of performance measurements or antenna proof of performance measurements: The measurements of field strengths made to determine the radiation pattern or characteristics of an AM directional antenna system.

Secondary service area: Means the service area of a broadcast station served by the skywave and not subject to objectionable interference and in which the signal is subject to intermittent variations in strength.

Secondary AM station: Any AM station, except a Class I station, operating on a Class I frequency.

Sunrise and sunset: For each particular location and during any particular month, the time of sunrise and sunset as specified in the instrument of authorization (See § 73.1209).

"White area": The area or population which does not receive interference-free primary service from an authorized AM station or does not receive a signal strength of at least 1 mV/m from an authorized FM station.

6. Section § 73.40 is revised in its entirety and retitled as follows:

§ 73.40 AM transmission system performance requirements.

(a) The design, installation, and operation of an AM broadcast transmission system between a common audio input amplifier at the studio to the transmitting antenna terminals must meet the following specifications:

(1) Except when due to equipment failures or other conditions beyond the licensee's control, the transmitter must be capable of operating at the authorized power for each mode of operation, with a modulation level of not less than 85%.

(2) The total audio frequency distortion from terminals to antenna output does not exceed 5% harmonics (voltage measurements of arithmetical sum or r.s.s.) when modulated from 0 to 84% and not over 7.5% harmonics (voltage measurements of arithmetical sum or r.s.s.) when modulating 85% to 95% (distortion shall be measured with modulating frequencies of 50, 100, 400, 1000, 5000 and 7500 Hz up to tenth harmonic or 16,000 Hz, or any intermediate frequency that readings on these frequencies indicate is desirable).

(3) The audio frequency transmitting characteristics of the equipment from the common program input amplifier to the antenna output does not depart more than 2 dB from that at 1000 Hz between 50 and 7500 Hz.

(4) The carrier-amplitude regulation (carrier shift) at any percentage of modulation does not exceed 5%.

(5) The carrier hum and extraneous noise level, unweighted r.s.s. over the frequency band 30 to 20,000 Hz is at least 45 dB below the level of a sinusoidal tone of 400 Hz, producing 100% modulation of the carrier.

7. New § 73.44 is added to Subpart A, Part 73 to read as follows:

§ 73.44 AM transmission system emission limitations.

(a) Stations using main transmitters type accepted after January 1, 1960 must meet the following emission limitations.

(1) Any emission appearing on a frequency removed from the carrier by between 15 kHz and 30 kHz inclusive, must be attenuated at least 25 dB below the level of the unmodulated carrier. Compliance with the specification will be deemed to show the occupied bandwidth to be no greater than 30 kHz.

(2) Any emission appearing on a frequency removed from the carrier by more than 30 kHz up to and including 75 kHz must be attenuated at least 35 dB below the level of the unmodulated carrier.

(3) Any emission appearing on a frequency removed from the carrier by more than 75 kHz must be attenuated at least $43 + 10 \log_{10}$ (Power in watts) dB below the level of the unmodulated carrier, or 80 dB, whichever is the lesser attenuation.

(b) Stations using main transmitters installed or type accepted before January 1, 1960, must achieve the highest degree of compliance with the limitations specified in paragraph (a) of this section practicable with the equipment in use as of that date.

(c) Should harmful interference be caused to the reception of other broadcast or non-broadcast stations by out of band emissions, the licensee may be directed to achieve a greater degree of attentuation than specified in paragraphs (a) and (b) of this section.

(d) Measurements to determine compliance with this Section for transmitter type acceptance are to be made using signals sampled at the output terminals of the transmitter when operating into an artificial antenna of substantially zero reactance. Measurements made of the emissions of an operating station are to be made at ground level approximately 1 kilometer from the center of the antenna system. When a directional antenna is used, the carrier frequency reference field strength to be used in order of preference shall be:

(1) The measure non-directional field strength.

(2) The RMS field strength determined from the measured directional radiation pattern.

(3) The calculated expected field strength that would be radiated by a non-directional antenna at the station authorized power.

8. In § 73.45, the headnote is revised, and new paragraphs (a)(1) and (a)(2) are added to read as follows:

§ 73.45 AM antenna systems.

(a) * * *

(1) An application for authority to install an AM broadcast antenna must specify a definite site and include full details of the antenna system design and expected performance.

(2) All data necessary to show compliance with the terms and conditions of the construction permit must be filed with the application for the station license to cover the construction. If the station has constructed a directional antenna, a directional proof of performance must be filed. See §§ 73.150–73.157.

* * * * *

9. Section 73.46 is redesignated as § 73.49. As redesignated, § 73.49 is revised to read as follows:

§ 73.49 AM transmission system installation and safety requirements.

(a) The installation of the transmission system must be such that station personnel are not exposed to shock or burn hazards during their operating and maintenance duties. The following applies to all stations:

(1) Means must be provided for making all tuning adjustments, requiring voltages in excess of 350 volts to be applied to the circuit, from the front of the panels with all access doors closed.

(2) Proper bleeder resistors or other automatic means must be installed across all the condenser banks to remove any charge which may remain after the high voltage circuit is opened.

(3) All high voltage equipment, including transformers, filters, rectifiers and motor generators, must be protected so as to prevent injury to operating personnel.

(4) Commutator guards must be provided on all high voltage rotating machinery.

(5) The antenna ammeters (both regular and remote) and any other radio frequency instrument which it is necessary for the operator to read must be so installed as to be easily and accurately read without the operator having to risk contact with circuits carrying high potential radio frequency energy.

(6) Radio frequency power coupling, dividing and phasing networks must be installed with protective cabinets or enclosures which are locked or provided with safety interlocks, or so located or screened as not to be a hazard to operating personnel. Antenna coupling network cabinets located entirely within a locked enclosure around an antenna base, need not have a separate lock or interlock.

(7) The antenna lead-in, transmission line and counterpoise (when used) shall be installed so as not to present a hazard.

(8) Antenna towers having radio frequency potential at the base (series fed, folded unipole, and insulated base antennas) must be enclosed within effective locked fences or other enclosures. Keys to the antenna base fences, tuning houses and protective cabinet locks must be available at the transmitter site at all times, and safe access shall be provided to each antenna tower base for meter reading and maintenance purposes. Metal fencing and metal conduit and exposed nearby wiring must be effectively grounded, either directly or through bypass or static drain devices.

10. Sections 73.47, 73.254, and 73.554 are redesignated as § 73.1590. As redesignated, § 73.1590 is revised to read as follows:

§ 73.1590 Equipment performance measurements.

(a) The licensee of each AM, FM and TV station, except licensees of Class D non-commercial educational FM stations authorized to operate with 10 watts or less output power, must make equipment performance measurements for each main transmitter as follows:

(1) Upon initial installation of a main new or replacement transmitter.

(2) Upon modification of an existing transmitter made under the provisions of § 73.1690, Modification of transmission systems, and specified therein.

(3) Installation of FM stereophonic transmission equipment pursuant to §§ 73.297 or 73.597.

(4) When required by other provisions of the rules or the station license.

(5) AM and FM stations (except 10 watt non-commercial educational stations), once each calendar year. (One set of measurements must be made during the 4 month period immediately preceding the filing date of the application for renewal of the station license. Successive measurements are to be made at least annually by the anniversary calendar month, and completed within an additional 2 months, with no more than 14 months between measurements.)

(b) *Audio measurements.* Audio equipment performance measurements must be made with the equipment adjusted for normal program operation and must include all circuits between the main studio microphone terminals or amplifier input and the antenna circuit, including any correcting equalizer circuits normally used. Any dynamic audio processing or non-correcting equalizers must be disabled or neutralized. The measurements must yield the following information:

(1) *AM stations.*

(i) Data and curves showing overall audio frequency response from 50 to 5000 Hz for approximately 25, 50, 85 and if obtainable, 100% modulation. A family of curves must be plotted (one for each percentage above) with dB above and below the 1000 Hz reference frequency as ordinate and audio frequency as abscissa.

(ii) Data and curves showing audio frequency harmonic content for 25, 50, 85 and, if obtainable, 100% modulation for the audio frequencies of 50, 100, 400, 1000, 5000, and 7500 Hz (either arithmetical or RRS (root sum square) values up to the 10th harmonic or 16,000 Hz). A family of curves must be plotted (one for each percentage above) with percent distortion as ordinate and audio frequency as abscissa.

(iii) Data showing percentage of carrier amplitude regulation (carrier shift) for 25, 50, 85 and, if obtainable, 100% modulation with 400 Hz tone.

(iv) The carrier hum and extraneous noise level generated within the equipment, and measured throughout the audio spectrum, or bands, in dB below the reference level of 100% modulation by a 400 Hz tone.

(v) Measurements or evidence showing that spurious radiations, including radio frequency harmonics, are suppressed or are not present to a degree capable of causing objectionable interference to other radio services. Field strength measurements are preferred but observations made with a communications type receiver are acceptable. However, in particular cases involving interference or controversy, the FCC may require field strength measurements.

(2) *FM and TV (aural).*

(i) Audio frequency response from 50 to 15,000 Hz for approximately 25, 50 and 100% modulation. Measurements must be made using at least 50, 100, 400, 1,000, 5,000, 10,000 and 15,000 Hz tones. The frequency response measurements made without deemphasis are preferable; however, standard 75 microsecond deemphasis may be used in the measuring equipment provided the accuracy of the deemphasis circuit is sufficient to insure that the measured response is within the prescribed limits.

(ii) Audio frequency harmonic distortion for 25, 50, 100% modulation for the audio frequencies of 50, 100, 400, 1000, and 5000 Hz and audio frequency harmonics for 100% modulation for audio frequencies of 10,000 and 15,000 Hz. Measurements must normally include harmonics to 30,000 Hz. The

distortion measurements must be made with 75 microsecond deemphasis in the measuring equipment.

(iii) Output noise level (frequency modulation) in the band of 50 to 15,000 Hz in dB below the reference level of 100% modulation by a 400 Hz tone. The noise measurement must be made using 75 microsecond deemphasis in the measuring equipment.

(iv) Output noise level (amplitude modulation) in the band of 50 to 15,000 Hz in dB below the reference of 100% modulation by a 400 Hz tone. The noise measurement must be made using 75 microsecond deemphasis in the measuring equipment.

(v) If, after type acceptance, any changes have been made in the transmitter or associated equipment (filters, multiplexers, etc.) which could cause changes in its radiation product, data showing attenuation of spurious and harmonic radiation.

(c) *TV visual.* TV visual equipment performance measurements must be made with the equipment adjusted for normal program operation. When practical, the measurements should be made through the video transmission system from the studio program terminal to the transmitting antenna sampling port. The measurements must yield the following information:

(1) Overall attenuation versus frequency response for the visual transmitter.

(2) Field strength or voltage of the lower side-band for a modulating frequency of 1.25 MHz or greater, (including 3.58 MHz for color), and of the upper side-band for a modulating frequency of 4.75 MHz or greater.

(3) Data showing that the waveform of the transmitted signal conforms to that specified by the standards for TV transmissions.

(4) Photographs of a test pattern taken from a receiver or monitor connected to the transmitter output.

(5) Data showing envelope delay characteristics of the radiated signal.

(6) Data showing the transfer characteristics between reference black and reference white levels.

(7) If, after type acceptance, any changes have been made in the transmitter or associated equipment (filters, multiplexer, etc.) which could cause changes in its radiation products, data showing the attenuation of spurious and harmonic radiation.

(d) The data required by paragraphs (b) and (c) of this Section, together with a description of the equipment and procedure used in making the measurements, signed and dated by the qualified person(s) making the measurements, must be kept on file at the transmitter or remote control point for a period of 2 years, and on request must be made available during that time to duly authorized representatives of the FCC.

11. Sections 73.41 and 73.42 are redesignated into existing § 73.1665. As redesignated, § 73.1665, paragraph (a) is revised, existing paragraph (b) is redesignated as paragraph (c) and new paragraph (b) is added to read as follows:

§ 73.1665 Main transmitters.

(a) Each broadcast station must have at least one main transmitter which complies with the provisions of the transmitter technical requirements for the type and class of station. A main transmitter is one which is used for regular program service having power ratings appropriate for the authorized operating power(s).

(b) There is no maximum power rating limit for FM or TV station transmitters, however, the maximum rated transmitter power of a main transmitter installed at an AM station shall be as follows:

Authorized power	Maximum rated transmitter power (kW)
0.25, 0.5, or 1 kW	1
2.5 kW	5
5 or 10 kW	10
25 or 50 kW	50

* * * * *

12. Sections 73.43, 73.257, 73.557, and 73.639 are redesignated as 73.1690. As redesignated, § 73.1690 is revised as follows:

§ 73.1690 Modification of transmission systems.

The following procedures and restrictions apply to licensee modifications of authorized broadcast transmission system facilities.

(a) The following changes are prohibited:

(1) Those that would result in the emission of signals outside of the authorized channel exceeding limits prescribed for the class of service.

(2) Those that would cause the transmission system to exceed the equipment performance measurements prescribed for the class of service, (AM, § 73.44; FM, §§ 73.317, 73.319, and 73.322; TV, §§ 73.682 and 73.687).

(b) The following changes may be made only upon specific authority of the FCC. Applications requesting authorization must be filed on FCC Form 301 for commercial stations and on FCC Form 340 for noncommercial educational stations.

(1) Installation of a main transmitter which is not included on the FCC's "Radio Equipment List" as type accepted for broadcast use.

(2) Modification of an existing main transmitter which would affect its power rating, basic tube or semiconductor line up, frequency multiplication, or basic modulator circuits, except as permitted in paragraph (e) below.

(3) Any change in the location, overall height of antenna structure, or directional radiation characteristics of a directional antenna system. (See § 73.45 and § 73.150, AM; § 73.316, FM; § 73.510, noncommercial educational FM; or § 73.685, TV.)

(4) Change in the operating power of the stations.

(5) Change in location of the main studio to a location outside the station's principal community of license, except as provided for in § 73.1125.

(c) The following FM and TV station modifications may be made and operation commenced without prior authorization from the FCC, provided that the modifications would not possibly affect the operation of any co-located or nearby AM station. An application for license modification filed on FCC Form 302 (FCC Form 341 for noncommercial educational stations) must be filed within 10 days following completion of the changes. Equipment performance measurements are not required for applications covering changes described in (c) (1) and (2) of this section.

(1) Replacement of a non-directional antenna with one of the same or different type or number of bays, provided that the height above ground of the center of radiation is within ±2 meters of that specified in the station authorization, there is no change in the horizontal effective radiated power, and there is no increase in the radiation at any angle below the horizon in any direction.

(2) Installation of a transmission line with one of a different type or length which requires change in the transmitter output power to maintain the licensed effective radiated power.

(3) Installation of harmonic filters, sideband filters or diplexers of a different type which requires a change in the transmitter output power to maintain the licensed effective radiated power.

(d) The following changes may be made without authorization from the FCC, however informal notification of the changes must be made according to the rule sections specified:

(1) Change in studio location within the community of license. See § 73.1125.

(2) Commencement of remote control operation by all stations except AM stations using directional antenna systems, or the change or addition of remote control points. See § 73.3548.

(3) Modification of an AM directional antenna sampling system. See § 73.68.

(e) The following changes in the transmission system equipment may be made without prior authorization from or notification to the FCC. Equipment performance measurements must be made within 10 days after completing the modifications for items (1), (3), and (4).

(1) Installation of a new transmitter which is included on the FCC's "Radio equipment list" as type accepted for broadcast use.

(2) Replacement of the carrier frequency generator of the transmitter with one of a different type that has been demonstrated to the FCC to be compatible with the transmitter in use.

(3) Replacement of the modulator exciter unit of the FM or TV aural transmitter with one that has been acceptable for broadcast service through the FCC's type acceptance procedures and that has been demonstrated compatible with the transmitter in use.

(4) Installation or replacement of an FM stereophonic generator of the transmitter with one that has been demonstrated to the FCC to be compatible with the transmitter in use.

13. The alphabetical Index appearing at the beginning of Part 73 is revised to read as follows:

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[FR Doc. 82-3229 Filed 2-26-82; 8:45 am]

BILLING CODE 6712-01-M

Proposed Rules

Federal Register
Vol. 47, No. 40
Monday, March 1, 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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 81-ASW-68]

Proposed Alteration of Transition Area; Leeville, LA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes the alteration of a transition area at Leeville, LA. The intended effect of the proposed action is to provide additional controlled airspace for aircraft executing new instrument approach procedure to the Caillou Island Seaplane Base. This action is necessary since new instrument operations will be conducted arriving/departing the seaplane base. The standard instrument approach procedure (SIAP) will utilize the Leeville VORTAC. Coincident with this action, the seaplane base is changed from visual flight rules (VFR) to instrument flight rules (IFR).

DATE: Comments must be received on or before March 31, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

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, extention 302.

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart G, § 71.181 as republished in the **Federal Register** on January 2, 1981 (46 FR 540), contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the transition area at Leeville, LA,[1] will necessitate an amendment to this subpart. This amendment will be required at Leeville, LA, since there are proposed IFR procedures to the Caillou Island Seaplane Base.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-ASW-68." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

[1] A map is filed as apart of the original document.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding the following:

Leeville, LA

* * * and within a 5-mile radius of the Caillou Island Seaplane Base (latitude 29°06'20" N., longitude 90°28'40" W.) and within 2.5 miles each side of the 258° radial of the Leeville VORTAC extending from the 5-mile radius area to 16 miles west of the VORTAC.

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

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, 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); (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) it is certified that at promulgation, will not have significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, TX, on December 21, 1981.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-5191 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 75

[Airspace Docket No. 81-ANW-11]

Establishment of Jet Routes and Area High Routes; Alteration of Jet Routes—Revocation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: This action withdraws a proposal published in the **Federal Register** on August 20, 1981 (46 FR 42283) to amend Part 75 of the Federal Aviation Regulations (14 CFR Part 75). The proposed amendment would have extended J-517 from Boise, ID, to Hayden, CO. After analysis of additional information, FAA determined that the proposed amendment does not satisfy current operational requirements.

EFFECTIVE DATE: March 1, 1982.

FOR FURTHER INFORMATION CONTACT: Lewis Still, 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.

Withdrawal of the Proposal

Pursuant to the authority delegated to me, effective March 1, 1982 the proposal to amend Part 75 of the Federal Aviation Regulations (14 CFR Part 75) as described in Airspace Docket No. 81-ANW-11 and published in the **Federal Register** on August 20, 1981 (46 FR 42283) is hereby withdrawn.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65)

Note.—The FAA has determined that this withdrawal of proposed rulemaking 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.

Issued in Washington, D.C., on February 2, 1982.

B. Keith Potts,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 82-5192 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 271, 273 and 274

[Docket No. RM82-8]

High-Cost Natural Gas Produced From Intermediate Deep Drilling; Reschedule a Public Hearing and to Permit Reply Comments

February 24, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of reschedule a public hearing and to permit reply comments.

SUMMARY: On December 30, 1981, the Federal Energy Regulatory Commission issued a Notice of Proposed Rulemaking in Docket No. RM82-8—High Cost Natural Gas Produced from Intermediate Deep Drilling. A public hearing concerning this proposal was originally scheduled for Tuesday, March 2, 1982. The public hearing will be rescheduled for Tuesday, April 6, 1982, beginning at 10 a.m. The commission will accept reply comments submitted in response to initial comments filed in this rulemaking no later than May 6, 1982.

DATES: The public hearing will be held on Tuesday, April 6, 1982. Requests to participate and the amount of time requested should be directed to the Secretary no later than March 29, 1982. Reply comments should be submitted to the Secretary no later than May 6, 1982.

ADDRESSES: The hearing will be held at: Hearing Room A, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426.

Request to participate and questions regarding participation should be directed: The Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426.

Reply comments should be submitted to: The Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Michael A. Stosser, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, (202) 357-8033.

SUPPLEMENTARY INFORMATION: On December 30, 1981, pursuant to section 107 of the Natural Gas Policy Act of 1978 (NGPA), (15 U.S.C. 3317), the Commission issued a Notice of Proposed Rulemaking (47 FR 638, January 6, 1982) for an informal rulemaking procedure in Docket No. RM82-8.

The Notice proposes to identify as a category of high-cost natural gas, gas produced from depths between 10,000 and 15,000 feet. The Commission proposes to provide an incentive price ceiling of 150 percent of the NGPA section 103 price in order to encourage production from those depths.

Public Hearing

The Commission has received requests to postpone the public hearing to permit interested persons the opportunity to review the written comments filed in this proceeding prior to making oral presentations. In this way, interested parties would be able to respond to the written comments filed by March 15, 1982, at the public hearing. Pursuant to these requests, the Commission is rescheduling the public hearing to be held after March 15, 1982, the date the first set of written comments must be filed with the Commission.

The hearing will be held on Tuesday, April 6, 1982, at 10 a.m. at the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, Hearing Room A.

The hearing will not be of a judicial or evidentiary type. There will be no cross-examination of persons presenting statements. However, the panel may question such persons and any interested person may submit questions to the presiding officer to be asked of persons making statements. The presiding officer will determine whether the question is relevant and whether the time limitations permit it to be presented. Any further procedural rules will be announced by the presiding officer at the hearing. Transcripts of the hearing will be available in the public file for this proceeding, Docket No. RM82-8, in the Commission's Officer of Public Information, and may be ordered from that office.

Requests to participate in the hearing should be submitted by March 29, 1982, to the Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Requests should indicate the amount of time required for the oral presentation. Persons participating at the hearing should, if possible, bring 50 copies of their testimony to the hearing. A list of the participants in the hearing will be available in the Commission's Office of Public Information and at Hearing Room A on the morning the hearing is convened.

Reply Comments

The Commission has received a request to establish in this rulemaking

proceeding a two-phase comment procedure whereby interested persons would have the opportunity to respond to initial comments filed. The Commission has considered this request and has agreed to permit interested persons to submit reply comments.

Initial comments are due on or before March 15, 1982, as established by Notice issued on January 22, 1982 (47 FR 4535, February 1, 1982).

Reply comments should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before May 6, 1982, and should give reasons including any supporting data for any recommendations. Reply comments should also indicate the name, title, mailing address, and telephone number of one person to whom communications concerning the proposal may be addressed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Written reply comments will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street NE., Washington, D.C. 20426.

In order to facilitate replies, one week after the termination of initial comment period, the Commission will permit the sale to the public of bound copies of initial comments filed in this rulemaking proceeding. Interested persons may purchase these comments at the Federal Energy Regulatory Commission, the Office of Public Information, Room 1000, 825 North Capitol Street NE., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5455 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD7 82-03]

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AIWW), Palm Beach County, Fla.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the Village of North Palm Beach, the Coast Guard is considering changing the regulations governing the operation of the Parker Bridge across the Atlantic Intracoastal Waterway, mile 1013.7, North Palm Beach County, Florida, by permitting the number of openings to be limited on Saturdays, Sundays and legal holidays from April 16 through November 14 during peak traffic hours. The draw of the bridge presently opens on signal during this time frame.

DATE: Comments must be received on or before April 15, 1982.

ADDRESS: Comments should be submitted and are available for examination and copying from 7:30 a.m. to 4 p.m., Monday through Friday at the office of the Commander (oan), Seventh Coast Guard District, 51 S.W. 1st Avenue, Miami, Florida 33130.

FOR FURTHER INFORMATION CONTACT: James R. Kretschmer, Bridge Administrator, Bridge Section (oan), Room 1006, Federal Building, 51 Southwest First Avenue, Miami, Florida 33130, telephone (305) 350-4108.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rule making by submitting written views, comments, data or arguments. Persons submitting comments should include their name and address, identify the bridge and give reasons for concurrence with or any recommended change in the proposal. Persons desiring acknowledgement that their comments have been received should enclose a stamped self-addressed envelope or post card.

The Commander, Seventh Coast Guard District, will evaluate all communications received and determine a course of final action on the proposal. The proposed regulations may be changed in the light of comments received.

Drafting Information

The principal persons involved in drafting this proposal are: James Davis, Bridge Administration Specialist, Office of Aids to Navigation, Bridge Section and Lieutenant William J. Petersen, Office of Commander, Seventh Coast Guard District, Legal Office.

Discussion of the Proposed Regulations

The additional restrictions are being considered to relieve increased vehicular traffic on Saturdays, Sundays and legal holidays on the Parker Bridge. This change would allow limited openings and provide a more even flow of vehicular traffic from 9 a.m. to 5 p.m. This action may accommodate the needs of vehicular traffic and may provide for the reasonable needs of navigation.

Regulatory Evaluation

The proposed regulation has been reviewed under the provisions of E.O. 12291 and has been determined not to be a major rule. In addition, the proposed regulation is considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (Department of Transportation Order 2100.5 of 22 May 1980). An economic evaluation has not been conducted since, for the reasons discussed above, the impact is expected to be minimal. In accordance with 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is also certified that this rule, (if promulgated), will not have a significant economic impact on a substantial number of small entities.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations be amended by revising § 117.438c(b) and (c) to read as follows:

§ 117.438c AIWW, mile 1,013.7, Parker Bridge, U.S. 1, North Palm Beach, Florida.

* * * * *

(b) The draw shall open on signal except that from April 16 through November 14 from 9 a.m. to 5 p.m. the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour on Saturdays, Sundays and legal holidays.

(c) The draw shall open at any time for the passage of public vessels of the United States, tugs with tows, cruise boats operated on a regular schedule, or vessels in distress. The opening signal from these vessels is four blasts of a whistle, horn, or by shouting.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937 (33 U.S.C. 499, 49 U.S.C. 1655(g)(2)); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(g)(3))

Dated: February 5, 1982.

B. L. Stabile,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. 82-5426 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR 117

[CGD2 81-04]

Illinois Waterway, Illinois; Bridges (Highway and Railroad) at Pekin, Peoria, and Joliet, Ill.; Drawbridge Operation Regulations

AGENCY: Coast Guard, DOT.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: At the request of the City of Joliet, Illinois, and with the concurrence

of the bridge owner, Illinois Department of Transportation, the Coast Guard is considering changing the regulations governing the operation of five drawbridges across the Illinois Waterway at Joliet, Illinois. The proposed changer would provide for an adjustment in the times that the bridges need not open for the passage of vessels and for a means of requesting the opening of the bridges by radiotelephone without sounding signals. The intended effect of this action is to relieve vehicular traffic congestion during peak morning and evening traffic hours, and to eliminate unnecessary noise emissions while still providing for the reasonable needs of navigation.

DATE: Comments must be received on or before April 15, 1982.

ADDRESS: Comments should be submitted to and are available for examination from 7:45 a.m. to 4:15 p.m., Monday through Friday, at the Office of the Commander (obr), Second Coast Guard District, 1430 Olive Street, St. Louis, Missouri 63103.

FOR FURTHER INFORMATION CONTACT:
S. W. Thoroughman, Chief, Bridge Branch, Room 400, 1430 Olive Street, St. Louis, MO 63103 (314) 425–4607.

SUPPLEMENTARY INFORMATION:

Comments

Interested persons are invited to participate in this proposed rulemaking by submitting written views, comments, data or arguments to the office listed under "addresses" in this paragraph. Persons submitting comments should include their name and address, identify this Notice (CGD2 81–04) or the bridge, and give reasons for concurrence with or any recommended change in the proposal. Receipt of comments will be acknowledge if a stamped self-addressed postcard or envelope is enclosed. The Commander, Second Coast Guard District, will evaluate all communications received before final action is taken on this proposal. The proposed regulations may be changed in the light of comments received. No public hearing is planned but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in drafting this proposal are: S. W. Thoroughman, Project Manager, and LCDR R. A. KNEE, USCG, Project Attorney, c/o Commander, Second Coast Guard District, 1430 Olive Street, St. Louis, Missouri.

Discussion of the Proposed Regulation

The current regulation provides that the draws of the bridges at McDonough Street, Mile 287.3; Jefferson Street, Mile 287.9; Cass Street, Mile 288.1; Jackson Street, Mile 288.4; and Ruby Street, Mile 288.7 will not be required to open from 7:30 a.m. to 8 a.m. and 4:30 p.m. and 5:30 p.m. except on Sundays. Analysis of vehicular traffic flow by the City of Joliet, Illinois, indicates that an adjustment of these times by expanding the morning time period an additional half hour and adjusting the afternoon hour-long time period to begin and end 15 minutes earlier would improve traffic flow by alleviating vehicular congestion. Bridge operations were conducted on a trial basis in accordance with the proposed adjusted times during the period from 1 August 1981 to 1 October 1981. No objections or complaints were received. The Illinois Department of Transportation owns all five vehicular bridges in Joliet. There is a radiotelephone communication station at the Ruby Street bridge, the first bridge approached heading southbound, and the McDonough Street bridge, the first bridge approached heading northbound. The bridges are connected by telephone communications. The proposed regulation would allow an approaching vessel to contact the appropriate bridge tender by radiotelephone and establish acknowledgment for the opening of all five bridges. Upon receiving acknowledgment that the bridges would be open, sound signals would be unnecessary.

Presently 117.605(a) contains a list of bridges located in Pekin, Peoria and Joliet. Section 117.605(b) was removed and reserved by an amendment to 33 CFR Part 117, published at 46 FR 58665, dated December 3, 1981. The proposed change will have the effect of cancelling present paragraph (a). Section 117.605(c) will be revised and published as 117.605(a). The note applicable in paragraph (c) is unnecessary and will be removed. Section 117.605(b) will be a new provision allowing communication by radiotelephone in lieu of sound signals for the five listed bridges in Joliet.

These proposed amendments are seen to have an insignificant economic impact. Although no formal economic impact analysis has been conducted, it is expected that such impact, if any, will be positive. The economic impact of increased vehicular traffic flow during rush hours in Joliet would appear to be beneficial and outweigh the impact on the towing industry of an additional one half hour closure per day of the Illinois Waterway for transit through the city. The installation of radiotelephone stations by the bridge owner was voluntary and not attributable to this proposal. The elimination of the sound signal requirement for the bridges in Joliet will have a negligible impact.

These proposed regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. In addition, these proposed regulations are considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5–22–80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is also certified that these rules, if promulgated, will not have a significant economic impact on a substantial number of small entities.

Proposed Regulation

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, it is proposed that Part 117 of Title 23 of the Code of Federal Regulations be amended by revising § 117.605 to read as follows:

§ 117.605 Illinois Waterway, Illinois; bridges (highway and railroad) at Pekin, Peoria, and Joliet, Illinois.

(a) The draws of bridges across the Illinois Waterway at Joliet, Illinois, shall open on signal. However, from 7:30 a.m. to 8:30 a.m. and 4:15 p.m. to 5:15 p.m., Monday through Saturday, the below listed draws need not open for the passage of vessels:

McDonough Street, Mile 287.3
Jefferson Street, Mile 287.9
Cass Street, Mile 288.1
Jackson Street, Mile 288.4
Ruby Street, Mile 288.7

(b) Requests by radiotelephone for opening any or all of the draws for the bridges listed in paragraph (a) may be made with the draw tender for the McDonough Street or Ruby Street bridges. When requests for draw opening and answering acknowledgements have been given by radiotelephone, sound signals shall not be required.

(33 U.S.C. 499, 49 U.S.C. 1655(g)(2)); 49 CFR 1.46(c)(5), 33 CFR 1.05–1(g)(3))

Dated: December 22, 1981.

T. H. Rutledge,

Acting District Commander, 2nd Coast Guard District.

[FR Doc. 82-5429 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD7 82-04]

Drawbridge Operation Regulations; Hillsborough River, Tampa, Florida

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the City of Tampa, the Coast Guard is considering amending the regulations governing the operation of the drawbridges across the Hillsborough River at Platt Street, Brorein Street, Kennedy Boulevard, Cass Street and Laurel Street to require at least two hours notice from 4 p.m. to 9 a.m. Monday through Friday and 6 p.m. to 8 a.m. Saturdays, Sunday, and legal holidays. This change is being considered because of limited passage of vessels during these periods.

DATE: Comments must be received on or before April 15, 1982.

ADDRESS: Comments should be submitted and are available for examination and copying from 7:30 a.m. to p.m., Monday through Friday at the office of the Commander (oan), Seventh Coast Guard District, 51 S. W. 1st Avenue, Miami, Florida 33130.

FOR FURTHER INFORMATION CONTACT:

James R. Kretschmer, Bridge Administrator, Bridge Section (oan), Room 1006, Federal Building, 51 Southwest First Avenue, Miami, Florida 33130, telephone (305) 350-4108.

SUPPLEMENTARY INFORMATION:

Interested persons are invited to participate in this proposed rule making by submitting written views, comments, data or arguments. Persons submitting comments should include their name and address, identify the bridge and give reasons for concurrence with or any recommended change in the proposal. Persons desiring acknowledgement that their comments have been received should enclose a stamped self-addressed envelope or post card.

The Commander, Seventh Coast Guard District, will evaluate all communications received and determine a course of final action on the proposal. The proposed regulations may be changed in the light of comments received.

Drafting Information

The principal persons involved in drafting this proposal are: James Davis, Bridge Administration Specialist, Office of Aids to Navigation, Bridge Section and Lieutenant William J. Petersen, Office of Commander, Seventh Coast Guard District, Legal Office.

Discussion of the Proposed Regulations

This amendment would revise the regulations governing the operation of five drawbridges across the Hillsborough River in Tampa, Florida, by requiring at least two hours notice from 4 p.m. to 9 a.m. Monday through Friday and 6 p.m. to 8 a.m., Saturdays, Sundays and legal holidays. Limited passage of vessels during these periods is the reason this proposal is being considered. This action may accommodate the needs of vehicular traffic and may still provide for the reasonable needs of navigation.

Regulatory Evaluation

The proposed regulation has been reviewed under the provisions of E.O. 12291 and has been determined not to be a major rule. In addition, the proposed regulation is considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (Department of Transportation Order 2100.5 of 22 May 1980). An economic evaluation has not been conducted since, for the reasons discussed above, the impact is expected to be minimal. In accordance with section 605(b) of The Regulatory Flexibility Act (94 Stat. 1164), it is also certified that this rule, (if promulgated), will not have a significant economic impact on a substantial number of small entities.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations be amended by revising § 117.465 to read as follows:

§ 117.465 Hillsborough River, Tampa, Florida.

(a) The Hillsborough River Bridges at Platt Street, mile 0.0 Brorein Street, mile 0.16, Kennedy Boulevard, mile 0.4, Cass Street, mile 0.7, and Laurel Street, mile 1.0, from 9 a.m. to 4 p.m., Monday through Friday and from 8 a.m. to 6 p.m., Saturday, Sunday and legal holidays, the draws shall open on signal. At all other times at least two hours advance notice is required.

(b) Seaboard Coast Line Railroad Bridge at Cass Street, mile 0.7, from 4:00 p.m. to 12:00 midnight, Monday through Friday, the draw shall open on signal. At all other times, the draw shall be maintained in an open position for the passage of vessels.

(c) City of Tampa highway bridge at West Columbus Drive, mile 2.3, and the State of Florida highway bridge at West Hillsborough Avenue, mile 4.8. From 8:00 a.m. to 6:00 p.m., the draws shall open on signal. From 6:00 p.m. to 8:00 a.m., the draws shall open on signal if at least one hour advance notice is given.

(d) *Public vessels and vessels in distress.* (1) From 4 p.m. to 9 a.m., Monday through Friday and from 6 p.m. to 8 a.m. Saturdays, Sundays and legal holidays, the draws of the bridges listed in paragraph (a) of this section shall open as soon as possible but not longer than one hour after a request by a public vessel of the United States, vessels owned or operated by the state, county, or local governments used for public safety purposes, or any vessels in distress.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(g)(3))

Dated: February 5, 1982.

B. L. Stabile,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. 82-5425 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD7 82-02]

Drawbridge Operation Regulations; Clearwater Harbor, Gulf Intracoastal Waterway, Pinellas County, Florida

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the Board of County Commissioners, Pinellas County, Florida, the Coast Guard is considering special drawbridge regulations governing the operation of the Belleair Causeway Bridge across Clearwater Harbor, Gulf Intracoastal Waterway, mile 131.8, Pinellas County, Florida, by limiting the number of openings on Saturdays, Sundays, and legal holidays during peak traffic hours. The draw of the bridge presently opens on signal.

DATE: Comments must be received on or before April 15, 1982.

ADDRESS: Comments should be submitted and are available for examination and copying from 7:30 a.m. to 4 p.m., Monday through Friday at the office of the Commander (oan), Seventh Coast Guard District, 51 SW. 1st Avenue, Miami, Florida 33130.

FOR FURTHER INFORMATION CONTACT:
James R. Kretschmer, Bridge Administrator, Bridge Section (oan), Room 1006, Federal Building, 51 Southwest First Avenue, Miami, Florida 33130, telephone (305) 350–4108.

SUPPLEMENTARY INFORMATION:
Interested persons are invited to participate in this proposed rule making by submitting written views, comments, data or arguments. Persons submitting comments should include their name and address, identify the bridge and give reasons for concurrence with or any recommended change in the proposal. Persons desiring acknowledgement that their comments have been received should enclose a stamp self-addressed envelope or post card.

The Commander, Seventh Coast Guard District, will evaluate all communications received and determine a course of final action on the proposal. The proposed regulations may be changed in the light of comments received.

Drafting Information

The principal persons involved in drafting this proposal are: James Davis, Bridge Administration Specialist, Office of Aids to Navigation, Bridge Section and Lieutenant William J. Petersen, Office of Commander, Seventh Coast Guard District, Legal Office.

Discussion of the Proposed Regulations

The restrictions are being considered in an effort to relieve the increased vehicular traffic on Saturdays, Sundays and legal holidays on the Belleair Causeway Bridge. This change would allow limited openings and provide a more even flow of vehicular traffic from 12 noon to 6 p.m. This action may accommodate the needs of vehicular traffic and may still provide for the reasonable needs of navigation.

Regulatory Evaluation

The proposed regulation has been reviewed under the provisions of E.O. 12291 and has been determined not to be a major rule. In addition, the proposed regulation is considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (Department of Transportation Order 2100.5 of 22 May 1980). An economic evaluation has not been conducted since, for the reasons discussed above, the impact is expected to be minimal. In accordance with section 605(b) of The Regulatory Flexibility Act (94 Stat. 1164), it is also certified that this rule, (if promulgated), will not have a significant economic impact on a substantial number of small entities.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations be amended by adding a new § 117.466(g) immediately after § 117.466(f) to read as follows:

§ 117.466 Gulf Intracoastal Waterway (GIWW), Pinellas County, Florida.

* * * * *

(g) *Clearwater Harbor, GIWW, mile 131.8, Belleair Causeway, Pinellas County, Florida.* From 12 noon to 6 p.m., on Saturdays, Sundays, and legal holidays, the draw need not open except on the hour, quarter-hour, half-hour, and three-quarter hour, to allow any accumulated vessels to pass. At all other times, the draw shall open on signal.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937 (33 U.S.C. 499, 49 U.S.C. 1655(g)(2)); 49 CFR 1.46(c)(5), 33 CFR 1.05–1(g)(3))

Dated: February 5, 1982.

B. L. Stabile,
Rear Admiral, U.S. Coast Guard Commander, Seventh Coast Guard District.

[FR Doc. 82-5427 Filed 2-26-82; 8:45 am]
BILLING CODE 4910-14-M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Grand Teton National Park, Wyoming; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The proposed regulations set forth below are necessary to provide for public snowmobile access to most areas of the park where such use has occurred. These regulations are meant to provide for the enjoyment of Grand Teton National Park in a way that reduces conflicts between various user groups. Additionally, these regulations have been designed to afford greater resource protection while also providing the opportunities for the public to enjoy winter park values. They are also consistent with regulations proposed for the jointly administered John D. Rockefeller, Jr. Memorial Parkway.

This will be accomplished by: (1) Restricting the use of snowmobiles to some unplowed roads, the frozen surface of Jackson Lake and a designated area east of the Teton Park Road and west of the Snake River. (2) Describing in the regulations those routes and areas which are to be open to snowmobiles. (3) Prescribing periods of snowmobile use which are consistent with the protection of natural resources and public safety. (4) Providing for certain exceptions for emergency purposes or administrative use. (5) Controlling noise levels of all oversnow vehicles.

The proposal to designate a portion of the Potholes/Baseline Flats area for snowmobile use constitutes an exception to the National Park Service general snowmobile policy.

DATES: Written comments, suggestions, or objections will be accepted until March 31, 1982.

ADDRESS: Comments should be directed to: Superintendent, Grand Teton National Park, P.O. Drawer 170, Moose, Wyoming 83012.

FOR FURTHER INFORMATION CONTACT:
Rebecca Griffin, Public Information Officer, Grand Teton National Park, Telephone: (307) 733–2880.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) issued in 1972, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and, in the case of national parks, not adversely affect scenic, natural or aesthetic values.

In response to Executive Order 11644, the Secretary of Interior issued a Departmental memorandum on May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by **Federal Register** notice or special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, Grand Teton National Park published a notice in late 1976 to designate areas and routes open to snowmobile use in the Park. The notice appeared in the **Federal Register** on December 23, 1976 (41 FR 55945), and invited public review and comment. The routes and areas designated were most of those that had been open to

snowmobiling since 1971. An environmental assessment (approved January 6, 1977) was also prepared concerning management of winter activities, including snowmobiling.

Because of the amount of response to the **Federal Register** announcement and the environmental assessment, the normal 30-day public review period was extended to March 6, 1977. The park received nearly 600 letters from interested individuals and groups. A majority (61 percent) recommended either no snowmobiling be allowed in the park or that snowmobiles be confined to designated routes.

In August of 1977, the National Park Service appointed a task force to review snowmobile use in all areas of the National Park System and to: "develop a policy * * * that will clearly state the National Park Service's position on the legitimacy of mechanized over-snow travel in the parks and enable the Superintendents to address the question uniformly."

The task force was formed in response to requests from pro-snowmobiling and anti-snowmobiling interests, both of whom were seeking a uniform policy that would more closely guide the "discretion" of individual superintendents.

The task force met with various user groups that included the International Snowmobile Industry Association, the International Snowmobile Council, the Sierra Club, and the National Parks and Conservation Association. A policy was proposed that, "* * * snowmobiles may be permitted * * * as a mode of transportation * * * (on) designated routes (to) be established only on existing public roadways and waterways open to motorized vehicles and vessels."

Pursuant to this policy, Grand Teton National Park drafted proposed regulations designating approximately 72 miles of unplowed roadways and 26,700 acres of waterways (Jackson and Jenny Lakes) as open to snowmobiling. On January 19, 1978, the National Park Sevice postponed implementation of this snowmobiling policy and delayed rulemaking for Grand Teton National Park to allow further public participation in the development of the National Park Service snowmobile policy.

The National Park Service published a proposed snowmobile policy in the **Federal Register** of December 7, 1978 (43 FR 57352). This policy was similar to that proposed in 1977 in that, "Where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during other seasons." Three exceptions to this policy were proposed—Acadia National Park, Delaware Water Gap National Recreation Area, and the "Potholes Area" of Grand Teton National Park.

Following Public review, the National Park Service published a notice in the **Federal Register** of August 13, 1979 (44 FR 47412) adopting a Servicewide snowmobile policy that was very similar to the one proposed on December 7, 1978, but all exceptions to the policy were deleted. Following announcement that the Servicewide snowmobile policy would be implemented in Grand Teton National Park, considerable opposition by Wyoming residents emerged. On October 11, 1979, the Director of the National Park Service postponed implementation of the policy in the park pending public hearings.

Another environmental assessment (approved February 14, 1980) was prepared and released to the public for review in April 1980. At that time, the National Park Service's preferred alternative was to permit snowmobiling only under restrictions of the national policy. The public hearings (held in May) indicated substantial support, by local Wyoming residents, for off-road snowmobiling in Grand Teton National Park. Of 174 letters received in the park by June 30, 1980, the deadline for public input, 60 percent favored snowmobiling only under restrictions of the national snowmobile policy, 20 percent favored off-road snowmobiling and 12 percent favored no snowmobiling. All but two of the letters favoring off-road snowmobiling were from Wyoming.

In December 1980 the Regional Director, Rocky Mountain Region, appointed a special committee of five individuals from outside the National Park Service to review the issue and all public comment, and to make recommendations for an oversnow vehicle policy for the park. The committee convened in the park in February 1981 and voted three to two in support of application of the roads-only policy for Grand Teton National Park.

Off-road snowmobiling has been permitted in some areas of Grand Teton National Park for over ten years. In these areas, vegetation damage and disturbance to wildlife have not been apparent due to snow depths adequate to protect vegetation and seasonal movement of most wildlife to other areas of the park. Additionally, conflicts between snowmobilers and cross-country skiers have not been a serious problem.

In the late 1960's, park management became concerned about increased noise due to increased snowmobile use. Snowmobile noise regulations were promulgated in August 1971 (36 FR 16065) and adopted as paragraph (i) *Snowmobiles*, 36 CFR 7.22. The regulation limits the noise level of snowmobiles to 86 decibels, measured on the "A" weighting scale at a distance of 50 feet, but exempts snowplanes that were registered with the park for the 1970–71 season.

This proposed amendment differentiates between tracked oversnow vehicles and propeller driven snowplanes. Industry standards for tracked snowmobiles now provide that all vehicles manufactured after February 1974 will not exceed a noise level of 78 decibels. Snowplanes have operated, primarily on Jackson Lake, since 1935 and the Service has no desire to eliminate this historic use which would occur if a general prohibition was made to exclude oversnow vehicles that exceed 78 decibels. The combination of propeller and manifold noise cannot be reduced significantly below 86 decibels without seriously reducing the safety and maneuverability of snowplanes. Therefore, different noise levels are proposed for the two different kinds of oversnow vehicles.

Public Participation

It is the policy of the Department of the Interior, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulations to the address noted at the beginning of this rulemaking.

Drafting Information

The following persons participated in the writing of these regulations: Alan L. Atchison, Chief Park Ranger, Grand Teton National Park; Walter D. Dabney, District Park Ranger, Grand Teton National Park.

Compliance With Other Laws

Pursuant to the National Environmental Policy Act (42 U.S.C. 4332) the Service prepared an Environmental Assessment of alternatives for the management of oversnow vehicle use in Grand Teton National Park. The assessment, which was approved February 14, 1980, contains a full discussion of the various alternatives and the comments received from citizen committees and public meetings during an extended period of public participation.

Limited numbers of the Environmental Assessment with maps showing the proposed snowmobile routes and areas are available by writing to the park

superintendent at the address previously noted.

The Service has determined that this rulemaking is not a "major rule" within the meaning of E.O. 12291 (46 FR 13193; February 19, 1981).

This rule does not contain information collection or record keeping requirements as defined in the Paperwork Reduction Act of 1980 (94 Stat. 2812, 44 U.S.C. 3501 *et seq.*).

The Department of the Interior has determined that this document will not have a significant effect on a substantial number of small entities and does not require a regulatory analysis under the Regulatory Flexibility Act (94 Stat. 1164, 5 U.S.C. 601 *et seq.*).

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

In consideration of the foregoing, it is proposed to amend Part 7 of Title 36 of the Code of Federal Regulations by revising § 7.22, paragraph (i) to read as follows:

§ 7.22 Grand Teton National Park.

* * * * *

(i) *Snowmobiles.* (1) Designated routes to be open to snowmobile use: The Spread Creek Road, the unplowed portion of the Pacific Creek Road, the unplowed portion of the Ditch Creek Road, the Lost Creek Ranch Road, those portions of the unplowed roads connecting with the Shadow (Antelope) Mountain Forest Service Road at Cunningham Cabin, Lost Creek Road and Antelope Flats Road, the unplowed portions of the Moose-Wilson Road, the unplowed portion of the Teton Park Road north of Cottonwood Creek to a line of markers south of Timbered Island to South Jenny Lake Junction and north to Signal Mountain Lodge, except during the period previous to opening of Potholes-Baseline Flats area when the Teton Park Road will be open through to Signal Mountain, the Jenny Lake Loop Road, the Spalding Bay Road, the String Lake Picnic Area Road, the signal Mountain Summit Road, the Signal Mountain Launch Ramp Road, and the Lizard Creek Campground Road.

(2) Designated area open to snowmobile use: The Potholes-Baseline Flats area east of the Teton Park Road north of Cottonwood Creek, north of the Bar BC access road, east of Timbered Island, west of the River Road or as marked at the top of the Snake River Bench, northwest of Timbered Island as marked to the Teton Park Road and bounded on the north by the RKO Road.

(3) Designated water surface: The frozen surface of Jackson Lake.

(4) (i) On roads designated for snowmobile use, only that portion of the road or parking area intended for other motor vehicle use may be used by snowmobiles. Such roadway is available for snowmobile use only when the designated road or parking area is closed to all other motor vehicle use by the public. Where needed, these routes will be marked by signs, snow poles or other appropriate means.

(ii) The Superintendent shall determine the opening and closing dates for use of designated snowmobile routes and areas each year, taking into consideration snow depth adequate to protect vegetation, the location of wintering wildlife, road plowing schedules, and other factors related to public safety or resource protection. The Superintendent shall notify the public of such dates through normal news media channels.

(5) Snowmobile use outside designated routes and areas is prohibited. This prohibition shall not apply to a fire, military, emergency, or law enforcement snowmobile when used for emergency purposes, or administrative travel by employees of the National Park Service, or its contractors and concessioners who have obtained the approval of the superintendent.

(6) The operation of a snowmobile which makes excessive noise is prohibited. Excessive noise for tracked snowmobiles is defined as noise that exceeds 78 decibels and for snowplanes noise that exceeds 86 decibels. Snowplanes operated and registered in the park for the 1970–1971 season are excepted. Measurements are made on the "A" weighted scale in intensity of a sound level meter measured at a distance of not less than 50 feet when the snowmobile or snowplane is being operated at or near full throttle.

* * * * *

(Sec. 3, Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3))

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-5449 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-70-M

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36 CFR Part 7

Herbert Hoover National Historic Site; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The proposed regulation set forth below is necessary to designate the location in the Herbert Hoover National Historic Site where snowmobiles may be used for transportation purposes when that portion of Parkside Drive and its shoulder are covered by snow and ice. It is the objective of this proposed regulation to provide a link between local snowmobile routes situated adjacent to the Herbert Hoover National Historic Site in a way that is consistent with both the snowmobile policy of the National Park Service and the off-road vehicle policy of the Department of the Interior.

DATE: Written comments, suggestions, or objections will be accepted until March 31, 1982.

ADDRESS: Comments should be directed to: Superintendent, Herbert Hoover National Historic Site, P.O. Box 607, West Branch, Iowa 52358.

FOR FURTHER INFORMATION CONTACT: Superintendent, Herbert Hoover National Historic Site, Telephone: (319) 643–2541.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) issued on February 9, 1972, 37 FR 2877, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and, in the case of national parks, not adversely affect scenic, natural, and aesthetic values.

In response to Executive Order 11644, the Secretary of Interior issued a Departmental memorandum on May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by Federal Register notice or special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a Servicewide policy revision which was published in the Federal Register on August 13, 1979 (44 FR 47412). This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for visitors to see, sense, and enjoy the special qualities of the park in the winter. The snowmobiles

must be consistent with the park's natural, cultural, scenic and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage other park resources.

The policy further provides that, where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during other seasons. Routes and water surfaces to be designated for snowmobile use shall be promulgated as special regulations in the Code of Federal Regulations.

This proposed regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in a snowmobile route through Herbert Hoover National Historic Site linking the town of West Branch with Cedar County when weather conditions are such that the roadway shoulder is snow covered. The designated route for snowmobiles will be that portion of Parkside Drive lying between Main Street, West Branch, and Interstate Highway 80, in conformance with State law.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding this proposed regulation to the address noted at the beginning of this rulemaking.

Drafting Information

The following persons participated in the writing of this regulation: Richard Saunders and Ted H. Deets, Herbert Hoover National Historic Site.

Compliance With Other Laws

Pursuant to the National Environmental Policy Act, 42 U.S.C. 4332, the Service has prepared an environmental assessment. Copies of this assessment are available for public review and comment in the office of the park superintendent.

This rulemaking contains no provisions that would entail the collection of information in such manner as would be subject to the Paperwork Reduction Act, 94 Stat. 2812, 44 U.S.C. 3501 *et seq.*

The Service has determined that this rulemaking is not a "major rule" within the meaning of Executive Order 12291, 46 FR 13193 (February 19, 1981), and that this rulemaking would not have a "significant economic effect on a substantial number of small entities," nor will it require the preparation of a regulatory analysis within the meaning of the Regulatory Flexibility Act, 94 Stat. 1164, 5 U.S.C. 601 *et seq.*

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

In consideration of the foregoing, it is proposed to amend Part 7 of Title 36, Code of Federal Regulations, by the addition of a new § 7.60 as follows:

§ 7.60 Herbert Hoover National Historic Site.

(a) *Snowmobiles.* After consideration of existing special situations, i.e., depth of snow, and depending on local weather conditions, the superintendent may permit the use of snowmobiles on the shoulder of the paved motor road known as Parkside Drive between Main Street of West Branch, Iowa, and Interstate Highway 80, which is used by motor vehicle traffic during other seasons in conformance with State law.

(Sec. 3, Act of August 25, 1916, 39 Stat. 535, as amended (16 U.S.C. 3))

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-5451 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-70-M

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36 CFR Part 7

John D. Rockefeller, Jr., Memorial Parkway, Wyoming; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The proposed regulations set forth below are necessary to provide for public snowmobile access to routes of the Parkway in winter that are accessible to vehicles in the summer. These regulations are meant to provide for the preservation and enjoyment of the John D. Rockefeller, Jr. Memorial Parkway in a manner that is consistent with both the snowmobile policy of the National Park Service and the off-road vehicle policy of the Department of the Interior. They are also consistent with proposed snowmobile regulations on the jointly administered Grand Teton National Park and provide for snowmobile access to the South Entrance of Yellowstone National Park.

This will be accomplished by: (1) Restricting the use of snowmobiles to some unplowed roads which are open to motorized vehicles in the summer. (2) Describing in the regulations those roads which are to be open to snowmobiles. (3) Prescribing periods of snowmobile use which are consistent with protection of natural resources and public safety. (4) Providing for certain exceptions for emergency purposes or administrative use. (5) Controlling noise levels of all oversnow vehicles.

DATE: Written comments, suggestions, or objections will be accepted until March 31, 1982.

ADDRESS: Comments should be directed to: Superintendent, Grand Teton National Park, P.O. Box 170, Moose, Wyoming 83012.

FOR FURTHER INFORMATION CONTACT: Rebecca Griffin, Public Information Officer, Grand Teton National Park, Telephone: (307) 733-2880.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) issued in 1972, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife, habitat, and, in the case of national parks, not adversely affect scenic, natural or aesthetic values.

In response to Executive Order 11644, the Secretary of Interior issued a Departmental memorandum on May 5, 1972, to assure full conformance with the order and to provide policies and procedures for its implementation. The Natonal Park Service, as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by **Federal Register** notice or special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, a notice was published in the **Federal Register** of December 23, 1976 (41 FR 55946) designating the area to be open for snowmobile use. This designated area included most of the terrain that had been open to snowmobiles since 1971. John D. Rockefeller, Jr. Memorial Parkway is administered jointly with Grand Teton National Park. The superintendent is responsible for the management of activities such as snowmobiling in both areas.

Because of the amount of response to the **Federal Register** notices for Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway, the normal 30-day public review period was extended to March 6, 1977. The park received nearly 600 letters from

interested individuals and groups. A majority (61 percent) recommended either no snowmobiling be allowed in the park or that snowmobiles be confined to designated routes. Seventy-five percent of those Teton County, Wyoming, residents responding did not favor off-road use of snowmobiles in the park. Very little specific comment was received concerning the John D. Rockefeller, Jr. Memorial Parkway. Separate hearings for the Parkway have not been held.

In August of 1977, the National Park Service appointed a task force to review snowmobile use in all areas of the National Park System and to:

> develop a policy . . . that will clearly state the National Park Service's position on the legitimacy of mechanized oversnow travel in the parks and enable the Superintendents to address the question uniformly.

The task force was formed in response to requests from pro-snowmobiling and anti-snowmobiling interests, both of whom were seeking a uniform policy that would generally eliminate the "discretion" of individual superintendents.

The task force met with various user groups that included the International Snowmobile Industry Association, the International Snowmobile Council, the Sierra Club and the National Parks and Conservation Association. A policy was proposed that, ". . . snowmobiles may be permitted . . . as a mode of transportation . . . (on) Designated routes (to) be established only on existing public roadways and waterways open to motorized vehicles and vessels."

Under the guidelines of this policy, the National Park Service developed a policy on snowmobile use which appeared in the **Federal Register** for public review on December 7, 1978 (43 FR 57352). This policy was similar to that proposed in 1977 in that, "Where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during other seasons." No exemptions to that policy affected the John D. Rockefeller, Jr. Memorial Parkway.

Following public review, the National Park Service published a notice in the **Federal Register** on August 13, 1979, (44 FR 47412) adopting a Servicewide policy that was very similar to the one proposed on December 7, 1978. The policy requires that routes open to snowmobiles be published as special regulations in Part 7 of Title 36, Code of Federal Regulations.

Although the previously designated area permitted snowmobiling on nearly all of the Parkway north and west of the Snake River floodplain, snowmobiles have been confined to the unplowed roads since the adoption of the Service-wide snowmobile policy. These proposed regulations will officially designate and limit snowmobile use to these roads.

Rulemaking for John D. Rockefeller, Jr. Memorial Parkway has been delayed to coincide with proposed snowmobile regulations for Grand Teton National Park. The proposed snowmobile noise restrictions are the same as the noise levels proposed in the amendment to the Grand Teton National Park special regulations contained in 36 CFR 7.22(i).

This proposal differentiates between tracked oversnow vehicles and propeller driven snowplanes. Industry standards for tracked snowmobiles now provide that all vehicles manufactured after February 1974 will not exceed a noise level of 78 decibels. Snowplanes have been used periodically in the area now designated as the Parkway since 1935 and the Service has no desire to eliminate this use.

It is not possible to operate snowplanes efficiently or safely at much less than a noise level of 86 decibels due to a combination of propeller and manifold noise. Therefore, different noise levels are proposed for the two different kinds of oversnow vehicles.

Public Participation

It is the policy of the Department of the Interior, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulations to the address noted at the beginning of this rulemaking.

Drafting Information

The following persons participated in the writing of these regulations: Alan L. Atchison, Chief Park Ranger, Grand Teton National Park; Walter D. Dabney, District Park Ranger, Grand Teton National Park.

Compliance With Other Laws

Pursuant to the National Environmental Policy Act (42 U.S.C. 4332) the Service prepared an Environmental Assessment in 1981 on the Alternatives for Management of Oversnow Vehicle Use in John D. Rockefeller, Jr. Memorial Parkway. Copies of this assessment are available by writing to the Superintendent of Grand Teton National Park at the address previously noted.

Snowmobiling in John D. Rockefeller, Jr. Memorial Parkway was also considered and discussed during the extensive public involvement concerning Grand Teton National Park. However, very few comments received related directly to the Parkway.

The Service has determined that this rulemaking is not a "major rule" within the meaning of E.O. 12291 (46 FR 13191; February 19, 1981).

This rule does not contain information collection or record keeping requirements as defined in the Paperwork Reduction Act of 1980 (94 Stat. 2812, 44 U.S.C. 3501 *et seq.*).

The Department of the Interior has determined that this document will not have a significant effect on a substantial number of small entities and does not require a regulatory analysis under the Regulatory Flexibility Act (94 Stat. 1164, 5 U.S.C. *et seq.*).

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SERVICE

In consideration of the foregoing, it is proposed to amend Part 7 of Title 36 of the Code of Federal Regulations by adding a new § 7.21 to read as follows:

§ 7.21 John D. Rockefeller, Jr., Memorial Parkway.

(a) *Snowmobiles.* (1) Designated routes to be open to snowmobile use:

(i) The Ashton-Flagg Ranch Road between the western boundary of the Parkway and its junction with U.S. Highway 89–287.

(ii) The unplowed portion of U.S. Highway 89–287 between Flagg Ranch and the south boundary of Yellowstone National Park.

(2) On roads designated for snowmobile use, only that portion of the road or parking area intended for other motor vehicle use may be used by snowmobiles. Such roadway is available for snowmobile use only when the designated road or parking area is closed to all other motor vehicle use by the public.

(3) The superintendent shall determine the opening and closing dates for use of designated snowmobile routes each year, taking into consideration the location of wintering wildlife, road plowing schedules and other factors related to public safety or resource protection. The superintendent shall notify the public of such dates through normal news media channels.

(4) Snowmobile use outside designated routes is prohibited. This prohibition shall not apply to a fire, military, emergency, or law enforcement snowmobile when used for emergency purposes, or administrative travel by employees of the National Park Service,

or its contractors and concessioners who have obtained the approval of the superintendent.

(5) The operation of a snowmobile which makes excessive noise is prohibited. Excessive noise for tracked snowmobiles is defined as noise that exceeds 78 decibels and for snowplanes noise that exceeds 86 decibels. Snowplanes operated and registered in the parkway for the 1970–1971 season are excepted. Measurements are made on the "A" weighted scale in intensity of a sound level meter measured at a distance of not less than 50 feet when the snowmobile or snowplane is being operated at or near full throttle.

(Sec. 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3))

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-5447 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-70-M

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36 CFR Part 7

St. Croix National Scenic Riverway, Wisconsin-Minnesota; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The proposed regulations set forth are necessary to designate those locations within the St. Croix National Scenic Riverway where snowmobiles may be used for recreational purposes when the river is frozen. This is that portion normally used during the open water season by motor boats. It is the objective of this proposed regulation to provide for the preservation and enjoyment of the Riverway in a way that is consistent with both the snowmobile policy of the National Park Service and the off-road policy of the Department of the Interior.

DATES: Written comments, suggestions or objections will be accepted until March 31, 1982.

ADDRESS: Comments should be directed to: Superintendent, St. Croix National Scenic Riverway, P.O. Box 708, St. Croix Falls, WI 54024.

FOR FURTHER INFORMATION CONTACT: Gustaf P. Hultman, Superintendent, St. Croix National Scenic Riverway, Telephone: (715) 483–3287.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) issued on February 9, 1972, 37 FR 2877, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and in the case of national parks, not adversely affect scenic, natural, and aesthetic values.

In response to Executive Order 11644, the Secretary of Interior issued a Departmental memorandum on May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by **Federal Register** notice or special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a Servicewide policy revision which was published in the **Federal Register** on August 13, 1979 (44 FR 47412). This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for visitors to see, sense, and enjoy the special qualities of the park in the winter. The snowmobiles must be consistent with the park's natural, cultural, scenic, and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage other park resources.

The policy further provides that, where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during the other seasons. Routes and Water surfaces to be designated for snowmobile use shall be promulgated as special regulation in the Code of Federal Regulations.

This proposed regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in additional recreational opportunities along a portion of the St. Croix National Scenic Riverway when weather conditions are such that the St. Croix River is frozen. The recommended permitted area of snowmobile use will be the frozen river form St. Croix Falls to Highway 35 crossing near Riverside and that section from the Boomsite to Franconia, Minnesota. Operation off the river is prohibited except places where a Township, County, or State road terminates at the river and those locations authorized for such use by the National Park Service which are part of an approved trail system within the riverway boundary.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding this proposed regulation to the address noted at the beginning of this rulemaking.

Drafting Information

The following persons participated in the writing of this regulation: Gustaf P. Hultman, Henry Hughlett, Ron Aldorfer, and Arnold Long, St. Croix National Scenic Riverway.

Compliance With Other Laws

Pursuant to the National Environmental Policy Act, 42 U.S.C. 4332, the Service has prepared an Environmental Assessment. Copies of this Assessment are available for public review and comment in the Office of the Superintendent.

This rulemaking contains no provisions that would entail the collection of information in such manner as would be subject to the Paperwork Reduction Act, 94 Stat. 2812, 44 U.S.C. 3501 *et seq.*

The Service has determined that this rulemaking is not a "major rule" within the meaning of Executive Order 12291, 46 FR 13193 (February 19, 1981), and that this rulemaking would not have a "significant economic effect on a substantial number of small entities," nor will it require the preparation of a regulatory analysis within the meaning of the Regulatory Flexibility Act, 94 Stat. 1164, 5 U.S.C. 601 *et seq.*

PART 7—SPECIAL REGULATIONS AREAS OF THE NATIONAL PARK SERVICE

In consideration of the foregoing, it is proposed to amend Part 7 of Title, 36, Code of Federal Regulations by the addition of paragraph (b) to § 7.9 as follows:

§ 7.9 St. Croix National Scenic Riverway.

* * * * *

(b) *Snowmobiles.* After consideration of existing special situations, i.e. depth of snow or thickness of ice, and depending on local weather conditions, the superintendent may permit the use of snowmobiles on the frozen surface of the St. Croix River to those sections normally used by motor boats during other seasons, between the Boomsite and Franconia, Minnesota, and St. Croix

Falls to Riverside, Wisconsin, and to those areas where county or other established snowmobile trails need to cross the riverway or riverway lands to connect with other established snowmobile trails.

(Sec. 3 of the Act of August 25, 1916, 39 Stat. 535, as amended (16 U.S.C 3))

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-5450 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-70-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 86

[AMS-FRL-2061-4]

Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Revised Gaseous Emission Regulations for 1984 and Later Model Year Light-Duty Trucks and Heavy-Duty Engines; Correction

AGENCY: Environmental Protection Agency.

ACTION: Correction of notice of proposed rulemaking.

SUMMARY: FR Doc. 82-683, published January 13, 1982 at page 1642, under Section V, Comments and the Public Docket, contained the following statement, "* * * Parties who wish to submit information in response to this Notice of Proposed Rulemaking are cautioned that EPA will not consider, but will return to the commenter, any comments which are claimed to be confidential."

EPA has decided that it would be more appropriate to accept and consider such information, and so therefore, by publication of this Correction, changing the Notice of Proposed Rulemaking to allow the submission of confidential information.

EFFECTIVE DATE: This correction is retroactively effective to January 13, 1982, the date of publication of the Notice of Proposed Rulemaking.

FOR FURTHER INFORMATION CONTACT: Mr. Glenn W. Passavant, U.S. Environmental Protection Agency, Emission Control Technology Division, 2565 Plymouth Road, Ann Arbor, MI 48105, Telephone: (313) 668-4408.

SUPPLEMENTARY INFORMATION:

Correction

The section entitled, "*v. Comments and the Public Docket,*" is corrected to read as follows:

"*v. Comments and the Public Docket*

During final rulemaking, EPA will consider all written comments received on or before the 30th day following the public hearing. EPA requests that, to the extent possible, comments be submitted prior to the hearing. EPA will keep the record of the public hearing open for submission of rebuttal and other information following the close of the hearing until the above mentioned date.

Commenters desiring to submit proprietary information should segregate that information from other comments to the greatest extent possible, and label it "Confidential Business Information."

Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2. If no claim of confidentiality accompanies the information when it is received by EPA, it may be made available to the public without further notice to the commenter."

Dated: February 22, 1982.

Kathleen M. Bennett,

Assistant Administrator for Air, Noise and Radiation.

[FR Doc. 82-5388 Filed 2-26-82; 8:45 am]

BILLING CODE 6560-26-M

40 CFR Parts 85 and 86

[AMS-FRL-2016-5]

Averaging of Particulate Emissions From 1985 and Later Model Year Diesel-Fueled Light-Duty Vehicles and Light-Duty Trucks; Correction

AGENCY: Environmental Protection Agency.

ACTION: Correction of notice of proposed rulemaking.

SUMMARY: FR Doc. 81-36707, published December 24, 1981, at page 62614 under section VII, Special Requests for Comments, contained the following statement:

* * * parties who wish to submit information in response to this Notice of Proposed Rulemaking are cautioned that EPA will not consider, but will return to the commenter any comments which are claimed to be confidential.

In response to comments from interested parties at the public hearing on this Notice of Proposed Rulemaking, EPA has decided that it would be more appropriate to accept and consider such information.

EFFECTIVE DATE: This correction is retroactively effective to December 24, 1981, the date of publication of the Notice of Proposed Rulemaking.

FOR FURTHER INFORMATION CONTACT: Mr. F. Peter Hutchins, U.S. Environmental Protection Agency, Emission Control Technology Division, 2565 Plymouth Road, Ann Arbor, MI 48105, (313) 668-4340.

Correction

In the section entitled, SUPPLEMENTARY INFORMATION: *Subsection VII. Specific Requests for Comments is corrected to read as follows:*

VII. Specific Request for Comments

EPA hopes that a wide range of parties will comment on this important rulemaking. Outlined below are a series of items which the Agency would like addressed in comments. While EPA would appreciate comments identified according to items in this request, the outline is not meant to limit comment in any way, and the agency welcomes comments on other issues as well.

Commenters desiring to submit proprietary information should segregate that information from other comments to the greatest extent possible, and label it "Confidential Business Information."

Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2. If no claim of confidentiality accompanies the information when it is received by EPA, it may be made available to the public without further notice to the commenter.

Dated: February 22, 1982.

Kathleen M. Bennett,

Assistant Administrator for Air, Noise and Radiation.

[FR Doc. 82-5389 Filed 2-26-82; 8:45 am]

BILLING CODE 6560-26-M

40 CFR Part 265

[SW-FRL 1999-3]

Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

Correction

In FR. Doc. 82-4900 appearing at page 8307 in the issue for Thursday, February 25, 1982, the following correction should be made. In the text of proposed § 265.314 (f) on page 8313, the compliance date for paragraphs (b) through (e) of that section was stated as "March 29, 1982." This is incorrect. The second sentence of paragraph (f) should be corrected to read as follows:

(f) * * * The date for compliance with paragraphs (b) through (c) of this section is (insert date of publication of the final rule in the **Federal Register**).

BILLING CODE 1505-01-M

Notices

Federal Register
Vol. 47, No. 40
Monday, March 1, 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 40367]

Houston Airlines Fitness Investigation; Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge William A. Kane, Jr. Future communications should be addressed to Judge Kane.

Dated at Washington, D.C., February 23, 1982.

Elias C. Rodriguez,

Chief Administrative Law Judge.

[FR Doc. 82-5423 Filed 2-26-82; 8:45 am]

BILLING CODE 6320-01-M

[Docket 39366]

Julia Vigil-Andrade v. Eastern Air Lines, Inc.; Assignment of Proceeding

This proceeding has been assigned to Chief Administrative Law Judge Elias C. Rodriguez. Future communications should be addressed to him.

Dated at Washington, D.C., February 23, 1982.

Elias C. Rodriguez,

Chief Administrative Law Judge.

[FR Doc. 82-5424 Filed 2-26-82; 8:45 am]

BILLING CODE 6320-01-M

COMMISSION ON CIVIL RIGHTS

Massachusetts 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 Massachusetts Advisory Committee to the Commission will convene at 4:00 p.m., and will end at 6:00 p.m., on April 13, 1982, a the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts, 02110. The purpose of this meeting is to conduct a discussion on the racial situation in Boston schools; the proposed Boston Fair Housing Commission; and affirmative action in the private sector.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Bradford E. Brown, 17 Roberta Jean Circle, Post Office Box 95, East Falmouth, Massachusetts, 02536, (617) 548-5123 or the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts, 02110, (617) 223-4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 23, 1982.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 82-5281 Filed 2-26-82; 8:45 am]

BILLING CODE 6335-01-M

Missouri 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 Missouri Advisory Committee to the Commission will convene at 11:30 a.m., and will end at 1:00 p.m., on March 16, 1982, at the Federal Building, 1521 Market, Room 1612, St. Louis, Missouri, 63103. The purpose of this meeting will be for the Subcommittee on Fair Housing to discuss and plan activities to their recent report.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Joanne M. Collins, 4030 Bellefontaine, Kansas City, Missouri, 64130, (816) 274-1321 or the Central States Regional Office, Old Federal Office Building, 911 Walnut Street, Room 3103, Kansas City, Missouri, 64106, (816) 374-5253.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 23, 1982.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 82-5280 Filed 2-26-82; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Importers and Retailers' and Management-Labor Textile Advisory Committees; Cancellation of Public Meetings

On February 1, 1982 there was published in the **Federal Register** (47 FR 4547) a notice dated January 27, 1982 announcing meetings of the Importers and Retailers' and the Management-Labor Textile Advisory Committees on March 10 at the Department of Commerce.

The purpose of this notice is to announce that those meetings have been cancelled but will be rescheduled for a later date.

Dated: February 25, 1982.

Paul T. O'Day,

Deputy Assistant Secretary for Textiles and Apparel.

[FR Doc. 82-5591 Filed 2-26-82; 9:33 am]

BILLING CODE 3510-25-M

Clear Sheet Glass From Taiwan; Preliminary Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of antidumping finding.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping finding on clear sheet glass from Taiwan. The review covers the three known exporters of this merchandise to the United States and the period August 1, 1980 through July 31, 1981. The review indicates the existence of dumping margins for one exporter.

As a result of this review, the Department has preliminarily determined to require cash deposits equal to the margin for the last shipments by those firms for which information was available. For the firm where information was lacking the Department has used the best information available. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: March 1, 1982.

FOR FURTHER INFORMATION CONTACT: Arthur N. DuBois or John R. Kugelman, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202–377–3814/5289).

SUPPLEMENTARY INFORMATION:

Background

On August 20, 1981, the Department of Commerce ("the Department") published in the **Federal Register** (46 FR 42315) the final results of its first administrative review of the antidumping finding on clear sheet glass from Taiwan (36 FR 16508, August 21, 1971) and announced its intent to conduct the next administrative review by the end of August 1982. As required by section 751 of the Tariff Act of 1930 ("the Tariff Act"), the Department has now conducted that administrative review.

Scope of the Review

The review covers imports of clear sheet glass, which is currently classifiable under items 542.3120 through 542.4835 of the Tariff Schedules of the United States Annotated (TSUSA). The Department knows of three Taiwanese exporters of clear sheet glass to the United States, Hsinchu Glass Works, Inc., Taiwan Glass Corporation, and Yotak Trading Company, Ltd. The review covers the period August 1, 1980 through July 31, 1981. Two firms, Taiwan Glass and Hsinchu Glass, stated that they did not export clear sheet glass to the United States during the period of review. For these firms the estimated duty deposit rate shall be the most recent information for each firm. Since the third firm, Yotak Trading Company, Ltd., failed to respond to our questionnaire, we shall use for this firm the best information available. The best information is the higher of the most recent rates for the other two firms since it is higher than the sole rate calculated during the original fair value investigation.

Preliminary Results of the Review

As a result of our review, we preliminary determine that the following margins exist:

Manufacturer/exporter	Time period	Margin (percent)
Hsinchu Glass Works, Inc	8/1/80–7/31/81	[1]7.0
Taiwan Glass Corporation	8/1/80–7/31/81	[1]1.6
Yotak Trading Company, Ltd	8/1/80–7/31/81	7.0

[1] No shipments during the period.

Interested parties may submit written comments on these preliminary results on or before March 31, 1982, and may request disclosure and/or a hearing on or before March 11, 1982. Any hearing requested will be held 25 days after publication of the notice or the first work day thereafter. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

The Department shall determine, and the U.S. Customs Service shall assess, dumping duties on all appropriate entries with purchase dates during the time period involved. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Further, as provided for in § 353.48(b) of the Commerce Regulations, a cash deposit based upon the margins calculated above shall be required on all shipments by these firms of clear sheet glass from Taiwan entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce regulations (19 CFR 353.53).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

February 22, 1982.

[FR Doc. 82-5446 Filed 2-26-82; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

North Pacific Fishery Management Council and Its Scientific and Statistical Committee and Advisory Panel; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The North Pacific Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94–265), has established a Scientific and Statistical Committee (SSC) and an Advisory Panel (AP) to assist the Council in carrying out its responsibilities under the Act. The Council, its SSC and AP will hold separate meetings and the Council will also meet with the Alaska Board of Fisheries.

DATES: The Council and the Alaska Board of Fisheries will convene at 9 a.m., on Tuesday, March 23, 1982, in the Alaska Room of the Westward Hilton Hotel, Third Avenue at E Street, Anchorage, Alaska. The meeting will continue until approximately 5 p.m., on Friday, March 26, 1982, in the Council's Headquarters Conference Room, 333 West Fourth Avenue, Anchorage, Alaska. The SSC will convene on Monday, March 22, and Tuesday, March 23, 1982, at approximately 9:30 a.m., and will adjourn at approximately 5 p.m., in the Council's Headquarters Office. The AP will convene its meeting on Monday, March 22, 1982, at approximately 9 a.m., and adjourn at approximately 5 p.m., at the Trattoria Room of the Westward Hilton Hotel. The meetings may be lengthened or shortened depending upon progress on the agenda.

Proposed Agenda

Council—A detailed agenda will be sent to the public around March 5, 1982. The Council will hear reports on domestic and foreign fisheries, enforcement and surveillance, and joint venture operations. The Council intends to discuss alternates for SSC members, confirm new AP and SSC officers, make interim appointments to the AP, review the 1982 meeting schedule, and hear a report from the Limited Entry Workgroup. During the meeting the Board will receive public testimony on 1982 proposals for king crab, tanner crab, and troll salmon management. The Council and Board will take final action on proposed 1982 amendments to the Troll Salmon Fishery Management Plan (FMP), which includes alternatives for optimum yield, time and area closures, gear restrictions, reporting requirements, and heads-on requirements. The Council will also discuss further appointments to the Salmon Plan Development Team.

The Council and the Board will also discuss the Bering Sea/Aleutian Islands King Crab FMP and consider king and tanner crab management proposals for 1982. The Alaska Board of Fisheries will establish 1982 state regulations for the king and tanner crab fisheries off Alaska.

The Council plans to take final action on amendment 11 to the Gulf of Alaska Groundfish FMP, which includes proposals to reduce the optimum yield for sablefish; allow only hook and line gear for sable fish east of 140° W; close the sablefish fishery from November 15 to March 15 gulf-wide; open Davidson Bank to foreign longlining; establish domestic reporting requirements, and includes a new method for specifying groundfish domestic annual harvest and establishing reserves. The Council intends to discuss problems with amendment 1 to the Bering Sea/Aleutian Islands Groundfish FMP and the concept

of fishery development zones for areas of heavy fish concentrations traditionally favored by domestic fishermen. The Council will also consider applications from ships of foreign nations to participate in joint ventures off Alaska and various contracts.

SSC and AP: Same as Council.

These meetings are open to the public.

FOR FURTHER INFORMATION CONTACT: North Pacific Fishery Management Council, P.O. Box 3136DT, Anchorage, Alaska 99510, Telephone: (907) 274–4563.

Dated: February 24, 1982.

Jack L. Falls,

Chief, Administrative Support Staff, National Marine Fisheries Service.

[FR Doc. 82-5439 Filed 2-26-82; 8:45 am]

BILLING CODE 3510-22-M

Pacific Fishery Management Council's Anchovy/Jack Mackerel Subpanel; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Pacific Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94–265), has established an Anchovy/Jack Mackerel Subpanel which will meet to discuss a proposed two-stage release of the harvest quota of anchovy for reduction purposes. Information obtained at this meeting will enable the subpanel to formulate a recommendation to the Pacific Council preparatory to releasing the proposal for public review.

DATES: These public meetings will convene on Monday, March 15, 1982, at approximately 10 a.m., and will take place in the Conference Room of the California Department of Fish and Game, 350 Golden Shore, Long Beach, California.

FOR FURTHER INFORMATION CONTACT: Pacific Fishery Management Council, 526 S.W. Mill Street, Portland, Oregon 97201, Telephone: (503) 221–6352.

Dated: February 24, 1982.

Jack L. Falls,

Chief, Administrative Support Staff, National Marine Fisheries Service.

[FR Doc. 82-5438 Filed 2-26-82; 8:45 am]

BILLING CODE 3510-22-M

South Atlantic Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The South Atlantic Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94–265), will meet to discuss the status of the Swordfish Fishery Management Plan (FMP); review the status of the Billfish FMP; discuss the Snapper/Grouper FMP; report on the Coral FMP hearings and review other management plans and Council business as necessary.

DATES: These public meetings will convene on Tuesday, March 23, 1982, at approximately 1 p.m., and will adjourn on Thursday, March 25, 1982, at approximately noon.

ADDRESS: The meetings will take place at the Council's Headquarters Office, One Southpark Circle, Suite 306, Charleston, South Carolina.

FOR FURTHER INFORMATION CONTACT: South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, South Carolina 29407, Telephone: (803) 571–4366.

Dated: February 24, 1982.

Jack L. Falls,

Chief, Administrative Support Staff, National Marine Fisheries Service.

[FR Doc. 82-5437 Filed 2-26-82; 8:45 am]

BILLING CODE 3510-22-M

DEPARTMENT OF DEFENSE

Department of the Army

Army Medical Research and Development Advisory Committee, Subcommittee on Medical Defense Against Chemical Agents; Partially Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Subcommittee meeting:

Name of Committee

United States Army Medical Research and Development Advisory Committee, Subcommittee on Medical Defense Against Chemical Agents.

Date of Meeting

March 22 and 23, 1982.

Time & Place

0900 hrs, Room 14, U.S. Army Medical Research Institute of Chemical Defense, Aberdeen Proving Ground, MD.

Proposed Agenda

This meeting will be open to the public on March 22, from 1300 to 1630 hrs for the administrative review and discussion of the scientific research program of the U.S. Army Medical Research Institute of Chemical Defense. Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), US Code, Title 5 and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on March 22 from 0900–1300 and from 0900–1630 on March 23, 1982 for the review, discussion and evaluation of individual programs and projects conducted by the US Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Richard Lindstrom, US Army Medical Research Institute of Chemical Defense, Aberdeen Proving Ground, MD 21010 (301/671–2833) will furnish summary minutes, roster of Subcommittee members and substantive program information.

Rescission

Notice that appeared in the **Federal Register**, Vol. 47, No. 24, page 5289, February 4, 1982.

Harry G. Dangerfield,

Colonel, MC, Deputy Commander.

[FR Doc. 82-5350 Filed 2-26-82; 8:45 am]

BILLING CODE 3710-08-M

Army Medical Research and Development Advisory Committee; Notice of Cancellation

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463) and AR 15–1, Committee Management, notice of cancellation of a meeting of the Army Medical Research and Development Advisory Committee on March 26, 1982 (47 FR 5288, February 4, 1982) is hereby given.

Due to estenuating circumstances the meeting of the Subcommittee on Blood Preservation and Substitutes was cancelled.

Harry G. Dangerfield,

Colonel, MC, Deputy Commander.

[FR Doc. 82-5349 Filed 2-26-82; 8:45 am]

BILLING CODE 3710-08-M

Privacy Act of 1974; Amendments to and Deletions of Notices for Systems of Records

AGENCY: Army Department, DOD.

ACTION: Proposed deletions of and amendments to notices for systems of records.

SUMMARY: The Department of the Army proposes to delete seven and amend seven system notices for systems of records subject to the Privacy Act of 1974. Following identification of changes in the notices being amended, they are printed in their entirety below.

DATE: Actions shall be effective March 31, 1982, unless public comments are received which result in a contrary determination.

ADDRESS: Public comments may be submitted to Headquarters, Department of the Army, ATTN: DAAG–AMR–R, Room 1146, Hoffman Building 1, Alexandria, VA 22331.

FOR FURTHER INFORMATION CONTACT: Mrs. Dorothy Karkanen, Office of the Adjutant General, at the above address; telephone: (703) 325–6163.

SUPPLEMENTARY INFORMATION: The Department of the Army inventory of systems of records subject to the Privacy Act of 1974, Title 5, United States Code 552a (Pub. L. 93–579; 88 Stat. 1896 *et seq.*) last appeared in the **Federal Register** at:

FR Doc. 82–674 (47 FR 2544) January 18, 1982.

The system notices being amended do not require an altered system report as provided for by 5 U.S.C. 552a(o).

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

February 23, 1982.

DELETIONS

A0403.18DAAG

System name:

Claims Back-up File (44 FR 73810), December 17, 1979.

Reason:

Records are covered by system of records A0403.01aDAJA, U.S. Army Claims Service Management Information System.

A0703.05aDAPC

System name:

ROTC Cadet Application Files (44 FR 73857), December 17, 1979.

Reason:

Records are covered by proposed amended system of records A0703.04aDAPC appearing in this **Federal Register.**

A1012.03cDAPE

System name:

USMAPS Academic Files (44 FR 73956), December 17, 1979.

Reason:

Records are described in proposed amended system of records A1012.01bDAPE appearing in this **Federal Register.**

A1012.04aDAPE

System name:

USMAPS Training Files (44 FR 73964), December 17, 1979.

Reason:

Records are described in proposed amended system of records A1012.01bDAPE appearing in this **Federal Register.**

A1108.05aDAAG

System name:

Postal Personnel Designation Files (44 FR 73980), December 17, 1979.

Reason:

Records are covered by proposed amended system of records A1108.16DAAG appearing in this **Federal Register.**

A1108.18DAAG

System name:

Standing Delivery Order Files (44 FR 73981), December 17, 1979.

Reason:

Records are covered by proposed amended system of records A1108.16DAAG appearing in this **Federal Register.**

A1420.09AMC

System name:

Equipment Operator Permit Register Files (44 FR 74005), December 17, 1979.

Reason:

Records are described in proposed amended system of records A1420.08DARCOM, Equipment Operator Permit and Register Files.

AMENDMENTS

A0101.20aAMC

System name:

Classified Matter Inventory Reporting Files (44 FR 73769), December 17, 1979.

Changes:

System Identification:

Delete "aAMC" and substitute therefor: "DAMI".

System name:

Delete present title and substitute therefor: "Controlled Accountable Document Inventory System".

System location:

After "Document Control Center", delete remainder and substitute: "/ Security Office of Army installations and/or major commands to the extent that classified inventories are directed by the commander. Addresses are listed in the Appendix to the Army inventory of system notices."

Categories of individuals covered by the system:

Change entry to read: "Custodians of classified Defense information."

Categories of records in the system:

Delete entry and substitute therefor: "Custodian's name, Social Security Account Number, and a listing of controlled classified documents for which the custodian is responsible. Records may also include document title, originator, and type and date."

Authority for maintenance of the system:

Delete entry and substitute therefor: "10 U.S.C., section 3012; 5 U.S.C., section 301."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete entry and substitute therefor: "By the Department of the Army to conduct periodic inventory of classified documents and to determine or validate custodian accountablility of those documents."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Change entry to read: "Magnetic tapes and discs, and computer printouts; paper records."

Safeguards:

Change entry to read: "Access is restricted to authorized personnel having a need-to-know and to security officers to verify inventory of classified documents. Information is housed in buildings which are controlled by security guards during non-duty hours."

Retention and disposal:

Change entry to read: "Retained until the next inventory has been completed satisfactorily; is destroyed upon next inventory."

System manager(s) and address:

Delete entry and substitute therefor: "Assistant Chief of Staff for Intelligence, Headquarters, Department of the Army, The Pentagon, Washington, D.C. 20310."

Notification procedure:

Delete entry and substitute therefor: "Individuals who desire to know whether or not this system of records contains information on them should write to the commander of the installation where they believe such information was collected or maintained."

Record access procedures:

Delete entry and substitute therefor: "An individual should write to the commander as indicated under "Notification procedure", and provide his/her name, SSN, date and place of employment, and signature."

Contesting record procedures:

Change entry to read: "The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505)."

Record source categories:

Change entry to read: "From the individual who receipts for classified documents."

A0703.04aDAPC

System name:

ROTC Member File (44 FR 73856), December 17,1979.

Changes:

System Identification:

Delete alphabetical suffix following ".04".

System name:

After "ROTC", insert "Applicant/".

System location:

Delete entry and substitute therefor: "Manual records exist in Office of the Professor of Military Science at civilian educational institutions, in ROTC Regional Offices, and at US Army Military Personnel Center, Alexandria, VA. 22332.

"Automated records are maintained at HQ US Army Training and Doctrine Command, Ft. Monroe, VA. 23651."

Categories of records in the system:

Delete entry and substitute therefor: "Application for appointment, including such personal data as name, Social Security Account Number, date and place of birth, citizenship, home address and telephone, marital status, dependents; transcripts and certificates of education, training, and qualifications; medical examinations; financial assistance documents; awards; ROTC contract; photograph; correspondence between member and the Army or other Federal agencies; letter of appointment in Active Army on completion of ROTC status; security clearance documents. Official documents may include DA Form 131, DA Form 597, DA Form 61, DA Form 873, SF 88 and SF 93, DD Forms 4/1 – 4/4, and DOJ Form I–151 if applicable."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete entry and substitute therefor: "By the Department of the Army (a) in the selection, training, and commissioning of eligible ROTC cadets in the Active Army and Reserve Forces, and (b) for personal management, strength accounting, and manpower management purposes.

"May be disclosed to the Federal Aviation Administration to obtain flight certification/licensing.

"May be disclosed to the Veterans Administration for member Group Life Insurance and/or other benefits."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retention and disposal:

Delete entry and substitute therefor: "DA Form 131 is retained in the ROTC unit for 5 years after cadet leaves the institution or is disenrolled from the ROTC program. Following successful completion of ROTC and academic programs and appointment as a commissioned officer with initial assignment to active duty for training, copy of pp. 1 and 2 will be reproduced and sent to the commandant of individual's basic branch course school.

"Records of rejected ROTC applicants are destroyed. Other records not mentioned in preceding paragraph and in the "Category of records" element above are destroyed if not required to become part of the MPRJ."

Contesting record procedures:

Delete entry and substitute therefor: "The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505)."

Record source categories:

Delete entry and substitute therefor: "From the individual, civilian educational institutions, official Army records addressing entitlement status, medical examination and treatment, security determination, and attendance and training information while an ROTC cadet."

A0726.06DAAG

System name:

Casualty Information System (CIS)

Changes:

System location:

Add: "A manual segment of this system pertaining to Army reserve members not on active duty exists at the US Army Reserve Components Personnel and Administration Center (RCPAC), St. Louis, MO 63132."

Categories of records in the system:

Add: "Manual records include DD Form 1300, notification/certificate of death, and documents pertaining to Servicemen's Group Life Insurance."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Add: "Pertinent data may be disclosed to Office, Servicemen's Group Life Insurance, for payment of insurance to beneficiary."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retention:

Add: "Documents relevant to Servicemen's Group Life Insurance are retained at RCPAC until settlement of insurance claim, after which they are destroyed."

Notification procedures:

Add: "Information relating to Servicemen's Group Life Insurance may be obtained from Commander, US Army Reserve Components Personnel and Administration Center, 9700 Page Boulevard, St Louis, MO 63132."

Record source categories:

Add: "or from next-of-kin who provide notification or certificate of death."

A1012.01bDAPE

System name:

USMAPS Admissions File (44 FR 73943), December 17, 1979.

Changes:

System Identification:

Delete suffix "b".

System name:

Amend to read: "Applicants/Students, US Military Academy Preparatory School, Ft Monmouth, NJ 07703."

System location:

Delete "Office of the Director of Admissions, MAPS–A&R,".

Categories of individuals covered by the system:

After "Applicants", insert "and students,".

Categories of records in the system:

Delete entry; substitute therefor: "Application for admission, high school/college transcripts, Scholastic Aptitude/American College Test/CLEP, GT/Officer Candidate, and related test scores, admissions, evaluation worksheets and correspondence relating to admission, medical history, academic progress/grades and related reports, and relevant information comprising the cadet candidate's attendance and behavior at the school."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete entry and substitute: "By the Department of the Army to evaluate applicant's acceptance and, once admitted, to assess his/her leadership, academic, and physical aptitude potential for the US Military Academy."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Safeguards:

Delete entry and substitute therefor: "Records are stored in locked rooms within building which is secured during non-duty hours, and are available only to authorized persons having an official need for the information."

Retention and disposal:

Delete entry; substitute: "For applicants who are rejected or who choose not to enter the US Military Academy: records are maintained until individual exceeds the age limit for acceptance to the Academy. For applicants who are accepted and enter the US Military Academy, records are retained for 40 years after individual's class graduates from the Academy, following which records are destroyed by burning and/or shredding."

System manager(s) and address:

Delete entry and substitute: "Deputy Chief of Staff for Personnel, Headquarters, Department of the Army, The Pentagon, Washington, DC 20310."

Notification procedure:

Delete entry and substitute: "Individuals wishing to inquire whether this system contains information about them should contact the Commandant, US Military Academy Preparatory School, Ft Monmouth, NJ 07703. Written requests should include the full name, Social Security Account Number, current address and telephone number of the requester, and year(s) of application and/or attendance. For personal visits, the individual should be able to provide acceptable identification such as military, employer, or other individually identifying number, valid driver's license, building pass, etc."

Record access procedures:

Delete entry and substitute therefor: "Individuals desiring access to their records should follow the procedures and provide the information set forth under "Notification procedure".

Contesting record procedures:

Add: "(32 CFR Part 505)."

Record source categories:

Delete entry and substitute: "From the individual, high school/college transcripts, nationally recognized and Army testing services, staff and faculty of the US Military Academy Preparatory School, military supervisors/unit personnel officers."

Systems exempted from certain provisions of the act:

Delete entry and substitute therefor: "Parts of this system which fall within 5 U.S.C., 552a(k) (5) and (7) are exempted from subsection (d) of 5 U.S.C., 552a."

A1015.01aDAAG

System name:

Dependent Children School Program Files (44 FR 73974), December 17, 1979.

Changes:

System location:

In the first paragraph, delete "overseas" after "Army-operated" and "in oversea areas or" following "located".

Categories of individuals covered by the system:

Delete the phrase "in oversea areas or in the US".

Categories of records in the system:

Delete all information; substitute the following: "School files include: enrollment/admission/registration/transfer applications; course preferences/curriculum; health records; attendance registers; academic achievements and report cards reflecting grades/credits earned; aptitude, IQ, and other test results; notes regarding student's special interests, hobbies, activities, sports; counseling documents; high school transcripts and certificates; and related supporting documents."

Authority for maintenance of the system:

Delete entries and substitute therefor: "Section 6, Public Law 81–874."

Routine uses of records maintained in the system, including categories of users, and the purposes of such uses:

Delete entries and add the following: "These records are created and maintained by the Department of the Army to record education provided for eligible dependent children of military and civilian personnel residing on Army bases identified under "System location" pursuant to Public Law 81–874.

"Records may be disclosed to Department of Education in connection with Federal funding for public education.

"Information from the system may be disclosed to Federal and State educational agencies in connection with student's application for financial aid.

"Records may be disclosed to students' parents/legal guardians when Army officials determine bonafide need therefor and disclosure is not otherwise precluded by the Family Educational Rights and Privacy Act of 1974 (The Buckley Amendment), 20 U.S.C. 1232g."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability:

Delete entry; substitute therefor: "By school, school year, and student surname."

Retention and disposal:

Delete entries and substitute the following:.

"Academic records for elementary school students are destroyed at the school attended after 5 years; those for secondary school students are destroyed after 65 years by the Washington National Records Center where such records are retired after graduation/withdrawal of student.

"Individual student health records and test/achievements documents are retained at the local school 1 year for elementary students; 2 years for secondary students, after which they are destroyed.

"Teacher class registers of attendance and scholastic marks and averages are retained at the local school for 5 years; then destroyed."

System manager(s) and address:

After "Army", delete remainder and substitute therefor: "(ATTN: Director of

Education), Hoffman Building 1, Alexandria, VA 22331."

Notification procedure:

Delete entry and substitute: "Individuals who wish to know whether or not this system of records contains information concerning them may write to the principal of the school attended or, if the records have been retired to the Washington National Records Center, to The Adjutant General, Headquarters, Department of the Army (DAAG–AMR–S), Hoffman Building 1, Alexandria, VA 22331. Individuals must furnish full name; name at the time of school attendance, if different; date of birth; identity and location of school attended, dates of attendance; and signature."

Record access procedures:

Delete entry and substitute therefor: "Individuals requesting access to their records must submit a written request either to the principal of the school attended or to The Adjutant General, ATTN: DAAG–AMR–S if records have been retired to the Washington National Records Center. Information required under "Notification procedure" must be furnished. Personal visits may be made if the school retains the record."

Contesting record procedures:

Change entry to read: "The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505)."

Record source categories:

Delete entry and substitute: "Information in this system is provided by individual on whom record is maintained; school teachers, principal, counselors; medical personnel; parents/guardians."

A1108.16DAAG

System name:

Postal Directory Files (44 FR 73981), December 17, 1979.

Changes:

System name:

Delete entry; substitute: "Postal and Mail Service System".

System location:

Delete entry and substitute: "Postal facilities at Army headquarters offices, commands, and installations. Addresses are contained in the appendix to the Army's listing of system notices (44 FR 74011, December 17, 1979)."

Categories of individuals covered by the system:

Delete entry and substitute: "Persons designated as mail agents; military personnel assigned/attached to Army installations who desire mail handling service; standing delivery order agents designated by individuals who desire such service."

Categories of records in the System:

Delete entry and substitute: "DD Form 285 designating Army postal clerks/NCO's/supervisors; locator cards comprising a directory of individuals assigned, en-route, and/or departing given installation showing individual's full name, grade, current mailing address, date of assignment/detachment, and Social Security Number (latter is voluntary); standing delivery order designations of agents to handle individual's mail."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Retention and disposal:

Change entry to read: "Postal personnel designations and designation of mail delivery agents by individuals are destroyed 3 years following termination of individual's duty as such. Directory locator cards are retained for 1 year after individual departs a unit."

Record access procedures:

Change to read: "Written requests should contain individual's full name, rank/grade, Social Security Account Number, and any other information that will assist in locating records. Personal visits may be made; individual must furnish proof of identity."

Contesting record procedures:

Delete entry; substitute: "The Army's rules for accessing records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505)."

Record source categories:

Delete entry; substitute: "From the individual, unit commanders, and Army postal officers."

A1420.08aAMC

System name:

Equipment Operator Permit Files (44 FR 74004), December 17, 1979.

Changes:

System Identification:

Delete "aAMC"; substitute therefor: "DARCOM".

System name:

After "Permit", add "and Register".

Categories of records in the system:

Delete period and add: "and a register of such individuals."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete entries and substitute: "To determine qualifications of individuals and issue authorization for operation of Government equipment described above."

Contesting record procedures:

After "determinations", delete remainder and substitute: "are contained in Army Regulation 340–21 (32 CFR Part 505)."

Notification procedure:

Delete entry and substitute: "Individuals who believe information on them is contained in this system of records should inquire of the Mobility Equipment Examiner at the installation where record is thought to be maintained."

Record source categories:

Delete entry; substitute: "From the individual."

The amended systems of records are set forth below in their entirety.

A101.20DAMI

SYSTEM NAME:

Controlled Accountable Document Inventory System

SYSTEM LOCATION:

Document Control Center/Security Office of Army installations and/or major commands to the extent that classified inventories are directed by the commander. Addresses are listed in the appendix to the Army inventory of system notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Custodians of classified Defense information.

CATEGORIES OF RECORDS IN THE SYSTEM:

Custodian's name, Social Security Account Number, and a listing of controlled classified documents for which the custodian is responsible. Records may also include document title, originator, and type and date.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 3012; 5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

By the Department of the Army to conduct periodic inventory of classified documents and to determine or validate custodian accountability of those documents.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Magnetic tapes, discs, computer printouts; paper records.

RETRIEVABILITY:

Alphabetically by surname and numerically by Social Security Account Number.

SAFEGUARDS:

Access is restricted to authorized personnel having a need-to-know and to security officers to verify inventory of classified documents. Information is housed in buildings which are controlled by security guards during non-duty hours.

RETENTION AND DISPOSAL:

Retained until the next inventory has been completed satisfactorily; is destroyed upon next inventory.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Chief of Staff for Intelligence, Headquarters, Department of the Army, The Pentagon, Washington, DC 20310.

NOTIFICATION PROCEDURE:

Individuals who desire to know whether or not this system of records contains information on them should write to the commander of the installation where they believe such information was collected or maintained.

RECORD ACCESS PROCEDURES:

An individual should write to the commander as indicated under "Notification procedure", and provide his/her name, SSN, date and place of employment, and signature.

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

From the individual who receipts for classified documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

AO703.04DAPC

SYSTEM NAME:

ROTC Applicant/Member Records

SYSTEM LOCATION:

Manual records exist in Office of the Professor of Military Science at civilian educational institutions, in ROTC Regional Offices, and at US Army Military Personnel Center, Alexandria, VA 22332.

Automated records are maintained at HQ US Army Training and Doctrine Command, Ft Monroe, VA 23651.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who apply and are accepted in the Army Reserve Officers Training Corps (ROTC) program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Application for appointment, including such personal data as name, Social Security Account Number, date and place of birth, citizenship, home address and telephone; marital status, dependents; transcripts and certificates of education, training, and qualifications; medical examinations; financial assistance documents; awards; ROTC contract; photograph; correspondence between member and the Army or other Federal agencies; letter of appointment in Active Army on completion of ROTC status; security clearance documents. Official documents include DA Form 131, DA Form 597, DA Form 61, DA Form 873, SF 88 and SF 93, DD Forms 4/1–4/4, and DOJ Form I–151 if applicable.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C., sections 2101–2111.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

By the Department of the Army (a) in the selection, training, and commissioning of eligible ROTC cadets in the Active Army and Reserve Forces and (b) for personnel management, strength accounting, and manpower management purposes.

May be disclosed to the Federal Aviation Administration to obtain flight certification/licensing.

May be disclosed to the Veterans Administration for member Group Life insurance and/or other benefits.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in folders, punched cards, microfilm/fiche, magnetic tape, drum, or disc.

RETRIEVABILITY:

By name, SSN, or ADP parameter of characteristics of qualification or identity.

SAFEGUARDS:

All records are maintained in areas accessible only to authorized personnel who are trained and cleared for duties relating to personnel administration. Insofar as automated records are concerned, each out-line terminal employs users identification and password edits to protect the system from unauthorized access and to restrict each user to specific files and data elements. User identifications and passwords are changed at random times, control data are maintained by the system manager in a sealed envelope in an authorized safe.

RETENTION AND DISPOSAL:

DA Form 131 is retained in the ROTC unit for 5 years after cadet leaves the institution or is disenrolled from the ROTC program. Following successful completion of ROTC and academic programs and appointment as a commissioned officer with initial assignment to active duty for training, copy of pp. 1 and 2 will be reproduced and sent to the commandant of individual's basic branch course school.

Records of rejected ROTC applicants are destroyed. Other records not mentioned in preceding paragraph an in the "Category of records" element above are destroyed if not required to become part of the MPRJ.

SYSTEM MANAGER(S) AND ADDRESS:

Commanding General, U.S. Army Military Personnel Center, 200 Stovall Street, Alexandria, VA 22332.

NOTIFICATION PROCEDURE:

Individuals desiring to know whether or not this system of records contains information on them should inquire of the Professor of Military Science of the civilian educational institution in which the individual is an enrolled ROTC member.

RECORD ACCESS PROCEDURES:

Requests from individuals should be addressed to the official in "Notification procedure", furnishing his/her full name, current address and telephone number, and definitive description of the information sought. For personal visits, the individual must provide commonly used identification such as valid driver's license or personal identification card used in the normal transaction of business.

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

From the individual, civilian educational institutions, oficial Army records addressing entitlement status, medical examination and treatment, security determination, and attendance and training information while an ROTC cadet.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

AO726.06DAAG

SYSTEM NAME:

Casualty Information System (CIS)

SYSTEM LOCATION:

The Adjutant General's Office, Headquarters, Department of the Army, Alexandria, VA., 22331. A manual segment of this system pertaining to Army reserve members not on active duty exists at the U.S. Army Reserve Components Personnel and Administration Center, St. Louis, MO 63132.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Army personnel who are reported as casualties in accordance with Army Regulation 600–10.

CATEGORIES OF RECORDS IN THE SYSTEM:

Computer data base contains information on casualties since 1961 including name, Social Security Number (SSN), date of birth, branch of service, organization, duty Military Occupational Specialty, rank, sex, race, religion, home of record, and other pertinent information related to casualty status. Manual records include DD Form 1300, notification/certificate of death, and documents pertaining to Servicemen's Group Life Insurance.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 302; Pub. L. 93–289.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information from the historical statistical record is used to provide monthly statistics to Army and Defense components of the type, number, place and cause of death of Army members and to respond to public inquiries.

Pertinent data may be disclosed to Office, Servicemen's Group Life Insurance for payment of insurance to beneficiary.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Magnetic tapes, computer printouts, punch cards, and paper records.

RETRIEVABILITY:

By name, SSN.

SAFEGUARDS:

All information is restricted to a secure area in buildings which employ security guards. Computer printouts and magnetic tapes and files are protected by password known only to properly screened personnel possessing special authorization for access.

RETENTION AND DISPOSAL:

Records are permanent. Original DD Form 1300 exists in member's Official Military Personnel File; copy of this form and documents relevant to Servicemen's Group Life Insurance are retained only until settlement of insurance claims, after which they are destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

The Adjutant General, Headquarters, Department of the Army (ATTN: DAAG–PEC), Alexandria, VA 22331.

NOTIFICATION PROCEDURE:

Information may be obtained from the System Manager; information relating to Servicemen's Group Life Insurance may be obtained from the Commander, US Army Reserve Components Personnel and Administration Center, St. Louis, MO 63132.

RECORD ACCESS PROCEDURES:

Written requests should contain the individual's name, current address and telephone number, and should identify the person who is the subject of the inquiry by name, rank and SSN. For personal visits, individual should provide acceptable identification such as valid driver's license, or other normally acceptable business identification.

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determination are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

Casualty reports received from Army field commands or from next-of-kin who provide notification or certificate of death.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

A1012.01DAPE

SYSTEM NAME:

Applicants/Students, US Military Academy Prep School.

SYSTEM LOCATION:

US Military Academy Preparatory School, Ft Monmouth, NJ 07703.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants and students, US Military Academy Preparatory School.

CATEGORIES OF RECORDS IN THE SYSTEM:

Application for admission, high school/college transcripts, Scholastic Aptitude/American College Test/CLEP/GT/Officer Candidate, and related test scores, admissions evaluation worksheets and correspondence relating to admission, medical history, academic progress/grades and related reports, and relevant information comprising the cadet candidate's attendance and behavior at the School.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

By the Department of the Army to evaluate applicant's acceptance and, once admitted, to assess his/her leadership, academic, and physical aptitude potential for the US Military Academy.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records maintained in file folders.

RETRIEVABILITY:

By applicant/student surname.

SAFEGUARDS:

Records are stored in locked rooms within buildings which are secured during non-duty hours, and are available only to authorized persons having an official need for the information.

RETENTION AND DISPOSAL:

For applicants who are rejected or who choose not to enter the US Military Academy: records are maintained until individual exceeds the age limit for acceptance to the Academy. For applicants who are accepted and enter

the US Military Academy, records are retained for 40 years after individual's class graduates from Academy, following which records are destroyed by burning and/or shredding.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Staff for Personnel, Headquarters, Department of the Army, The Pentagon, Washington, DC 20310.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system contains information about them should contact the Commandant, US Military Academy Preparatory School, Ft Monmouth, NJ 07703. Written requests should include the full name, Social Security Account Number, current address and telephone number of the requester, and year(s) of application and/or attendance. For personal visits, the individual should be able to provide acceptable identification such as military, employer, or other individually identifying number, valid driver's license, building pass, etc.

RECORD ACCESS PROCEDURES:

Individuals desiring access to their records should follow the procedures and provide the information set forth under "Notification procedure" above.

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

From the individual, high school/college transcripts, nationally recognized and Army testing services, staff and faculty of the US Military Academy Preparatory School, military supervisors/unit personnel officers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Parts of this system which fall within 5 U.S.C. 552a(k) (5) and (7) are exempted from subsection (d) of 5 U.S.C. 552a.

A1015.01aDAAG

SYSTEM NAME:

Dependent Children School Program Files.

SYSTEM LOCATION:

Currently enrolled students: Army-operated dependents schools located at Ft Benning, GA; Ft Bragg, NC; Ft Campbell, KY; Ft Jackson, SC; Ft Knox, KY; Ft McClellan, AL; Ft Rucker, AL; Ft Stewart, GA; US Military Academy, West Point, NY.

Former students: Washington National Records Center, Washington, DC 20409.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Students in the Army-operated dependents schools located at installations identified in "System location".

CATEGORIES OF RECORDS IN THE SYSTEM:

School files include: enrollment/admission/registration/transfer applications; course preferences/curriculum; health records; attendance registers; academic achievements and report cards reflecting grades/credits earned; aptitude, IQ, and other test results; notes regarding student's special interests, hobbies, activities, sports; counseling documents; high school transcripts and certificates; and related supporting documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 6, Pub. L. 81–874.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS, AND THE PURPOSES OF SUCH USES:

These records are created and maintained by the Department of the Army to record education provided for eligible dependent children of military and civilian personnel residing on Army bases identified under "System location" pursuant to Pub. L. 81–874.

Records may be disclosed to Department of Education in connection with Federal funding for public education.

Information from the system may be disclosed to Federal and State educational agencies in connection with student's application for financial aid.

Records may be disclosed to student's parents/legal guardians when Army officials determine bona fide need therefor and disclosure is not otherwise precluded by the Family Educational Rights and Privacy Act of 1974 (The Buckley Amendment), 20 U.S.C. 1232g.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders.

RETRIEVABILITY:

By school, school year, and student surname.

SAFEGUARDS:

Records are accessible only to authorized personnel having need for the information in the performance of their official duties.

RETENTION AND DISPOSAL:

Academic records for elementary school students are destroyed at the school attended after 5 years; those for secondary school students are destroyed after 65 years by the Washington National Records Center where such records are retired 5 years following student's graduation/withdrawal.

Individual student health records and tests/achievements documents are retained at the local school 1 year for elementary students; 2 years for secondary students, after which they are destroyed.

Teacher class registers of attendance and scholastic marks and averages are retained at the local school for 5 years; then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

The Adjutant General, Headquarters, Department of the Army (ATTN: Director of Education), Hoffman Building 1, Alexandria, VA 22331.

NOTIFICATION PROCEDURE:

Individuals who wish to know whether or not this system contains information concerning them may write to the principal of the school attended or, if the records, have been retired to the Washington National Records Center, to The Adjutant General, Headquarters, Department of the Army (DAAG–AMR–S), Hoffman Building 1, Alexandria, VA 22331. Individuals must furnish full name, name at the time of school attendance if different, date of birth, identify and location of school attended, dates of attendance; and signature.

RECORD ACCESS PROCEDURES:

Individuals requesting access to their records must submit a written request either to the principal of the school attended or to The Adjutant General, ATTN: DAAG–AMR–S if records have been retired to the Washington National Records Center. Information required under "Notification procedure" above must be furnished. Personal visits may be made if the school still retains the record.

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

Information in this system is provided by the individual on whom record is maintained; school teachers, principal, counselors; medical personnel; parents/guardians.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

A1108.16DAAG

SYSTEM NAME:

Postal and Mail Service System

SYSTEM LOCATION:

Postal facilities at Army headquarters offices, commands, and installations. Addresses are contained in the appendix to the Army's listing of system notices (44 FR 74011, December 17, 1979).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons designated as mail agents; military personnel assigned/attached to Army installations who desire mail handling service; standing delivery order agents designated by individuals who desire such service.

CATEGORIES OF RECORDS IN THE SYSTEM:

DD Form 285 designating Army postal clerks/NCO's/supervisors; locator cards comprising a directory of individuals assigned, en-route, and/or departing given installation showing individual's full name, grade, current mailing address, date of assignment/detachment, and social security account number (latter is voluntary); standing delivery order designations of agents to handle individual's mail.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 3012.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

By the Department of the Army to identify persons authorized to perform Army postal functions; to maintain current addresses of persons arriving/departing units for purpose of handling personal mail.

Information may be disclosed to US Postal Service.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Cards, paper records; microfiche.

RETRIEVABILITY:

By individual's surname.

SAFEGUARDS:

Records are located in secured buildings, accessible only to designated persons having an official need for the information.

RETENTION AND DISPOSAL:

Postal personnel designations and designation of mail delivery agents by individuals are destroyed 3 years following termination of individual's duty as such. Directory locator cards are retained for 1 year after individual departs a unit.

SYSTEM MANAGER(S) AND ADDRESS:

The Adjutant General, Headquarters, Department of the Army (ATTN: DAAG–MAO), Hoffman Building 1, 2461 Eisenhower Avenue, Alexandria, VA 22331.

NOTIFICATION PROCEDURES:

Individuals desiring to know whether this system of records contains information concerning them should inquire of the Postal Director at the unit where assigned or employed.

RECORD ACCESS PROCEDURE:

Written requests should contain individual's full name, rank/grade, social security account number, and any other information that will assist in locating records. Personal visits may be made; individual must furnish proof of identity.

CONTESTING RECORD PROCEDURES:

The Army's rules for accessing records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

From the individual, unit commanders, and Army postal officers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

A1420.08DARCOM

SYSTEM NAME:

Equipment Operator Permit and Register Files

SYSTEM LOCATION:

Decentralized to local installation level of the Department of the Army. Official mailing addresses are in the Appendix to the Army inventory of system notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Military and civilian personnel authorized to operate certain categories of Government equipment (generators, air/gas compressors, construction equipment, handling equipment, locomotives, guided missile hydraulic elevators, mobile floating assault bridges, fueled heaters and stoves, amphibious craft, and mine detecting equipment).

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual's permit (SF 46) for operating kinds of equipment in preceding paragraph and a register of such individuals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 3012.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To determine qualifications of individuals and issue authorization for operation of Government equipment described above.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders.

RETRIEVABILITY:

By individual's surname.

SAFEGUARDS:

Records are maintained in buildings protected from unauthorized entry by security guards, in areas accessible only to authorized personnel.

RETENTION AND DISPOSAL:

Destroyed 3 years from date of issue or whenever revoked by proper authority, whichever occurs first.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, U.S. Army Materiel and Readiness Command, ATTN: DRCSF–S, 5001 Eisenhower Avenue, Alexandria, VA 22333.

NOTIFICATION PROCEDURE:

Individuals who believe information on them is contained in this system of records should inquire of the Mobility Equipment Examiner at the installation where record is thought to be maintained.

RECORD ACCESS PROCEDURE:

Individuals should submit a written request to the local installation where record was created, providing full name, Social Security Account Number, date and place assigned when permit was issued, and signature.

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

From the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 82-5277 Filed 2-26-82; 8:45 am]

BILLING CODE 3710-08-M

Availability of Patent Application for Licensing

Pursuant to the provisions of the General Services Administration's temporary licensing regulations, the Department of Army announces that patent application, Serial No. 289,013 filed on July 31, 1981 for "Oral Vaccine for Immunization Against Enteric Disease" is available for licensing.

A copy of the patent application can be obtained from the Chief, Intellectual Property Division, Office of the Judge Advocate General, Department of the Army, Washington, D.C. 20310. Claims are deleted from the patent application to avoid premature disclosure in the event of an interference before the Patent and Trademark Office.

For further information concerning this notice, contact: LTC Neil K. Nydegger, HQDA (DAJA-IP) Pentagon—Room 2D 444, Washington, D.C. 20310, Telephone No. 695-9356.

John O. Roach II,

Army Liaison Officer with the Federal Register.

[FR Doc. 82-5436 Filed 2-26-82; 8:45 am]

BILLING CODE 3710-08-M

Corps of Engineers, Department of the Army

Hickory/Spring Creek Flood Control Project at Joliet, Ill.; Intent To Prepare Draft Environmental Impact Statement

AGENCY: Army Corps of Engineers, DOD.

ACTION: Notice of intent to prepare a draft environmental impact statement (DEIS).

SUMMARY: The Illinois Department of Transportation (IDOT), Division of Water Resources, has applied to the U.S. Army Corps of Engineers for a permit under Section 404 to the Clean Water Act of 1977 in conjunction with their proposed flood control project. IDOT proposes to provide protection from the 100-year flood event for homes and businesses in an 822-acre area in Joliet, Illinois, by means of channel modifications and construction of dry reservoirs on Hickory and Spring Creeks in Will Country, Illinois.

2. In addition to the proposed channel modifications and dry reservoirs, IDOT considered the following alternatives in detail:

a. No Action Alternative—No structural modifications would be made. Floodplain development restrictions and surface runoff controls established by county ordinances would continue.

b. Channel Improvements Only—Portions of Hickory and Spring Creek channels in Joliet would be modified.

3. Public involvement has included issuance of a public notice of an application for a permit for the proposed project. Interested parties and agencies were invited to express their views. Interagency coordination meetings and discussions have also been held. Additional interagency meetings are planned. In additional to coordination with IDOT, coordination has also involved the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and the Illinois Department of Conservation.

4. Significant issues to be analyzed in depth are adverse impacts on fisheries and aquatic habitat, potential mitigation for aquatic habitat losses, destruction of 26.1 acres of wetlands, and mitigation for that destruction.

5. No formal scoping meeting will be held.

6. The DEIS is expected to be available to the public in July 1982.

7. Questions regarding the proposed action and DEIS may be directed to: Keith Ryder, U.S. Army Corps of Engineers, Chicago District, Environmental and Social Analysis Section, 219 South Dearborn Street, Chicago, Illinois 60604 (312/353-6508).

Dated: February 17, 1982.

Christos A. Dovas,

LTC, Corps of Engineers, District Engineer.

[FR Doc. 82-5403 Filed 2-26-82; 8:45 am]

BILLING CODE 3710-HN-M

Department of the Navy

Science and Technology Sub-Panel of the Chief of Naval Operations Executive Panel Advisory Committee; Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Science and Technology Sub-Panel of the Chief of Naval Operations (CNO) Executive Panel Advisory Committee will meet on March 17-18, 1982, from 9 a.m. to 5 p.m. each day, at the Ballistic Missile Defense System Command in Huntsville, Alabama, on the 17th and in Alexandria, Virginia, on the 18th. All sessions will be closed to the public.

The entire agenda for the meeting will consist of discussions of ballistic missile defense systems and SLBM accuracy and related intelligence. These matters constitute classified information that is specifically authorized by Executive order to be kept secret in the interest of national defense and is, in fact, properly classified pursuant to such Executive order. Accordingly, the Secretary of the Navy has determined in writing that the public interest requires that all sessions of the meeting be closed to the public because they will be concerned with matters listed in section 552b(c)(1) of title 5, United States Code.

For further information concerning this meeting, contact: Lieutenant K. M. Cummings, Executive Secretary, CNO Executive Panel Advisory Committee, 2000 North Beauregard Street, Room 392, Alexandria, VA 22311, Phone (703) 756-1205.

Dated: February 24, 1982.

F. N. Ottie,

Lieutenant Commander, JAGC, U.S. Navy, Alternate Federal Register Liaison Officer.

[FR Doc. 82-5359 Filed 2-26-82; 8:45 am]

BILLING CODE 3810-AE-M

Office of the Secretary

Department of Defense Wage Committee; Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, the Federal Advisory Committee Act, notice is hereby given that a meeting of the Department of Defense Wage Committee will be held on Tuesday, April 6, 1982; Tuesday, April 13, 1982; Tuesday, April 20, 1982; and Tuesday, April 27, 1982 at 10:00 a.m. in Room 3D321, the Pentagon, Washington, D.C.

The Committee's primary responsibility is to consider and submit recommendations to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) concerning all matters involved in the development and authorization of wage schedules for federal prevailing rate employees pursuant to Public Law 92-392. At this meeting, the Committee will consider wage survey specifications, wage survey data, local wage survey committee reports and recommendations, and wage schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92-463, meetings may be closed to the public when they are "concerned with matters listed in 5 U.S.C. 552b." Two of the matters so listed are those "related solely to the internal personnel rules and practices of an agency," (5 U.S.C. 552b. (c)(2)), and those involving "trade secrets and commercial or financial information

obtained from a person and privileged or confidential" (5 U.S.C. 552b. (c)(4)).

Accordingly, the Deputy Assistant Secretary of Defense (Civilian Personnel Policy) hereby determines that all portions of the meeting will be closed to the public because the matters considered are related to the internal rules and practices of the Department of Defense (5 U.S.C. 552b (c)(2)), and the detailed wage data considered by the Committee during its meetings have been obtained from officials of private establishments with a guarantee that the data will be held in confidence (5 U.S.C. 552b (c)(4)).

However, members of the public who may wish to do so are invited to submit material in writing to the chairman concerning matters believed to be deserving of the Committee's attention. Additional information concerning this meeting may be obtained by writing the Chairman, Department of Defense Wage Committee, Room 3D264, the Pentagon, Washington, D.C. 20301.

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

February 24, 1982.

[FR Doc. 82-5356 Filed 2-26-82; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

Determination of Applicability of Equal Access to Justice Act

AGENCY: Department of Energy.

ACTION: Notice of determination.

FOR FURTHER INFORMATION CONTACT: Toni E. Moore, Office of General Counsel, Department of Energy, 1000 Independence Avenue SW., Room 6A-211, Washington, D.C. 20585, (202) 252-8618.

TEXT: The Equal Access to Justice Act, Pub. L. No. 96-481, 94 Stat. 2325 (the "Act") provides, among other things, that agencies conducting adversary adjudications shall award attorney fees and other expenses to eligible parties unless it is determined that the Government's position was substantially justified or that special circumstances make an award unjust. "Adversary adjudications" are defined as adjudications under 5 U.S.C. 554 in which the position of the United States is represented by counsel or otherwise. Excluded from the definition, however, are adjudications for the purpose of extablishing or fixing rates or for the purpose of granting or renewing licenses. The Administrative Conference of the United States and the Department of Energy have construed the Act as applying only to proceedings in which hearings under 5 U.S.C. 554 are required by statute. The Act further provides that agencies shall establish uniform procedures for the submission and consideration of applications for an award of fees and other expenses.

After careful review and consideration, the Department has determined that none of the proceedings it presently conducts are adversary adjudications as defined by the Act; consequently, it is not necessary to establish procedures for the submission and consideration of applications for fee awards.

Should the Department conduct such proceedings in the future, it will promulgate procedures in accordance with the Department of Energy Organization Act and the Administrative Procedure Act (5 U.S.C. 551 *et se.*).

Dated: February 19, 1982.

R. Tenney Johnson,

Acting Secretary.

[FR Doc. 82-5292 Filed 2-26-82; 8:45 am]

BILLING CODE 6450-01-M

Intent to Prepare Environmental Impact Statement and Conduct Public Scoping Meetings

AGENCY: Department of Energy (DOE).

ACTION: DOE intends to prepare an Environmental Impact Statement (EIS) assessing the environmental effects of the construction and operation of an electric transmission line crossing the Canadian border. Public scoping meetings are to be held.

SUMMARY: Pursuant to the National Environmental Policy Act and the regulations of the Council on Environmental Quality at 40CFR1501.7, notice is hereby given that the Office of Energy Emergency Operations of the Department of Energy (DOE) intends to prepare an Environmental Impact Statement (EIS) to assess the enviromental implications of a proposed DOE action: to grant (with terms and conditions) or deny a permit authorizing either the Vermont Electric Power Company (VELCO) or the New England Electric Transmission Corporation (NEET) to construct, operate, and maintain facilities at the international border, between the United States and Canada, for the transmission of electric energy between Hydro-Quebec (HQ), a public agency of the Province of Quebec, and the New England Power Pool (NEPOOL), an association of New England utilities.

Written comments on this activity should be addressed to: Garet A. Bornstein, Department of Energy, Office of Energy Emergency Operations, EP-422, Forestal Building, Room GH-034-G, 1000 Independence Avenue, SW., Washington, D.C. 20585, 202-252-1714.

For general information on the EIS process contact: Environmental Compliance Division, Office of Environment, Safety and Health, Office of the Assistant Secretary for Environment, U.S. Department of Energy, Attn: Linda Desell, Forrestal Building, EP-33, 1000 Independence Avenue, SW., Washington, D.C. 20585, 202-252-6374.

DATE: Scoping meetings 1:00 p.m. and 7:00 p.m., March 10, 1982 in St. Johnsbury, Vermont, at The Lincoln Inn, 20 Hastings Street; 1:00 p.m. and 7:00 p.m., March 11, 1982 in Littleton, New Hampshire at the Congregational Church, 198 Main Street. Written comments due: April 30, 1982.

BACKGROUND INFORMATION: On December 11, 1981, VELCO and NEET (a wholly owned subsidiary of the New England Electric System) filed separate applications with the DOE to install and maintain electric power facilities at the border between the United States and Canada for the transmission of electric energy between HQ and NEPOOL. Specifically, VELCO and NEET independently seek authority to construct, connect, and operate the United States portion of high voltage direct current (DC) tranmission circuits extending between an HQ substation located near Sherbrooke, Quebec and a terminal facility at the Comerford Station located in Grafton County, New Hampshire where DC/AC conversion equipment will be installed. The transmission line will employ overhead cable with an ultimate capacity of 2000 megawatts (MW) and will have a design voltage of 450 kilovolts (kV). The VELCO application proposes a transmission line route through Vermont, and the NEET application proposes a route through New Hampshire. Since only one permit for the interconnection between HQ and NEPOOL will be granted by DOE, the two applications essentially represent two different route options for one interconnection permit. HQ will construct and operate all facilities on the Canadian side of the border; VELCO will construct and operate all facilities in Vermont; and NEET will construct and operate all facilities in New Hampshire. The DOE will review and process the two applications concurrently and will prepare one EIS covering the two applications.

Interested agencies, organizations, and other members of the general public desiring to submit written comments or suggestions for consideration in connection with the preparation of this EIS are invited to do so and/or to attend the public scoping meetings which will be held on March 10, 1982 in St. Johnsbury, Vermont and on March 11, 1982 in Littleton, New Hampshire in order to assist DOE in identifying significant environmental issues and the appropriate scope of the EIS. Parties who desire to present oral comments at the scoping meetings should provide advance notice to DOE as described below under Comments and Scoping Meeting. Upon completion of the draft EIS, its availability will be announced in the **Federal Register**, at which time comments will be solicited.

The purpose of the interconnection proposed by VELCO and NEET is to permit the utilities in New England, operating through NEPOOL, to obtain access to and the benefits of Canadian hydroelectric energy. An interconnection would connect the facilities of NEPOOL with those of the HQ system and thereby provide access to HQ's hydroelectric energy located in the Province of Quebec. Both applications contend the interconnection will improve the reliability of both the HQ and NEPOOL systems by permitting emergency energy transfers and by providing mutual backup, and will also permit New England utilities to reduce their consumption of and dependence on oil and thereby achieve significant cost savings for their customers. It is contended by the applicants that operation of the proposed interconnection could relieve the New England utilities of the necessity of installing as much as 500 MW of reserve capacity that would otherwisse have to be constructed for peaking or standby service.

The proposed interconnection potentially will have associated costs which should be weighed against potential benefits, including those associated with the construction of some 60 miles of 450 kV transmission line within the U.S. and with the energy losses in transmission, estimated by the applicants to be less than one percent. The EIS will include an assessment of the costs and risks for the proposed project and its alternatives.

DOE is involved with the proposed interconnection because a Presidential Permit is specifically required for construction, connection, operation and maintenance of electric transmission facilities at an international boundary of the U.S., under Executive Orders No. 10485 and No. 12038. Authority to grant (or deny) such permits has been delegated to the Secretary of Energy. VELCO and NEET, on December 11, 1981, applied independently for permits in connection with the interconnection. DOE has accepted the two parallel applications subject to the supplemental filing of certain materials. One of the actions required of VELCO and NEET prior to a DOE decision is preparation of an Environmental Report.

Preliminary Definition of Environmental Issues

The purpose of this notice is to solicit comments and suggestions for consideration in preparation of the EIS. As background for public comment and suggestions, either written or made orally at one of the scoping meetings, it is useful to list those environmental issues which have been tentatively identified for analysis and assessment in the EIS. This list is not intended to be all-inclusive nor to imply any predetermination of impacts.

Additionally issues for analysis may be identified as the result of public comments.

A. Environmental Issues Associated with Transmission Line Construction

A number of environmental effects could result from construction of the proposed line including:

(1) Temporary disruption of wildlife communities, agricultural production and other land uses along the line route during actual construction;

(2) Permanent removal of tall growing vegetative species from the right of way, and of all vegetation from tower footings, access roads and substation sites;

(3) Temporary socioeconomic perturbations due to the influx of construction workers into sparsely populated areas;

(4) Temporary noise and air pollution resulting from operation of construction equipment and from burning of rights-of-way slash.

B. Environmental Issues Associated with Transmission Line Operation and Maintenance

(1) Continuing limitation on the feasibility or efficiency of some agricultural activities within the right-of-way, particularly of irrigation devices;

(2) Periodic interference with plant and wildlife communities along the rights-of-way, due to the required maintenance activities, particularly vegetation control;

(3) Generation of acoustic noise and electromagnetic interference to radio and television receiption along the rights-of-way;

(4) Possible biological effects such as reduced growth or variability for plant and animal species resident within or in proximity to the rights-of-way;

(5) Possible long term effects due to the use of herbicides for vegetation control;

(6) indirect ecological and socioeconomic effects resulting from easier unauthorized human access to some areas via access roads and rights-of-way, such an increased hunting or use by motorcycles or snowmobiles; and

(7) permanent visual impacts.

C. Other Specific Environmental Issues

A number of other specific environmental issues will be addressed in the EIS. Such issues include:

(1) The possibility of affecting threatened or endangered species or critical habitats for such species;

(2) Identification and review of alternatives to construction within a 100-year flood plain or identified wetland and identification and review of mitigating measures to be taken if it is found that there are no practicable alternatives to construction in a floodplain or wetland;

(3) Possible direct and adverse effects on the values for which a wild scenic or recreational river was established;

(4) Environmental factors relevant to any proposed construction in or over navigable rivers, or to any proposed actions resulting in the discharge of dredge or fill materials into any waters of the U.S.;

(5) Actions having an impact on the continued use and viability of prime and unique farmlands;

(6) Possible effects on sites or properties included on, nominated for, or eligible for inclusion in the National Register of Historic Places, or on historical, architectural or archeological sites of national significance; and

(7) Possible adverse impacts on National Forest lands.

Preliminary Definition of Alternatives

The major purpose of an EIS is to define the reasonable alternatives to the proposed action, and the environmental impacts to be expected from each reasonable alternative. As background for public comments and suggestions concerning reasonable alternatives to be considered, the broad classes of alternatives which have been tentatively identified are described briefly below.

(1) *Proposed Actions by VELCO*, to construct and operate the interconnection as prepared by VELCO which would purportedly reduce the

maximum level of generation required in the New England region and adjoining regions at seasonal peak loads and perhaps the average annual energy generated by the U.S. utilities;

(2) *Proposed Action by NEET*, to construct and operate the interconnection as proposed by NEET which would purportedly reduce the maximum level of generation required in the New England region and adjoining regions at seasonal peak loads and perhaps the average annual energy generated by the U.S. utilities;

(3) *The traditional course of action* of continuing the operation of oil and coal fueled generating plants as necessary to meet load, and the construction of new plants as necessary to satisfy future increases in load;

(4) *Develop and construct new types of generating plants*, for example, driven by sun and wind, which would reduce the need for generation fueled by oil or coal or for future construction of conventional generating plants;

(5) *Load management* by energy storage or conservation, or replacement of some end uses of electricity by other sources of energy, which would reduce seasonal variations in load and total annual electrical energy requirements; and

(6) *Purchases from utilities within the United states* which have differing peaking periods.

Mitigation Alternatives

The environmental impacts which would result from construction and operation of the proposed project would depend on the choice among a number of alternative possibilities as to where, when and how the project was constructed, as well as the choice of alternative maintenance and repair procedures during operation. Tentatively identified groups of alternatives for consideration in the EIS include: (a) design, (b) route selection, (c) construction practices and (seasonal) timing, (d) right-of-way clearing procedures, and (e) right-of-way maintenance practices.

Comments and Scoping Meeting

The scoping meetings will be conducted informally with the presiding officer afforded all interested individuals in attendance an opportunity to speak. A transcript of the meetings will be recorded. The DOE has designated Mr. Garet Bornstein as presiding officer at these meetings. The presiding officer will establish the order of speakers and provide any additional procedures necessary for the conduct of the meetings.

Speakers will be allotted approximately 15 minutes for their oral statements. Should any speaker desire to have additional time or to provide further information for the record, such additional information may be submitted in writing by April 30, 1982. Written comments will be considered and given equal weight with oral comments.

A transcript of the scoping meetings will be retained by DOE and made available for inspection at the Freedom of Information Library, Room 1E–090, Forrestal Bldg., 1000 Independence Avenue, SW., Washington, D.C. 20585, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. In addition, anyone may make scripts.

Draft EIS Schedule and Availability

The draft EIS (DEIS) will be completed by January 1, 1983 at which time its availability will be announced in the **Federal Register** and pubic comment will again be solicited.

Those individuals who do not wish to submit comments or suggestions at this time but who would like to receive a copy of the DEIS for review and comments when it is issued should notify Garet Bornstein at the address given in the prior section.

Copies of the applicants' Environmental Report and other documents to be used in preparation of the DEIS will be made available for public inspection at several public libraries of reading rooms within Vermont and New Hampshire and at other DOE locations throughout the U.S. A notice of the locations for such availability will be provided in the **Federal Register at a later date.**

Issued in Washington, D.C. on Febraury 26, 1982.

Barton R. House,

Deputy Assistant Secretary, Environmental Protection, Safety, and Emergency Preparedness.

[FR Doc. 82-5646 Filed 2-26-82; 10:46 am]

BILLING CODE 6450-01-M

Energy Information Administration

Revision of the Federal Power Commission Form 67

AGENCY: Energy Information Administration, DOE.

ACTION: Notice of the revision of the Federal Power Commission Form 67 and solicitation of comments.

SUMMARY: The Energy Information Administration (EIA) of the Department of Energy (DOE) announces that the Federal Energy Regulatory Commission (FERC), the Environmental Protection Agency (EPA), the Bureau of Economic Analysis of the Department of Commerce, the DOE Office of Nuclear Energy, and the EIA will jointly sponsor for 1 year a revision of the Federal Power Commission (FPC) Form 67, "Steam-Electric Plant Air and Water Quality Control Data." The revision will be renamed EIA–767 and will be managed by the EIA. The EIA–767 differs from the FPC–67 in that data not required by the sponsors have been deleted from the form and the plant reporting threshold has been raised to 100 megawatts.

DATES: Written comments must be submitted within 30 days of the publication of this notice.

ADDRESSES: Comments should be sent to Mr. Jerry M. Eyster at the address listed immediately below.

FOR FURTHER INFORMATION CONTACT: To obtain additional information or copies of the EIA–767, contact: Mr. Jerry M. Eyster, Director, Electric Power Division, Energy Information Administration, Department of Energy, MS–7407, 12th and Pennsylvania Avenue NW., Washington, DC 20461, (202) 633–8798.

SUPPLEMENTARY INFORMATION:

I. Current Action
II. Deleted Data
III. Long-Range Plans

I. Current Action

The EIA announces that the orgnizations named in the summary will jointly sponsor for 1 year a revision of the FPC–67. The form was revised by deleting data not required by the sponsors. It will be renamed EIA–767. After the EIA–767 is approved by the Office of Management and Budget, electric utilities will be required to submit 1981 calendar year data on this form for all their plants that either had during 1981 or are projected to have before 1989 a steam-electric capacity of 100 megawatts or greater. The average respondent burden, defined as the number of person-hours required to complete a form, is 110 hours for the FPC–67. Since this form is currently filed for 973 plants, the total industry burden is 107 thousand hours. Given the reduced amount of data required by the EIA–767, its average respondent burden is estimated to be 92 hours. Given the higher reporting threshold, it is estimated that the EIA–767 will be filed for 779 plants. Thus, the total industry burden for this form should be 72 thousand hours. From their information collection budgets, the EPA, the FERC, and the DOE sponsors will allocate 16,

27, and 29 thousand hours respectively for this form.

II. Deleted Data

The following data on the FPC–67 have been deleted from the EIA–767:

Lines	Part	Page
16 to 18	1	5
10	2	14
7 to 10	2	19
16 to 18	3	21
(Column for the current year's data)	3	22
5 to 15	3	23
(Entire page)	NA	25
7 to 10	4	2
9 to 10	4	8
(Entire page)	4	12
(Entire page)	4	13

III. Long-Range Plans

In order to minimize reporting burden, avoid duplication of effort, and provide a comprehensive source of data, the organizations named in the summary plan to continue their joint sponsorship of EIA.767. However, during 1982 the form will be extensively redesigned. This redesign will be consistent with EIA's objective of minimizing respondent burden by using clear and concise instructions, standard industry definitions, and a simple but flexibile format that is easy to complete and compatible with the records kept by the utilities. The sponsors plan to solicit comments on the redesigned form at a later date. The redesigned form will be used to collect data beginning with calendar year 1982. The EIA will coordinate and manage this redesign, and continue the collection, processing, and distribution of these data.

Issued in Washington, D.C., February 22, 1982.

J. Erich Evered,

Administrator, Energy Information Administration.

[FR Doc. 82-5291 Filed 2-25-82; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

[Docket No. ERA-FC-81-020; OFC Case No. 55096-9211-51-21, 24 56358-9012-02-12]

Order Granting Permanent Exemption From the Prohibitions of the Powerplant and Industrial Fuel Use Act of 1978

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice.

SUMMARY: On July 20, 1981, Federal Paper Board Company, Inc. (FPB), filed a petition with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE), pursuant to section 503.37 of ERA's interim rules governing the cogeneration exemptions (44 FR 28950, May 17, 1979) ("interim rules"), seeking a permanent cogeneration exemption from the prohibitions of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act), which prohibits the use of petroleum or natural gas in new powerplants and the construction of new powerplants without alternate fuel burning capability. At the same time, FPB also sought a temporary public interest exemption for the same cogeneration facility. Additional information requested by ERA was received from FPB on November 9, 1981.

FPB proposes to install a 20.1 megawatt (MW) gas-fired combustion turbine, and a 3.5 MW steam turbine generator to produce electricity as well as hot water and process heat for the company's production process at its Commerce, California facility.

Pursuant to section 212(c) of the Act, and § 503.37 of ERA's interim rules, as revised (46 FR 59872, December 7, 1981) ("final rules"), ERA hereby grants a permanent cogeneration exemption to FPB to permit the use of natural gas or petroleum in the cogeneration facility.

For reasons discussed in ERA's notice of acceptance of FPB's petition (46 FR 44495, September 4, 1981), no further action will be taken on FPB's petition for a temporary public interest exemption for this same facility.

FOR FURTHER INFORMATION CONTACT:

Ellen Russell, Case Manager, Office of Fuels Programs, Economic Regulatory Administration, 2000 M Street, NW, Room 6114, Washington, D.C. 20461, (202) 653–3379

Henry Garson, Office of the General Counsel, Department of Energy, 1000 Independence Avenue, SW., Forrestal Building, Room 6B–178, Washington, D.C. 20585, (202) 252–2967

The public file containing a copy of this final order and other documents and supporting materials on this proceeding are available upon request from DOE, Freedom of Information Reading Room, 1000 Independence Avenue, S.W., Room 1E–190, Washington, D.C. 20585, Monday through Friday, 8:00 a.m.–4:00 p.m., Telephone (202) 252–6020.

SUPPLEMENTARY INFORMATION: In accordance with the procedural requirements of FUA and ERA's regulations, ERA accepted FPB's petition and published notice of its acceptance in the **Federal Register** on September 4, 1981 (46 FR 44495). The notice of acceptance commenced a 45-day public comment period during which interested persons could submit comments on the petition for exemption and could request that a public hearing be convened. This period expired on October 19, 1981. One comment was received, from the California Cogeneration Task Force, encouraging a speedy and favorable determination regarding this and all future cogeneration exemption requests for facilities located in California.

ERA's staff reviewed the information contained in the record of this proceeding and based on that review prepared a Tentative Staff Analysis recommending that FPB be granted a cogeneration exemption, the notice of availability of which was published in the **Federal Register** on January 26, 1982 (47 FR 3582). The period during which ERA would accept comments on the Tentative Staff Analysis expired on February 8, 1982. No comments were received.

ERA has determined that grant of the requested cogeneration exemption does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(c) of the National Environmental Policy Act (NEPA). In accordance with section 212 of FUA, ERA has also determined that FPB has satisfied the eligibility requirements of § 503.37(a)(1) of the interim rules, by demonstrating that the oil or gas to be consumed in the cogeneration facility will be less than that which would otherwise be consumed in the absence of the facility. ERA has determined that the proposed cogeneration facility would result in oil/gas savings of a minimum of 15,733 barrels of oil (or natural gas equivalent) per year. Accordingly, ERA hereby grants FPB's petition for a permanent cogeneration exemption for the afore-described facility to be installed at its Commerce, California plant. The exemption granted by this order shall become effective on April 30, 1982.

Pursuant to section 702(c) of the Act, any person aggrieved by this order may, at any time on or before April 30, 1982, petition for judicial review thereof.

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

James W. Workman,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 82-5422 Filed 2-26-82; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 3211-002]

Power Authority of the State of New York; Application for License (Over 5 MW)

February 26, 1982.

Take notice that the Power Authority of the State of New York (Applicant) filed on December 22, 1982, an application for license (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for construction and operation of a water power project to be known as the Hinckley Project No. 3211. The project would be located on West Canada Creek in Oneida and Herkimer Counties, New York. Correspondence with the Applicant should be directed to: Mr. Thomas R. Frey, General Counsel, 10 Columbus Circle, New York, New York 10019.

Project Description—The proposed project would consist of: (1) A New York State Department of Transportation-operated and maintained dam consisting of earthen embankments 570 and 2600 feet long, both 53 feet high, a non-overflow gravity dam section 65 feet long and 82 feet high, and a 400-foot long spillway, 83 feet high; (2) Hinckley Reservoir, with a surface area of 4.46 square miles and a usable storage capacity of 76,200 acre-feet between spillway crest elevation of 1225 and elevation 1164.5; (3) a new intake structure in the non-overflow gravity section and a new 120-foot long conduit 15 feet in diameter through this section; (4) two 90-foot long power penstocks 10.5 feet in diameter; (5) a new powerhouse approximately 70 feet square containing two 4.5-MW turbine/generator units operating under a head of 63 feet; (6) a new, open trapezoidal tailrace channel 280 feet long and 50 feet wide at the bottom; (7) a short 46-kV transmission line; and (8) appurtenant facilities.

Purpose of Project—The average annual generation of 25,460,000 kWh would be sold to the Applicant's wholesale, industrial or municipal customers.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 6, 1982, either the competing application itself (See 18 CFR 4.33(a) and (d)) or a notice of intent (See 18 CFR 4.33(b) and (c)) to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c) or § 4.101 et seq. (1981).

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5324 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4253-001]

River Street Associates; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

February 25, 1982.

Take notice that on October 9, 1981, River Street Associates (Applicant) filed an application under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended),* for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 4253) would be located on the Nubanusit River in Hillsborough County, New Hampshire. Correspondence with the Applicant should be directed to: Kenneth L. King, River Street, Peterborough, New Hampshire 03458.

Project Description—The proposed project would consist of two run-of-the-river developments:

The Elm Street Site would consist of: (1) An existing dam, 2 feet high and 27 feet long; (2) an impoundment covering less than 0.5 acre with negligible storage; (3) an existing concrete penstock 60 feet long, 8 feet wide and increasing in depth from 3 to 8 feet; (4) an old mill building housing a new 12-kW turbine/generator unit operating under a head of 3 to 5 feet; and (5) the existing 240-volt domestic service line used as a transmission line.

The Bell Mill Site would consist of: (1) An existing dam, 6 feet high and 90 feet long; (2) an impoundment covering 0.75 acre with negligible storage; (3) a new steel penstock 42 inches in diameter and 60 feet long placed inside an old penstock; (4) a small power-plant housing a new 100-kW turbine/generator unit operating under a head of 24 feet; and (4) an existing 50-foot long, 480-volt transmission line.

The total average annual generation of 563,000 kWh would be sold to the Public Service Company of New Hampshire. The Applicant was issued a preliminary permit for a period of 18 months for this site on June 17, 1981.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments. The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the New Hampshire Fish and Game Department are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency

does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 15, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR § 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 15, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5325 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3783-001]

Rocky Brook Electric, Inc.; Application for License (5 MW or Less)

February 25, 1982.

Take notice that Rocky Brook Electric, Inc. (Applicant) filed on January 28, 1982, an application for license (pursuant to the Federal Power Act, 16 U.S.C. 791 (a)–825(r)) for construction and operation of a water power project to be known as the Rocky Brook Project No. 3783. The project would be located on Rocky Brook in Jefferson County, Washington. Correspondence with the Applicant should be directed to: Mr. Joseph B. Clarkson, 460 Duckabush River Road, Brinnon, Washington 98320.

Project Description—The proposed project would consist of: (1) An 8-foot high, 24-foot long steel arch diversion dam; (2) a 500-foot long steel pipe; (3) a surge tank; (4) a 1,230-foot long steel penstock; (5) a powerhouse containing two generating units, one rated at 1,000 kW and one rated at 500 kW; and (6) and underground tranmission line. The average annual energy generation is estimated to be 7 million kWh.

Propose of Project—The energy generated by the project would be sold to a local utility.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, The National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88–29, and other applicable statutes. No other formal request for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Any one desiring to file a competing application must submit to the Commission, on or before May 6, 1982, either the competing application, itself (See 18 CFR 4.33(a) and (d)) or a notice of intent (See 18 CFR 4.33(b) and (c)) to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c) or § 4.101 et. seq. (1981).

Comments, Protest, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but ony those who file petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION," "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5335 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5931-000]

Roseburg Lumber Co.; Application for Preliminary Permit

February 24, 1982.

Take notice that Roseburg Lumber Company (Applicant) filed on February 1, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for Project No. 5931 to be known as the Hatchet Creek Hydroelectric Project located on Hatchet Creek in Shasta County, California. The application is on file

with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Donald O. Prielipp, General Manager, Anderson Division, P.O. Box 697, Anderson California 96007.

Project Description—The proposed project would consist of: (1) A 5-foot high, 40-foot long diversion structure; (2) a 33-inch diameter, 17,000-foot long pipeline/penstock; (3) a powerhouse containing a single generating unit with an installed capacity of 4,300 kW and an estimated average annual energy production of 15 million kWh, and (4) a transmission line. The project will not occupy Federal lands.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a 36-month permit to study the feasibility of the project and to prepare a FERC license application. No new road will be required to conduct the studies.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 7, 1982 the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et. seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981.)

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 7, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 7, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5336 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5945-000]

Shoshone Piute Tribe of the Duck Valley Reservations; Application for Preliminary Permit

February 24, 1982.

Take notice that Shoshone Puite Tribe of the Duck Valley Reservations (Applicant) filed on February 3, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5945 to be known as the Wild Horse Hydroelectric Project located on Owyhee River in Elko County, Nevada within Humboldt National Forest. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. James Paiva, Chairman, Shoshone Piute Tribe of the Duck Valley Reservations, P.O. Box 219, Owyhee, Nevada 89832.

Project Description—The proposed project would consist of: (1) An existing 435-foot long, 75-foot high, double curve concrete arch dam; (2) a 3-foot diameter, 2,000-foot long steel pipeline; (3) a powerhouse containing one generating unit with a total rated capacity of 750 kW; and (4) a 11-mile long transmission line connecting to an existing Idaho Power Company 34.5-kV line. The Applicant estimates a 2.2 million kWh average annual energy production.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested a 36-month permit to prepare a definitive project report including preliminary designs, results of geological, environmental and economic feasibility studies. The cost of aforementioned activities, along with preparation of an environmental impact report, obtaining agreements with the Forest Service and other Federal, State, and local agencies, and preparing a license application is estimated by the Applicant to be $58,000. the market for power will be either Idaho Power Company or Bonneville Power Administration.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commision, on or before June 1, 1982, the competing application itself (see 18 CFR 4.30 et seq. (1981)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 3, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the

Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protest, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 3, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5337 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. RP81-105-004, et al.]

Southern Natural Gas Co., et al.; Filing of Pipeline Refund Reports and Refund Plans

February 23, 1982.

Take notice that the pipelines listed in the Appendix hereto have submitted to the Commission for filing proposed refund reports or refund plans. The date of filing, docket number, and type of filing are also shown on the Appendix.

Any person wishing to do so may submit comments in writing concerning the subject refund reports and plans. All sush comments should be filed with or mailed to the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before March 9, 1982. Copies of the respective filings are on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

APPENDIX

Filing date	Company	Docket No.	Type filing
Jan. 29, 1982	Southern Natural Gas Company	RP81-105-004	LFUT Report.
Jan. 29, 1982	South Georgia Natural Gas Company	RP77-32-013	Report.
Feb. 1, 1982	National Fuel Gas Supply Corporation	RP80-135-016	Report.
Feb. 4, 1982	Southern Natural Gas Company	RP80-102-009	Report.
Feb. 11, 1982	East Tennessee Natural Gas Company	CP80-539-004	Report.

[FR Doc. 82-5310 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-107-000]

Tennessee Gas Pipeline Co., a Division of Tenneco Inc.; Informal Technical Conference

February 23, 1982.

On December 8, 1981, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), filed in Docket No. CP82-107-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing adjustments in the annual volumetric limitations of certain of its small volume customers.

Tennessee stated that a number of its small customers (those with a maximum daily quantity of 5,100 Mcf or less) have requested adjustments of their respective annual volumetric limitations. Tennessee states that its gas supply situation has substantially improved since 1974 when the Commission imposed annual volumetric limitations but not to the extent to justify a wholesale adjustment of annual volumetric limitations on the system generally. However, the application indicates that Tennessee's system gas supply is sufficient to serve the minor volumes of gas requested by these small customers without any significant adverse effect on its obligations to its other customers. Moreover, the volumes requested are small enough to be accommodated within Tennessee's existing capacity. The total of the requested annual volumetric adjustments is approximately 6,200,000 Mcf and that the increases requested by each of the customers represent volumes which would be used solely to serve high-priority requirements falling in Priorities 1 through 4 of Applicant's curtailment plan.

Tennessee has requested that an informal technical conference be convened on this matter.

Take notice that an informal conference in the above-captioned docket will be convened at 10:00 a.m., on March 2, 1982, at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, attendance at the conference will not be deemed to authorized intervention as a party in the proceeding.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5311 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3795-000]

Thermalito Irrigation District and Table Mountain Irrigation District; Application for Preliminary Permit

February 24, 1982.

Take notice that Thermalito Irrigation District and Table Mountain Irrigation District (Applicant) filed on November 26, 1980, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 3795 to be known as the Concow Hydroelectric Project on Concow Creek in Butte County, California, five miles east of Paradise, California. The application is on file with the Commission and is available for public inspection. Correspondence with the

Applicant should be directed to: Mr. Jim Schmidt, Manager, Thermalito Irrigation District, 410 Grand Avenue, Oroville, California 95906.

Project Description—The proposed project would consist of: (1) The existing 97-foot high Concow Dam and the existing Lake Wilenor with a surface area of 280 acres and storage capacity of 8,600 acre-feet, owned and operated by the Applicant; (2) the existing diversion dam just downstream of the Concow Dam diverting some of the release from Concow Dam into the existing Spring Valley Ditch; (3) a wye joining the two existing outlet pipes from the Concow Dam conveying water to the Powerhouse No. 1; (4) the Powerhouse No. 1 with a total installed capacity of 370 kW; (5) improving 9,200 feet of the Spring Valley Ditch; (6) a 2,100-foot long, 3-foot diameter steel penstock; (7) the Powerhouse No. 2 with a total installed capacity of 2,270 kW; (8) a 3-mile long 69-kV transmission line interconnecting with an existing 69-kV PG&E transmission line. The Applicant estimates that the average annual output from Powerhouse No. 1 would be 1.3 million kWh and that from the Powerhouse No. 2 would be 7.95 million kWh.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant a preliminary permit for 36 months during which it would conduct technical, economic, and environmental studies and prepare an FERC license application. No new roads would be required for conducting these studies which are estimated to cost $56,000 by the Applicant.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 3, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et seq. (1981)).

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 3, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 1, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 3, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5338 Filed 2-26-82 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2905-001]

Vermont Public Power Supply Authority; Application for License (5 MW or Less)

February 25, 1981.

Take notice that Vermont Public Power Supply Authority (Applicant) filed on October 7, 1981, an application for license (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for construction and operation of a water power project to be known as Enosburg Falls Hydroelectric Project No. 2905. The project would be located on the Missisquoi River in Franklin County, Vermont. Corrospondence with the applicant should be directed to: Mr. Harland G. Titemore, General Manager, Vermont Public Power Supply Authority, P.O. Box C–5515, 32 Williston Road, Burlington, Vermont 05402. This application was filed during the term of Applicant's preliminary permit for Project No. 2905.

Project Description—The proposed project would consist of: (1) The existing concrete gravity dam 18.5 feet high and 195 feet long; (2) the existing impoundment which has a normal maximum surface area of 121 acres at an elevation of 386.5 feet NGVD, using 2-foot flashboards, a useable storage capacity of 240 acre-feet and a gross storage capacity of 750 acre-feet; (3) the existing intake structure will be enlarged to serve both; (4) the proposed powerhouse adjacent to the existing Village Plant powerhouse and containing one unit with a generating capacity of 2,000 kW; and (5) the existing Village Plant powerhouse containing one existing unit with a generating capacity of 600 kW; (6) the existing tailrace to be enlarged; (7) the existing 5-foot diameter penstock leading from the existing concrete dam to; (8) the existing Kendall Plant powerhouse containing one existing unit with a generator capacity of 150 kW; (9) the existing tailrace at Kendall Plant; and (10) appurtenant facilities. The Applicant estimates that the total annual energy output would be 9,200 MW-Hrs.

Purpose of Project—The energy will be sold to Applicant's Member Utilities. Applicant estimates the project cost would be $3,760,000.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88–29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the

issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 5, 1982, either the competing application itself (See 18 CFR 4.33 (a) and (d)) or a notice of intent (See 18 CFR 4.33 (b) and (c)) to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c) or § 4.101 et seq. (1981).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 5, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5326 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5824-000]

Webster Hydro Electric Co., Inc.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

February 25, 1982.

Take notice that on December 28, 1981, Webster Hydro Electric Company, Inc. (Applicant) filed an application under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed North Village Pond small hydroelectric project (Project No. 5824) would be located on the French River in the Town of Webster, Worcester County, Massachusetts. Correspondence with the Applicant should be directed to: Mr. David W. Wright, P.O. Box 275, Valley Road, South Barre, Massachusetts 01074.

Project Description—The proposed project would consist of: (1) An existing 13-foot foot high, 177.8-foot long concrete ogee-type, spillway dam in two sections, separated by a center pier; (2) an existing 47.1 acre reservoir at elevation 455.26 feet m.s.l.; (3) an existing powerhouse containing two turbines connected to a single 200 kW turbine-generator to be rehabilitated; (5) a transmission line; and (6) appurtenant facilities.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Massachusette Division of Fisheries and Wildlife are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and coniditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications.—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 16, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file a such a license application. Submission of a timely notice of intent allows an interested person to file the completing license applicantion no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 16, 1982.

Filing and Service of Responsive Documents—Any filing must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing

application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5339 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER82-180-000 and ER81-577-000]

Arkansas Power & Light Co.; Order Accepting for Filing and Suspending in Part Revised Rates, Granting Waiver in Part, Granting Intervention, and Consolidating Proceedings

Issued February 19, 1982.

On December 23, 1981, Arkansas Power and Light Company (AP&L) tendered for filing increased rates [1] for firm service to its seven wholesale customers in Arkansas (Arkansas customers) [2] and its three wholesale customers in Missouri (Missouri customers). [3] The proposed rates reflect an increase in AP&L's nuclear plant decommissioning surcharge from 0.06 mills/kWh to 0.114 mills/kWh, and would result in an increase in revenues of approximately $59,540 [4] for the twelve-month period ending October 31, 1981.

AP&L requests waiver of the notice requirements in order to permit the proposed rates to become effective on November 1, 1981, with respect to the Arkansas customers, and on January 30, 1982, with respect to the Missouri customers. In the absence of waiver, AP&L requests an effective date no later than 60 days after filing.

Notice of AP&L's filing was issued on January 4, 1982, with responses due by January 22, 1982. On January 22, 1982, the Arkansas customers filed a petiton to intervene. While the Arkansas customers raise no substantive issues, they state that they may be adversely affected by any Commission decision in this proceeding.

Background

On June 30, 1981, AP&L filed in Docket No. ER81-577-000, a proposed increase in firm service rates to the Arkansas and Missouri customers. AP&L concurrently filed a settlement agreement executed by the Arkansas customers, but not by the Missouri customers, who requested suspension of the filed rates. Both the settlement and non-settlement rates included the 0.06 mills/kWh decommissioning charge referred to above.

On August 28, 1981, the Commission accepted the settlement rates with respect to the Arkansas customers [5] and, pursuant to the settlement agreement, suspended them, without hearing, to become effective on the earlier of the date on which AP&L's pending retail rate increase was approved by the Arkansas Public Service Commission or the date on which the Arkansas Commission authorized AP&L to increase its retail rates subject to refund. As to the Missouri customers, the Commission accepted the non-settlement rates for filing (as modified by summary disposition), suspended them for five months to become effective, subject to refund, on January 30, 1982, and convened a hearing.

Discussion

The Commission finds that participation in this proceeding by the Arkansas customers is in the public interest. Accordingly, their petition to intervene will be granted.

The charge which AP&L seeks to increase in the instant filing is associated with a decommissioning adjustment clause which provides for the collection of an annual revenue requirement related to the decommissioning of AP&L's nuclear plants. The charge is a unit charge per kWh for all energy sold and is determined 2 for each customer class based on that group's contribution to the company's annual system peak. The unit charge is to be reviewed and redetermined on May 1 of each year; over- or under-collections from the prior year are to be applied to reduce or increase the amount collected in the current year.

The calculation of the charge as it applies to the Missouri customers is an issue in AP&L's pending rate proceeding in Docket No. ER81-577-000. With respect to the Arkansas customers, however, the settlement agreement with AP&L in Docket No. ER81-177-000 provides that AP&L will attempt to sychronize the amount and effectiveness of wholesale and retail rate increases. The instant filing is intended to give effect to the settlement agreement, consistent with a change in the charge for retail customers as authorized by the Arkansas Commission. [7] In addition, the Arkansas customers do not object to the redetermined surcharge. Thus, with respect to the Arkansas customers, good cause has been shown to accept the proposed rates for filing, to waive the notice requirements, and to permit the revised rates to become effective as of November 1, 1981, the date on which the corresponding Arkansas retail rates took effect.

As to the Missouri customers, the proposed rates are based on the same methodology and rate design as those at issue in Docket No. ER81-577-000. Inasmuch as the non-settlement rates in that docket are still subject to investigation, we find that the currently proposed rates, as applied to the Missouri customers, have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Accordingly, we shall accept the proposed rates for filing, and suspend them as ordered below.

In a number of suspension orders, [8] we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it might run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results.

Such circumstances have been presented here. With respect to the Missouri customers, we note that AP&L's previously filed rates were suspended for the maximum five month period and that the instant submittal represents only a nominal additional increased in the proposed charge ($4,879). Under these circumstances, we do not believe that another extended suspension is warranted. A nominal suspension and a refund obligation will adequately protect the affected

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[1] *See* Attachment A for rate schedule designations.

[2] Benton Municipal Light & Waterworks, Hope Water & Light Commission, City of North Little Rock, City of Osceola, Prescott Water & Light Plant, Farmers Electric Cooperative Corp., and North Arkansas Electric Cooperative.

[3] The Cities of Campbell and Thayer, and Missouri Utilities Company.

[4] $54,664 is attributable to the Arkansas customers and $4,879 to the Missouri customers.

[5] *Arkansas Power & Light Company*, 16 FERC ¶ 61,150.

[6] The charge is determined under the "Nuclear Decommissioning Revenue Requirement Model" approved by the Arkansas Commission in its Order No. 16 in its Docket No. U-2972.

[7] By order of October 1, 1981, the Arkansas Commission approved a redetermination of the charge for AP&L's retail customers, effective November 1, 1981.

[8] *E.g., Boston Edison Co.*, Docket No. ER80-508 (August 29, 1980) (five month suspension); *Alabama Power Co.*, Docket Nos. ER80-506, *et al.* (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating Co.*, Docket No. ER80-488 (August 22, 1980) (one day suspension).

customers pending the outcome of the hearing. However, we find that good cause has not been shown to waive the notice requirements as to the Missouri customers. Accordingly, the Commission will suspend these rates for one day from 60 days after filing, to become effective, subject to refund, on February 23, 1982.

Because the proceedings in Docket Nos. ER82-180-000 and ER81-577-000 present common questions of law and fact, we shall consolidate these dockets for purposes of hearing and decision.

The Commission orders:

(A) With respect to the Arkansas customers, AP&L's proposed rates are hereby accepted for filing without suspension. Waiver of the notice requirements is granted to permit the proposed rates to become effective as of November 1, 1981.

(B) With respect to the Missouri customers, waiver of notice is denied; the proposed rates are hereby accepted for filing, and are suspended for one day from 60 days after filing to become effective, subject to refund, on February 23, 1982.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and by the Fedeal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning the justness and reasonableness of AP&L's rates for its Missouri customers.

(D) The Arkansas customers' petition to intervene in this proceeding is hereby granted subject to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act; *provided, however,* that participation by such intervenors shall be limited to the matters set forth in their petitions to intervene; and *provided, further,* that the admission of such intervenors shall not be construed as recognition that they might be aggrieved by any order of the Commission in this proceeding.

(E) With respect to the Missouri customers, this proceeding is consolidated with Docket No. ER81-577-000 for purposes of hearing and decision.

(F) The administrative law judge designated to preside in Docket No. ER81-577-000 shall convene a conference at the earliest convenience of the parties for purposes of determining procedures best suited for pursuing the consolidated hearing.

(G) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

Attachment A—Arkansas Power & Light Company, Docket No. ER82-180-000, Rate Schedule Designations

Designation and Other Party

Supplement No. 17 to Rate Schedule FPC No. 45 (supersedes Supplement No. 14), Farmers Electric Cooperative Corp.
Supplement No. 14 to Rate Schedule FPC No. 49 (supersedes Supplement No. 11), City of North Little Rock, Arkansas
Supplement No. 13 to Rate Schedule FPC No. 50 (supersedes Supplement No. 10), Hope Water & Light Commission
Supplement No. 12 to Rate Schedule FPC No. 56 (supersedes Supplement No. 9), City of Prescott, Arkansas
Supplement No. 13 to Rate Schedule FPC No. 60 (supersedes Supplement No. 10), Benton Municipal Light & Water Works
Supplement No. 9 to Rate Schedule FPC No. 62, North Arkansas Electric Cooperative, Inc.
Supplement No. 16 to Rate Schedule FPC No. 63 (supersedes Supplement No. 13), City of Osceola, Arkansas
Supplement No. 8 to Rate Schedule FERC No. 85, Missouri Utilities Company
Supplement No. 6 to Rate Schedule FERC No. 86, City of Thayer, Missouri.
Supplement No. 6 to Rate Schedule FERC No. 90, City of Campbell, Missouri.

[FR Doc. 82-5303 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER81-577-000]

Arkansas Power & Light Co.; Order Denying Rehearing

Issued February 22, 1982.

On September 25, 1981, the Cities of Campbell and Thayer, Missouri (Cities) filed an application for rehearing of the Commission's order issued on August 28, 1981, in this proceeding. In that order the Commission, *inter alia,* found that Arkansas Power and Light Company's (AP&L) proposed fuel clause did not conform to the requirements of § 35.14 of the Commission's regulations,[1] and for reasons there stated, granted waiver of those requirements with respect to AP&L's Arkansas customers, and rejected the proposed fuel clause with respect to AP&L's Missouri customers.[2]

Cities request that the Commission modify its August 28, 1981 order to accept AP&L's originally proposed fuel clause for service to the Missouri customers. In support of its request, Cities state that they do not object to AP&L's proposed fuel clause and that the use of a fuel clause different than that applicable to the Arkansas wholesale customers could result in rate discrimination. Cities further state that virtually the same fuel clause was accepted by the Commission as part of a settlement in a prior AP&L rate case in Docket No. ER 79-339 (order issued May 28, 1980).

Discussion

As explained in the August 28, 1981 order, the Commission accepted the proposed fuel clause for the Arkansas customers as one part of a settlement agreement so as to accommodate the parties' intent that the wholesale fuel clause track the Arkansas retail fuel clause and thereby maintain parity between wholesale and retail rate increases in Arkansas. Such reasoning is not applicable to the Missouri customers. The Missouri customers chose not to enter into the settlement agreement and since they are served in Missouri, we find no evident reason for their fuel clause to track the fuel clause used in Arkansas. Moreover, Cities have offered no proof or explanation in support of the assertion that use of a fuel clause different than that applicable to the Arkansas customers possibly could have discriminatory consequences.

Cities' reliance on the Commission's action in AP&L's prior rate case in Docket No. ER79-339 adds no support for their position. In that case, as in the instant case, the Commission granted waiver of certain requirements of § 34.14 and accepted AP&L's proposed fuel clause to service to its Arkansas wholesale customers, in the context of a settlement, so that parity could be maintained between wholesale and retail rates in Arkansas. The Missouri customers were not involved in that case and, in fact, were not served by AP&L at that time.[3] The Commission's action in Docket No. ER79-339, therefore, cannot serve as precedent for Cities' request for parity between the wholesale fuel clause applicable to

[1] The proposed fuel clause is non-conforming in that it incorporates (1) an estimated replacement cost of energy that is added to nuclear fuel costs during the months in which nuclear generation is operating to offset fuel costs incurred in months when nuclear units are down for refueling, and (2) a net change in capacity equalization revenues reflected in the monthy fuel adjustment calculation *See* 18 CFR 34.14.

[2] The Missouri Customers (*i.e.*, the Cities, and Missouri Utilities Company) were served by the Arkansas-Missouri Power Company (Ark-Mo) until Ark-Mo merged with AP&L on January 1, 1981.

[3] *See* note 2, *supra.*

Missouri customers and the fuel clause used in Arkansas.

For the foregoing reasons, Cities' application for rehearing will be denied.

The Commission orders:

(A) Cities' application for rehearing is hereby denied.

(B) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5304 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3908-001]

Richard Bean and Fred Castagna; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

February 25, 1982.

Take notice that on January 4, 1982, Richard Bean and Fred Castagna (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hyroelectric project (Project No. 3908) would be located on Slate Creek near Lamoine in Shasta County, California. Portions of the project would be located within the Shasta-Trinity National Forest. Correspondence with the Applicant should be directed to: Mr. Fred Castagna, 1646 East Street, Redding, California 96001.

Project Description—The proposed project would consist of: (1) A 6-foot high, reinforced diversion structure at Slate Creek; (2) a reinforced concrete intake structure at Slate Creek; (3) a 48-inch diameter, 1,352-foot long low pressure conduit; (4) a 6-foot high, reinforced concrete diversion structure at South Fork Slate Creek; (5) a reinforced concrete intake structure at South Fork Slate Creek; (6) a 30-inch diameter, 2,760-foot long low pressure conduit; (7) a 60-inch, 12,745-foot long low pressure conduit conveying discharges from the two diversion structures; (8) a transition structure; (9) a 36-inch diameter penstock; (10) a powerhouse with a total installed capacity of 2,710 kW; and (11) a 656-foot long transmission line interconnecting with an existing Pacific Power and Light Transmission line.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the California Department of Fish & Game are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 15, 1982 either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an intersted person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice if intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those whoe file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 15, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5312 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5865-000]

David Cereghino; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

February 26, 1982.

Take notice that on January 7, 1982, David Cereghino (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 5865) would be located on John Day Creek, near Lucile, in Idaho County, Idaho. Correspondence with the Applicant should be directed to: Helen Chenoweth, Vice-President, Consulting Associates, Inc., Post Office Box 893, Boise, Idaho 83701.

Project Description—The proposed project would consist of: (1) a concrete intake structure placed at natural pool at approximate elevation 2,880 feet; (2) a steel penstock 18,500 feet long; (3) a powerhouse containing a turbine generator with 1.1 MW capacity and 6.425 GWh annual energy output; and (4) a transmission line 14 miles long.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Fish and Game Department are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 16, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing license application must conform with the reuirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatroy Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5313 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4702-000]

City of Centralia, Wash.; Application for Preliminary Permit

February 26, 1982.

Take notice that City of Centralia, Washington (Applicant) filed on May 19, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 4702 to be known as the Skookumchuck Dam Project located on the Skookumchuck River in Thurston County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed To: Mr. Bill Moeller, Mayor, City of Centralia, City Hall, Centralia, Washington, 98531.

Project Description—The proposed project would consist of: (1) The existing 540-acre reservoir; (2) the existing 190-foot high Skookumchuck Dam owned by Pacific Power & Light Company; (3) a 1,200-foot long, 9-foot diameter rock tunnel; (4) a powerhouse containing two generating units, each rated at 2.6 MW; and (5) a transmission line. The average annual energy generation is estimated to be 22.9 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would conduct engineering, economic, environmental, and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies. The cost of the work to be done under the permit is $90,000.

Competing Applications—This application was filed as a competing application to Pacific Hydro, Inc. and City of Tenino's application for Project No. 3654 filed on November 3, 1980. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for prelimiary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protest, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protest or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title"COMMENTS",

"PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5314 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5771-000]

The City and County of Denver Board of Water Commissioners; Application for Exemption of Small Conduit Hydroelectric Facility

February 25, 1982.

Take notice that on December 15, 1981, The City and County of Denver Board of Water Commissioners (Applicant) filed an application under Section 30 of the Federal Power Act (Act) [16 U.S.C. Section 823(a)], for exemption of a proposed hydroelectric project from requirements of Part I of the Act. The proposed Foothills Water Treatment Plant Project (FERC Project No. 5771) would be located at the Foothills Water Treatment Plan in Douglas County, Colorado. Correspondence with the Applicant should be directed to: William H. Miller, Manager, Denver Water Department, 1600 West 12th Avenue, Denver, Colorado 80254.

Purpose of Project—Power generated by the proposed project would be utilized by the plant for the operation of equipment, lighting, and heating.

Project Description—The proposed project would consist of: (1) Existing Conduit 26, which transports 125 mgd of raw water into the headworks structure of the Foothills Water Treatment Plant and comprises 18,00 linear feet of 10.5-foot-diameter concrete-lined tunnel and 1,700 linear feet of 10.5-foot-diameter mortar-lined steel pipe; (2) a turbine-generator unit to be located in the headworks structure with a rated capacity of 3,000 kW; and (3) other appurtenances. The plant would produce approximately 11 million kWh of energy per year.

Agency Comments—The U.S. Fish and Wildlife Service and the Colorado Division of Wildlife are requested, pursuant to Section 30 of the Federal Power Act, to submit within 45 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or otherwise carry out the provisions of the Fish and Wildlife Coordination Act. If no comments are filed within this time period, an agency will be presumed to have determined that no terms or conditions to the exemption are necessary. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide any comments they may have in accordance with their duties and responsibilities. Comments are due within 45 days from the date of issuance of this notice. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. One copy of an agency's comments must also be sent to the Applicant's representatives.

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petitions to intervene must be received on or before April 15, 1982. The Commission's address is: 825 North Capitol Street, N.E., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5315 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5768-000]

Commonwealth of Pennsylvania; Application for Preliminary Permit

February 24, 1982.

Take notice that the Commonwealth of Pennsylvania (Applicant) filed on December 15, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5768 to be known as the Little Pine Creek Project located on Little Pine Creek in Lycoming County, Pennsylvania. The Application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Peter S. Duncan, Secretary of Environmental Resources, P.O. Box 1467, Harrisburg, Pennsylvania 17120.

Project Description—The proposed project would utilize the existing Applicant-owned facilities consisting of: (1) A 1,123-foot long and 113-foot high embankment dam with a 300-foot long ogee-type spillway at the left abutment having crest elevation 780 feet m.s.l.; (2) a gated intake structure; (3) a 15-foot diameter concrete conduit enclosing an 8.5 foot diameter steel penstock through the dam; and (4) a reservoir having a surface area of 634 acres and a storage capacity of 24,800 acre-feet at pool elevation 780 feet m.s.l.

Applicant proposes to: (1) Modify the existing penstock outlet structure; and (2) construct a new powerhouse containing a generating unit having a rated capacity of 400-kW at a head of 28 feet and a flow of 210 c.f.s. Applicant estimates that the average annual energy output would be 2,600 MWh.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would expand the existing data base, conduct surveys, and would perform an engineering feasibility study and an economic and environmental assessment of the project. Depending upon the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be $50,000.

Competing Applications—This application was filed as a competing application to United American Hydropower Group's application for Project No. 4883 filed on June 15, 1981. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of

intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for preliminary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations [See: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to invervene must be received on or before April 19, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal, Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5327 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5869-000]

East Lexington Hydro Associates; Application for Preliminary Permit

February 24, 1982.

Take notice that East Lexington Hydro Associates (Applicant) filed on January 12, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5869 to be known as the East Lexington Hydropower Project located on the Maury River near Lexington, in Rockbridge County, Virginia. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Wayne L. Rogers, East Lexington Hydro Associates, 1444 Foxwood Court, Annapolis, Maryland 21401.

Project Description—The proposed project would consist of: (1) An existing 190-foot long and 8-foot high concrete dam; (2) a reservoir with a storage capacity of 15 acre-feet; (3) a proposed powerhouse located at right abutment of the dam; (4) proposed transmission lines; and (5) appurtenant facilities. Applicant estimates the capacity of the proposed project to be 300 kW, and the annual energy output to be 1.2 GWh. Energy produced at the proposed project would be sold to Virginia Electric Power Company.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested a 18-month permit to prepare a project report including preliminary designs, results of hydrological, environmental and economic feasibility studies. The cost of the above activities along with preparation of an environmental impact report, obtaining agreements with Forest Service and other Federal, State, and local agencies, preparing a license application, conducting final field surveys and preparing designs is estimated by Applicant to be $36,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before June 1, 1982, the competing application itself [see: 18 CFR 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before April 30, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 30, 1982.

Filing and Service of Responsive Documents—Any filing must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5328 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5873-000]

Energenics Systems, Inc.; Application for Preliminary Permit

February 26, 1982.

Take notice that Energenics Systems, Inc. (Applicant) filed on January 13, 1982 an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for Project No. 5873 to be known as the Barre Falls Dam Project located on the Ware River in Worcester County, Mass. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., Energenics Systems, Inc., 1727 Q Street, NW., Washington, D.C. 20009.

Project Description—The proposed project would utilize the existing Corps of Engineers' Barre Falls Dam and would consist of: (1) A new powerhouse containing a single generating unit with a rated capacity of .55 MW; (2) an existing 32-Kv transmission line; and (3) appurtenant facilities. The Applicant estimates that the average annual energy output would be 2.7 Gwh. The most likely market or the derived energy is New England Power Company.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorized construction. The term of the proposed preliminary permit is 36 months. The work proposed under the preliminary permit would include economic analysis preparation of preliminary permit engineering plan, and a study of environmental impacts. Based on results of these studies Applicant would decide whether to proceed with more detailed studies, and the preparation of an application for license to contruct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be $30,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before June 7, 1982, the competing application itself [see: 18 CFR 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 6, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION" "COMPETING APPLICATIONS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5316 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5924-000]

Energenics Systems, Inc.; Application for Preliminary Permit

February 24, 1982.

Take notice that Energenics Systems, Inc. (Applicant) filed on January 29, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for Project No. 5924 to be known as the Trenton Dam located on the Republican River in Hitchcock County, Nebraska. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Energenics Systems, Inc., 1727 Q Street, N.W., Washington, D.C. 20009.

Project Description—The proposed project would consist of: (1) A proposed powerhouse with generating units having a total installed capacity of 1 MW; (2) a proposed penstock; (3) proposed 69-kV transmission lines; and (4) appurtenant facilities. The Applicant proposes to utilize an existing dam owned by the U.S. Army Corps of Engineers. The Applicant estimates the average annual energy output would be 3 GWh.

Purposed Scope of Studies Under Permit.—A preliminary permit, if issued, does not authorize construction. ENERGENICS seeks issuance of a preliminary permit for a period of 36 months. During this time the Applicant proposes to conduct studies to determine the engineering, economic and environmental feasibility of the project, along with consulting Federal, State, and local agencies to determine the environmental effects of the project. The Applicant estimates the cost of the studies would be $30,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before June 7, 1982, the competing application itself [see: 18 CFR 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 6, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file

comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5329 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5942-000]

Fairview Orchards Associates; Application for Preliminary Permit

February 24, 1982.

Take notice that Fairview Orchards Associates (Applicant) filed on February 2, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for Project No. 5942 to be known as the Big Branch Project located on the Big Branch Stream in the Town of Mount Tabor, Rutland County, Vermont. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Jr. Jeffrey C. Read, Controller, Fairview Orchards Associates, P.O. Box 307, Hancock, Maryland 21750.

Project Description—The proposed project (a totally new development) would consist of: (1) A new 330-foot long, 6-foot high diversion dam; (2) a reservoir with a total storage capacity of less than 1 acre-foot at elevation 1,230 feet m.s.l.; (3) a new 30 to 36 inch diameter, 7,200-foot long steel penstock; (4) a new powerhouse containing a single 1-MW turbine-generator discharging at elevation 760 feet m.s.l.; (5) a 4,500-foot long, 13.2-kV transmission line; and (6) appurtenant facilities. The project would be located within the Green Mountain National Forest. The project would produce up to 5,760,000 kWh annually. Energy produced at the project would be sold to Central Vermont Public Service Company.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of two years during which time the Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of studies under the permit would be $65,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 3, 1982, the competing application itself or a notice of intent to file such an application [see 18 CFR 4.30 et seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981.]

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 3, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 1, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have not comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 3, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5330 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5312-001]

J. R. Ferguson and Associates, Inc.; Application for License (5 MW or Less)

February 26, 1982.

Take notice that J. R. Ferguson and Associates, Incorporated (Applicant) filed on December 23, 1981, an application for license [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for construction and operation of a water power project to be known as Westfir Water Power Project No. 5312–

001. The project would utilize the existing Westfir diversion dam owned by Westfir Energy Company and would be located on the North Fork of the Middle Fork of the Willamette River in Lane County, Oregon. Correspondence with the Applicant should be directed to: Mr. John Borgardus, J. R. Ferguson and Associates, Incorporated, 35 G Street S., Lakeview, Oregon 97630.

Project Description—The proposed project would consist of: (1) an existing diversion dam with negligible storage; (2) an existing log pond with modified outlet and inlet structures; (3) a 210-foot long, 8-foot diameter steel penstock to the proposed powerhouse 260 feet downstream of the dam; (4) a powerhouse to contain one Kaplan-type generating unit with a rated capacity of 3,000 kW; (5) a tailrace channel for the discharge from the powerhouse to be returned to the river; (6) a transformer, switchyard integral to the powerhouse to stepup from 4.8-kV to 12.0-kV; and (7) a 12-kV tapline to connect to the existing 12-kV nearby distribution line of Lane County Electric Cooperative System.

Purpose of Project—To develop the hydroelectric potential of the site to produce electricity for sale to the Lane County Electric Cooperative System pursuant to the Pacific Northwest Electric Power Planning and Conservation Act. Applicant estimates the project would produce about 14.0 million kWh annually. The total cost of the project is estimated to be $3.30 million.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88–29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 6, 1982, either the competing application itself [see 18 CFR 4.33 (a) and (d)] or a notice of intent [see 18 CFR 4.33 (b) and (c)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c) or 4.101 et seq. (1981).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5317 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5802-000]

John Fiorillo; Application for Preliminary Permit

February 24, 1982.

Take notice that John Fiorillo (Applicant) filed on December 21, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for Project No. 5802 to be known as the Claverack Project located on Claverack Creek in Columbia County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: John Fiorillo, River Road, Chatham, New York 12037, or 275 Central Park West, New York 10024.

Project Description—The proposed project would consist of: (1) the existing concrete gravity dam 12 feet high and 145 feet long, the dam is used to maintain the elevation of the existing natural falls; (2) a reservoir with negligible storage capacity and surface area and a normal water surface elevation of 140 feet msl.; (3) an existing penstock 5 feet in diameter and 15 feet long; (4) a new powerhouse with units having a total generating capacity of 400 kW; and (5) appurtenant facilities. The Applicant estimates the annual energy production would be 1,800,000 kWh. The existing project facilities are owned by Columbia County. Project energy would be sold to Niagara Mohawk Power Corporation.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of three years, during which time the Applicant would perform studies to determine the feasibility of the project. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of the studies under the permit would be $25,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 31, 1982, the competing application itself [see: 18 CFR 4.30 et. seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before April 30, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR § 4.30 et. seq. or § 4.101 et. seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file

comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 30, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION" "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5331 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-307-000]

Florida Power & Light Co.; Filing

February 23, 1982.

The filing Company submits the following:

Take notice that Florida Power & Light Company (FPL) on February 12, 1982, tendered for filing an agreement with Seminole Electric Cooperative, Inc. (Seminole), entitled, "Interconnection Agreement Between Florida Power & Light Company and Seminole Electric Cooperative, Inc." (Agreement). The Agreement includes a Transmission Facilities Use Charge (TFUC) which FPL would charge Seminole to compensate FPL for its cost of building facilities in advance of its construction plans in order to provide Seminole service pursuant to the Agreement.

FPL proposes to place the TFUC into effect on March 1, 1982, and it seeks a waiver of the Commission's Notice requirements. FPL states that it provides no similar service to any wholesale customer and has no comparable rate schedule.

FPL further states that the proposed rate would produce revenues of approximately $232,700.00 during the initial 12 months of service.

According to FPL copies of this filing have been mailed to Seminole and the Florida Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 10, 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. 82-5305 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5707-001]

Albert Grossman; Application for Preliminary Permit

February 26, 1982.

Take notice that Albert Grossman (Applicant) filed on January 18, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5707 to be known as the Diamond Mill Project located on Esopus Creek at Saugerties, in Ulster County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Albert Grossman, c/o Empire State Hydro Corporation, 11 North Pearl Street, Suite 502, Albany, New York 12207.

Project Description—The proposed run-of-the-river project would consist of existing project works including: (1) a 346-foot long, 32-foot high concrete gravity dam owned by the Houseboat Realty Company; (2) at the northwest (left) abutment, a 17.5-foot wide channel with its right wall acting as a side channel spillway; (3) a reservoir with a surface area of 140 acres and 826 acre-feet of storage at spillway crest elevation 46.5 feet m.s.l.; (4) a steel penstock, 6 feet in diameter and 42 feet long, (to be replaced or repaired); (5) a powerhouse, 20 feet wide and 50 feet long (at the left bank of the river below the dam), with an installed capacity of 600 kW; (6) at the right abutment of the main dam, a bypass channel, 15 feet wide and 1,100 feet long, at the head of which would be installed new gates; (7) a new penstock; (8) a new powerhouse with an installed capacity of 2,200 kW; (9) electrical facilities; and (10) other appurtenances. Total estimated annual generation from the project is 9,200,000 kWh, and project energy will be marketed to Central Hudson Gas and Electric Corporation, industrial users, or other utilities.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 18 months during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates that the cost of the studies under permit would be $40,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before June 7, 1982, the competing application itself [see 18 CFR 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 7, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be

obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5318 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5932-000]

Hydro Management, Inc.; Application for Preliminary Permit

February 26, 1982.

Take notice that Hydro Management, Inc. (Applicant) filed on February 1, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5932 to be known as the Crane Creek Project located on Crane Creek on lands within the Flathead National Forest in Lake County, Montana. The application in on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: W. H. Edelman III, President, Hydro Management, Inc., Box 169, Ronan, Montana 59864.

Project Description—The proposed project would consist of: (1) a 3-foot high, 18-foot long diversion structure at elevation 4,650 feet; (2) an 8-inch diameter, 6,000-foot long penstock; (3) a power house at elevation 3,000 feet containing a single generating unit with a rated capacity of 210 kW and an estimated average annual energy production of 1,270 MWh; and (4) a 150-foot long transmission line.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested a 36-month permit, during which time hydrological, geological, financial and engineering feasibility studies will be undertaken, as well as obtaining agreements with the U.S. Forest Service and other Federal, State and local agencies and preparation of a license application. According to the Applicant the estimated cost of the above activities is $2,100.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 7, 1982, the competing application itself, or a notice of intent to file such an application [see: 18 CFR 4.30 et seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981.]

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 7, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 5, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATIONS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5319 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-306-000]

Idaho Power Co.; Notice of Filing

February 23, 1982.

The filing Company submits the following:

Take notice that on February 12, 1982, Idaho Power Company (Idaho), tendered for filing a revised Appendix 1 as required by Exhibit C for retail sales in the State of Idaho and a completed Appendix 1 as required by Exhibit C for retail sales in the State of Oregon, in accordance with the provisions of the Residential Purchase and Sale Agreement (Agreement) between Idaho and the Bonneville Power Administration (BPA).

The Agreement was entered into pursuant to the Pacific Northwest Electric Power Planning and

Conservation Act, PL 96–501. The Agreement provides for the exchange of electric power between Idaho and BPA for the benefit of Idaho's residential and farm customers.

Idaho requests an effective date of January 1, 1982, and therefore requests waiver of the Commission's notice requirements.

A copy of the filing was served upon BPA.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 10, 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. 82–5306 Filed 2–26–82; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 5762–000]

International Paper Co.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

February 25, 1982.

Take notice that on December 14, 1981, International Paper Company (Applicant) filed an application, under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project, Project No. 5762, would be located on the LaChute River in the Village of Ticonderoga, Essex County, New York. Correspondence with the Applicant should be directed to: Mr. Robert McK. Hunziker, International Paper Company, 77 West 45th Street, New York, New York 10036.

Project Description—The proposed project would consist of: (1) the existing D Mill Dam, 12 feet high and approximately 250 feet long, with a spillway section 170 feet long; (2) a small pond covering 2.3 acres with negligible storage; (3) a rehabilitated 112-foot long intake structure at the east end of the dam, with six hand-operated wooden gates; (4) a new steel penstock, nine feet in diameter, above-ground for 2,400 feet and buried for 600 feet; (5) a new reinforced concrete powerhouse, 20 by 37 feet, located in the Village of Ticonderoga's Bicentennial Park, containing one new turbine/generator unit rated at 3,485 kW, operating under a design head of 88 feet; (6) a new substation next to the powerhouse; (7) an existing 115-kV transmission line 2,000 feet long; and (8) appurtenant facilities.

The average annual generation of 16.6 million kWh would be sold to the Niagara Mohawk Power Corporation.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the New York Division of Fish and Wildlife are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its recources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 16, 1982 either the competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS, "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82–5332 Filed 2–26–82; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 5760–000]

International Paper Co.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

February 25, 1982.

Take notice that on December 14, 1982, the International Paper Company (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as*

amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 5760) would be located on the La Chute River, in the Village of Ticonderoga, Essex County, New York. Correspondence with the Applicant, should be directed to: Mr. Robert McK. Hunziker, 77 West 45th Street, New York, New York 10036.

Project description—The proposed run-of-the-river project would consist of: (1) the existing masonry "A Mill" Dam, 7 feet high, 114 feet long, with a main central spillway 58 feet long, with three aluminum slide gates; (2) Lake George, with a surface area of 44 square miles and usable storage of 42,240 acre-feet; (3) a new enclosed 24 by 23-foot reinforced concrete intake structure built into existing retaining wall in the north bank of the head-pond; (4) a new steel penstock, nine feet in diameter, underground for 600 feet from the intake structure, then supported for 1,700 feet by ring girders; (5) a new reinforced concrete powerhouse, 20 by 37 feet, containing one 4,625-kW turbine/generator unit operating under a net head of 124.8 feet; (6) an existing tailrace, 40 feet wide and 330 feet long; (7) a 115-kV transmission line, 5,750 feet long; and (8) appurtenant facilities. The average annual generation of 22.2 million kWh would be sold to the Niagara Mohawk Power Corporation.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the New York State Division of Fish and Wildlife are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representative.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 16, 1982 either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulation to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5320 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5807-000]

Long Lake Energy Corp.; Application for Preliminary Permit

February 24, 1982.

Take notice that Long Lake Energy Corporation (Applicant) filed on December 22, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5807 to be known as the Rochester Upper Falls Project located on the Genessee River in Monroe County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Paul J. Elston, Long Lake Energy Corporation, 330 Madison Avenue, Seventh Floor, New York, New York 10017.

Project Description—The proposed project would consist of: (1) the existing dam which is a series of rolling steel gates supported by concrete piers with a height of 15 feet and a total length of 310 feet. This dam is located at a natural fall; (2) a reservoir having a surface area of 20 acres, a normal maximum pool elevation of 483.0 feet msl and a storage capacity of 100 acre-feet; (3) a new gated intake structure; (4) a new drop shaft lined with concrete with a length of 90 feet and a diameter of 12 feet; (5) a new powerhouse housing units with a total generating capacity of 10 MW; (6) a new tailrace; (7) a new switchyard; (8) a new transmission line with an approximate length of ¼ mile; and (9) appurtenant facilities.

The applicant estimates the annual energy production to be 30,600,000 KWh. The project energy will be sold to Rochester Gas and Electric Corporation. The existing project facilities are owned by the City of Rochester, and Rochester Gas and Electric Corporation.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would investigate project design alternatives, financial feasibility, environmental effect of project construction and operation, and project power potential.

Depending upon the outcome of the studies, the applicant would decide whether to proceed with an application for FERC license. Applicant estimates to cost of the studies under the permit would be $100,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before June 1, 1982, the competing application itself [see: 18 CFR 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 3, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commissions regulations [see; 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 3, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5333 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5878-000]

Ithaca Falls Development Association; Application for License (5 MW or Less)

February 26, 1982.

Take notice that Ithaca Falls Development Association (Applicant) filed on January 15, 1982, an application for license [pursuant to the Federal Pwer Act, 16 U.S.C. 791(a)–825(r)] for construction and operation of a water power project to be known as the Ithaca Falls Project No. 5878. The project would be located on Fall Creek at Ithaca, in Tompkins County, New York. Correspondence with the Applicant should be directed to: Wayne L. Rogers, Ithaca Falls Development Association, 1444 Foxwood Court, Annapolis, Maryland 21401.

Project Description—The proposed run-of-the-river project would consist of: (1) an existing arch dam, 65 feet long and 8 feet high; (2) an existing reservoir of negligible storage at spillway crest elevation 540 feet m.s.l.; (3) a reinforced-concrete intake structure modifying the existing intake structure; (4) a new 60-inch diameter steel penstock, 1,065 feet long; (5) a new concrete powerhouse 30 feet wide and 60 feet long with an installed capacity of 1,750 kW (estimated average annual generation is 8,000,000 kWh); (6) a new transmission line, rated at 8 kV, 150 feet long; and (7) other appurtenances.

Purpose of Project—Project energy will be sold to the New York State Electric & Gas Corporation.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88–29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 6, 1982, either the competing application itself [See 18 CFR 4.33(a) and (d)] or a notice of intent [See 18 CFR 4.33(b) and (c)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c) or § 4.101 et seq. (1981).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative

of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5321 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5846-000]

Maury Hydro Associates; Application for Preliminary Permit

February 24, 1982.

Take notice that Maury Hydro Associates (Applicant) filed on January 4, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5846 to be known as the Maury Hydropower Project located on the Maury River near Lexington in Rockbridge County, Virginia. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Wayne L. Rogers, Maury Hydro Associates, 1444 Foxwood Court, Annapolis, Maryland 21401.

Project Description—The proposed project would consist of: (1) an existing 430-foot long and 16-foot high masonry dam; (2) a small reservoir; (3) a proposed powerhouse located at the left abutment of the dam; (4) proposed transmission lines; and (5) appurtenant facilities. Applicant estimates the capacity of the proposed project to be 600 kW, and the annual energy output to be 2.4 GWh. Energy produced at the proposed project would be sold to the Virginia Electric Power Company.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested an 18-month permit to prepare a definitive project report, including preliminary design and economic feasibility studies, hydrological studies, environmental and social studies, and soils and foundation data. The cost of the aforementioned activities along with obtaining agreements with other Federal, State and local agencies is estimated to be $36,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 31, 1982, the competing application itself [see: 18 CFR § 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before April 30, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [See: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 30, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5334 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5912-000]

Moosehead Manufacturing Co.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capaity

February 25, 1982.

Take notice that on January 25, 1982, (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 5912) would be located on the Piscataquis River in Piscataquis County, in Dover-Foxcroft, Maine. Correspondence with the Applicant should be directed to: Mr. Wayne O. Huff, Moosehead Manufacturing Company, Chapin Avenue, Box 285, Monson, Maine 04464.

Project Description—The proposed project would consist of: (1) an existing 12-foot high, 150-foot long reinforced concrete dam; (2) an existing 30-acre pond with little or no usable storage; (3) an existing powerhouse containing two existing Holyoke Turbines to be overhauled and connected to a new single induction generator with a total rated capacity of 300 kW; (4) an existing fishway; (5) an existing transmission line and substation; and (6) appurtenant facilities. Energy produced at the project would be sold to Central Maine Power Company. The project is owned by the town of Dover-Foxcroft and is to be leased by the Applicant. This application competes with an application for minor license at the upper dam of a two-dam development filed by Mr. Charles MacArthur on November 4, 1981, as FERC Project No. 5613-000.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the State of Maine Department of Inland Fisheries and Wildlife and the Department of Marine Resources are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the

project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none.

Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 16, 1982 either the competing license application that proposed to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before April 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5322 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

Project No. 5930-000

Nevada Irrigation District; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

February 26, 1982.

Take notice that on February 1, 1982, Nevada Irrigation District (Applicant/NID) filed an application, under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705, and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 5930) would be located on Deer Creek near Nevada City in Nevada County, California. Correspondence with the Applicant should be directed to: Mr. Frederick G. Bandy, General Manager, Nevada Irrigation District, P.O. Box 1019, Grass Valley, California 95945.

Project Description—The proposed project would consist of: (1) the NID's existing 175-foot high earthfill dam, forming; (2) the existing NID's Scotts Flat Reservoir with a usable storage capaicty of 48,500 acre-feet at elevation 2,925 feet (m.s.l.); (3) an existing intake structure within the reservoir; (4) an existing 751-foot long, 66-inch diameter tunnel; (5) an existing 600-foot long, 36-inch diameter penstock; (6) a proposed powerhouse at the existing outlet, containing a single generating unit with a rated capacity of 825 kW; and (7) appurtenant facilities.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the California Department of Fish and Game are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before April 16, 1982 either the competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments,

protests, or petitions to intervene must be received on or before April 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION" "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5323 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER81-645-000 and ER81-646-000]

New England Power Co.; Technical Conference

February 23, 1982.

Take notice that on March 3, 1982 an informal technical conference in the above-captioned case will be held at 10 a.m. in Room 406, 400 First Street, NW., Washington, D.C.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5307 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER80-557]

Philadelphia Electric Co.; Refund

February 23, 1982.

The filing Company submits the following:

Take notice that on February 11, 1982, Philadelphia Electric Company filed a refund report pursuant to the Commission's letter of December 11, 1981.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before March 11, 1982. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5308 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER80-558]

Philadelphia Electric Co.; Refund

February 23, 1982.

The filing Company submits the following:

Take notice that on February 11, 1982, Philadelphia Electric Company filed a refund report pursuant to the Commission's letter of December 11, 1981.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before March 11, 1982. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5309 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 23, 1982.

JD NO	JA KT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION								
-ADA OIL EXPLORATION CORP		RECEIVED: 02/03/82 JA: TX						
8216861	F-03-029711	4205130818	102-2		BIRCH CREEK PARK #1	GIDDINGS	182.5	PHILLIPS PETROLEU
8216873	F-03-031436	4205130896	102-2		NEWMAN-GERDES #2	GIDDINGS	100.0	PHILLIPS PETROLEU
-ALAMO RESOURCES INC		RECEIVED: 02/03/82 JA: TX						
8216954	F-03-038435	4205100000	102-2		ZAVODNY-SKRIVANEK UNIT #1	GIDDINGS	0.0	FERGUSON CROSSING
-AMERADA HESS CORPORATION		RECEIVED: 02/03/82 JA: TX						
8216988	F-8A-039329	4203330567	103		W ED MURPHY (RA) #11	VON ROEDER-WOLFCAMP	17.1	MONSANTO CO
-ANDERSON PETROLEUM INC		RECEIVED: 02/03/82 JA: TX						
8217013	F-7C-040500	4243532504	103	107-TF	GUY WYATT ASKEW 2-44	SAWYER (CANYON)	100.0	SUTTON COUNTY PIP
8217012	F-7C-040494	4243532518	103	107-TF	GUY WYATT ASKEW 4-44	SAWYER (CANYON)	100.0	SUTTON COUNTY PIP
-ANNIE MAE WOODRUFF		RECEIVED: 02/03/82 JA: TX						
8216903	F-7B-036220	4209300000	103		LEE #3	BEATTIE N (MARBLE FAL	54.0	SOUTHWESTERN GAS
-ARKANSAS LOUISIANA GAS CO		RECEIVED: 02/03/82 JA: TX						
8216996	F-06-039787	4220330801	103	107-TF	SCOTT #4	WASKOM	550.0	ARKANSAS LOUISIAN
-AUSTIN ERWIN TRUSTEE		RECEIVED: 02/03/82 JA: TX						
8216935	F-7B-038215	4208331642	103		J M THOMPSON 14793	COLEMAN COUNTY REGULA	15.0	EL PASO NATURAL G
-BARUCH-FOSTER CORP		RECEIVED: 02/03/82 JA: TX						
8216960	F-06-038568	4213500000	108-ER		TXL #1-S TEXAS-RRC-ID #19651	COWDEN NORTH	10.0	PHILLIPS PETROLEU
-BLUE RIDGE OIL & GAS EXPLOR INC		RECEIVED: 02/03/82 JA: TX						
8216985	F-7C-033444	4210532983	103	107-TF	A PHILLIPS #58	ADAMS-BAGGETT RANCH (	34.8	DETROIT-TEXAS GAS
-BRITTON OPERATING INC		RECEIVED: 02/03/82 JA: TX						
8216959	F-09-038558	4223732869	103		SUGAR EST #1 88776	JACK COUNTY REGULAR (	730.0	SOUTHWESTERN GAS
-BURK ROYALTY CO		RECEIVED: 02/03/82 JA: TX						
8217047	F-01-041855	4250730915	102-4	103	VAN CLEVE #2	PILOSA EAST (2ND SAN	1095.0	SONCETT ENERGY IN
-CHAMPLIN EXPLORATION INC		RECEIVED: 02/03/82 JA: TX						
8216866	F-03-030184	4214930655	102-2		ERWIN T ZOCH #1 (RRC ID #13469)	GIDDINGS (AUSTIN CHAL	42.6	CLAJON GAS CO
8216865	F-03-030178	4205130973	102-2		STEGMUELLER #6 (RRC ID #13204)	GIDDINGS (AUSTIN CHAL	340.0	CLAJON GAS CO
-CHAMPLIN PETROLEUM COMPANY		RECEIVED: 02/03/82 JA: TX						
8216892	F-03-034543	4205100000	102-2	103	ALVIN M PAUL #1	GIDDINGS	0.0	FERGUSON CROSSING
8216893	F-04-035312	4235531431	102-4	103	EVA M JONES #2-U	STRATTON (G-9 RES 8)	230.0	TENNESSEE GAS PIP
8217016	F-03-040547	4205100000	102-2	103	FLOYD W MOORE #1	GIDDINGS	0.0	FERGUSON CROSSING
8217049	F-03-041875	4205100000	102-2	103	FRANK DRGAC #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
8216934	F-04-035186	4235531799	103		G P WARDNER #156	STRATTON (H-23 SAND)	912.5	TENNESSEE GAS PIP
8217006	F-03-040125	4205100000	102-2	103	JIMMY OPPERMAN #1	GIDDINGS	0.0	FERGUSON CROSSING
8217014	F-03-040523	4205100000	102-2	103	MARTIN KNESEK #1	GIDDINGS	0.0	FERGUSON CROSSING
8216910	F-03-036782	4205100000	102-2	103	PETER B COURT #1	GIDDINGS	0.0	FERGUSON CROSSING
8216836	F-03-026761	4205130557	102-2		R J SMITH #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
8217017	F-03-040734	4205100000	102-2	103	W G COTTON #1	GIDDINGS	0.0	FERGUSON CROSSING
-CLARION RESOURCES INC		RECEIVED: 02/03/82 JA: TX						
8216840	F-7B-028523	4214300000	102-4	103	BOGGUS 85524	SAP OAK (DUFFER)	10.0	NORTHERN GAS PROD
8216840	F-7B-028523	4214300000	108		BOGGUS 85524	SAP OAK (DUFFER)	10.0	NORTHERN GAS PROD

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8216841	F-75-028521	4214300000		102-4	103	CARAWAY-LOWE #1 84759	LIBERTY OAK (BIG SALI	10.0	NORTHERN GAS PROD
8216841	F-78-028521	4214300000		108		CARAWAY-LOWE #1 84759	LIBERTY OAK (BIG SALI	10.0	NORTHERN GAS PROD
-CLAYTON W WILLIAMS JR				RECEIVED: 02/03/82 JA: TX					
8216871	F-03-031238	4228730739		102-2		CLARENCE HUMPHREY UNIT #1	GIDDINGS	0.0	VALERO TRANSMISSI
8216973	F-03-038951	4205131307		102-2		FRANK MATCEK #2	GIDDINGS	83.8	VALERO TRANSMISSI
8216943	F-06-038311	4236500000		103	107-TF	LATHAM EST #1	CARTHAGE (COTTON VALL	0.0	VALERO TRANSMISSI
8216942	F-06-038310	4236500000		103	107-TF	MIDDLEBROOK EST #1	CARTHAGE (COTTON VALL	0.0	VALERO TRANSMISSI
8216989	F-03-039345	4205100000		102-2		SIMPSON-BENTON UNIT A #1	GIDDINGS (AUSTIN CHAL	0.0	VALERO TRANSMISSI
8216941	F-06-038309	4236531223		103	107-TF	W S MOSS EST #1	CARTHAGE (COTTON VALL	0.0	VALERO TRANSMISSI
-CLEMCO INC				RECEIVED: 02/03/82 JA: TX					
8216837	F-06-027149	4220330662		102-4		PEARCE GAS UNIT #1	LANSING N (COTTON VAL	180.0	ARKANSAS LOUISIAN
-CONOCO INC				RECEIVED: 02/03/82 JA: TX					
8216863	F-10-029962	4206500000		108		A F BENNETT #1	WEST PANHANDLE	16.0	CITIES SERVICE GA
8216864	F-10-029964	4217900000		108		G L HOLMES #1	WEST PANHANDLE	13.0	CITIES SERVICE GA
8217010	F-04-040364	4242731544		103		T B SLICK EST H-536 #83	RINCON (VICKSBURG 670	300.0	TENNESSEE GAS PIP
-COTTON PETROLEUM CORPORATION				RECEIVED: 02/03/82 JA: TX					
8216972	F-10-038914	4229530986		103		PARKER "B" #3	KIOWA CREEK	0.0	NORTHERN NATURAL
-CRB OIL & GAS INC				RECEIVED: 02/03/82 JA: TX					
8217033	F-03-041602	4205131750		102-2		ALFORD UNIT #1	GIDDINGS (AUSTIN CHAL	1000.0	CLAJON GAS CO
8217008	F-03-040237	4205131682		102-2		MAXWELL UNIT #1	GIDDINGS (AUSTIN CHAL	500.0	CLAJON GAS CO
-DAMSON OIL CORPORATION				RECEIVED: 02/03/82 JA: TX					
8217043	F-02-041801	4202531260		103		L D SUGAREK #2-T	SLIVA S W (FRIO RUSSE	145.0	VALERO TRANSMISSI
-DELRAY OIL INC				RECEIVED: 02/03/82 JA: TX					
8216921	F-78-037801	4208332523		103		BERTIE E STONE #20	COLEMAN COUNTY REGULA	0.0	LONE STAR GAS CO
-DELTA DRILLING CO				RECEIVED: 02/03/82 JA: TX					
8216902	F-7C-036111	4210500000		103	107-TF	HENDERSON "26" #2	OZONA	0.0	NORTHERN NATURAL
-DONALD C SLAWSON				RECEIVED: 02/03/82 JA: TX					
8217046	F-10-041842	4235731150		102-4	103	DICKENSON #1-147	RICKS (MORROW UPPER)	40.0	HIGH PLAINS NATUR
-DORCHESTER EXPLORATION INC				RECEIVED: 02/03/82 JA: TX					
*8217044	F-08-041811	4243132992		103		F CONGER 30 #3	W A M FUSSELMAN	0.0	TEXAS UTILITIES F
*8217052	F-08-041946	4243131006		103		TERRY 7-1	CONGER (PENN)	109.5	TEXAS UTILITIES F
-EAGLE OIL & GAS CO				RECEIVED: 02/03/82 JA: TX					
8216970	F-78-038863	4236732055		103		HAMBY-CROSS UNIT #1	RENO CONGLOMERATE	275.0	NATURAL GAS PIPEL
-EL PASO NATURAL GAS COMPANY				RECEIVED: 02/03/82 JA: TX					
8216872	F-10-031378	4208730169		103		WISCHKAEMPER H #1	PANHANDLE EAST BROWN	30.0	EL PASO NATURAL G
-ENERGY DEVELOPMENT CORPORATION				RECEIVED: 02/03/82 JA: TX					
8216975	F-06-039003	4241900000		103		METCALF-HENDRICKS #1	HUXLEY (6100)	90.0	TEXAS EASTERN TRA
-ENERGY RESOURCES OIL & GAS CORP				RECEIVED: 02/03/82 JA: TX					
8216896	F-10-035533	4217930823		103		BOSTON #1	EAST LAKETON GRANITE	200.0	NATURAL GAS PIPEL
-ENSERCH EXPLORATION INC				RECEIVED: 02/03/82 JA: TX					
8217032	F-09-041576	4249700000		103		EDWARD JACKSON #2	BOONSVILLE	73.0	LONE STAR GAS CO
8216922	F-02-037832	4229732417		103		H J SHULZ #1	THREE RIVERS	2.0	NATURAL GAS PIPEL
8216878	F-05-032517	4221300000		108-ER		J H LEWIS "B" #2-T	OPELIKA	6.0	LONE STAR GAS CO
-ESTATE OF WM D MCBEE				RECEIVED: 02/03/82 JA: TX					
8216966	F-06-038803	4220330753		102-4	107-TF	RUDD GAS UNIT #2 #1	LONGWOOD (COTTON VALL	0.0	TEXAS EASTERN TRA
-EVERGREEN OIL CORP				RECEIVED: 02/03/82 JA: TX					
8217041	F-01-041779	4217730657		102-2	103	POUNCEY #1	COST (AUSTIN CHALK)	12.0	TIPPERARY GATHERI
-EXXON CORPORATION				RECEIVED: 02/03/82 JA: TX					
*8217022	F-03-040992	4232130845		102-2		J C LEWIS FAMILY 1974 TRUST #2	LIVE OAK BAYOU	350.0	ARMCO STEEL CORP
-FISHER-WEBB INC				RECEIVED: 02/03/82 JA: TX					
8216940	F-78-038236	4235330957		103		MCLAUGHLIN 54-1	DOUBLE M RANCH (COOK	50.0	SUN GAS CO
-FLORIDA GAS EXPLORATION COMPANY				RECEIVED: 02/03/82 JA: TX					
8216882	F-04-033176	4235531642		103		JOHN C INGRAM #1	AGUA DULCE (7850)	0.0	FLORIDA GAS TRANS

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-FOREST OIL CORPORATION			RECEIVED: 02/03/82 JA: TX						
8216877	F-04-032191	4221531088		103	107-TF	A A MCALLEN #21	MCALLEN RANCH (VICKSB	600.0	VALERO TRANSMISSI
-GENERAL AMERICAN OIL COMPANY OF TEX			RECEIVED: 02/03/82 JA: TX						
8216956	F-03-038472	4214930682		102-2		STANDARD TRUST CO #6	GIDDINGS (AUSTIN CHAL	91.0	SOUTH CEN-TEX CO
-GENERAL PRODUCTION CORP			RECEIVED: 02/03/82 JA: TX						
8216883	F-03-033239	4205100000		103		L J SANDERS #2	WILLARD SE (NAVARRO B	0.0	FERGUSON CROSSING
-GETTY OIL COMPANY			RECEIVED: 02/03/82 JA: TX						
8216888	F-06-033923	4236531109		103	107-TF	J B BAKER #3	CARTHAGE (COTTON VALL	0.0	DELHI GAS PIPE LI
-GILLRING OIL CO			RECEIVED: 02/03/82 JA: TX						
8216825	F-04-004672	4235500000		108		C P TALBERT #2 (39247)	AGUA DULCE /5450/	0.0	TENNESSEE GAS PIP
-GOLDKING PRODUCTION COMPANY			RECEIVED: 02/03/82 JA: TX						
8216955	F-02-038470	4217531477		103		GENTRY T POWELL #1-T	HORDES CREEK	146.0	UNITED GAS PIPE L
8217035	F-02-041655	4239100000		102-4		WELDER #1	PAPALOTE E	106.0	HOUSTON PIPE LINE
-GRACE PETROLEUM CORPORATION			RECEIVED: 02/03/82 JA: TX						
8216908	F-06-036688	4241930330		103	107-TF	J W DEARMAN #2	TENAHA (JURASSIC)	0.0	UNITED GAS PIPELI
-GULF OIL CORPORATION			RECEIVED: 02/03/82 JA: TX						
8217057	F-01-041997	4201331285		103		EDNA S KOEHLER #2	FASHING (EDWARDS LIME	0.0	NATURAL GAS P/L C
8216833	F-09-026374	4223700000		108		LOU WORTHINGTON #1	BOONSVILLE BEND CONGL	12.0	NATURAL GAS PIPEL
8216969	F-09-038838	4218130780		102-4		R H PICKENS #5	N E SOUTHMAYD	250.0	LONE STAR GAS CO
-H P PINNELL TRUSTEE			RECEIVED: 02/03/82 JA: TX						
8216987	F-04-039183	4248930594		103		EL SAUZ RANCH NOPAL #3	ARROYO COLORADO (E-3)	91.0	NATURAL GAS PIPEL
-HANOVER MANAGEMENT CO			RECEIVED: 02/03/82 JA: TX						
8216991	F-06-039445	4240131170		102-2		HMC-CURTIS ALLEN #1	MINDEN W (TRAVIS PEAK	200.0	TEXAS UTILITIES F
-HENRY PETROLEUM CORP			RECEIVED: 02/03/82 JA: TX						
8217028	F-8A-041385	4231700000		103		MCCULLOCH #1	TEX-HAMON (DEAN)	0.0	GETTY OIL CO
-HUMBLE EXPLORATION CO INC			RECEIVED: 02/03/82 JA: TX						
8216974	F-03-038985	4228730967		102-2	103	DONNA W #1	GIDDINGS (AUSTIN CHAL	257.0	PHILLIPS PETROLEU
-HUNT OIL COMPANY			RECEIVED: 02/03/82 JA: TX						
8216915	F-04-037435	4200730643		103		STATE TRACT 83 #3UT	GOOSE ISLAND (7100-C)	182.5	NATURAL GAS PIPEL
-INEXCO OIL COMPANY			RECEIVED: 02/03/82 JA: TX						
8217021	F-04-040984	4224731251		102-4		E VELA #1-582	EL PEYOTE (WILCOX 124	730.0	UNITED GAS PIPELI
8217037	F-03-041710	4214931012		102-2		HUGO #1	GIDDINGS (AUSTIN CHAL	40.0	PHILLIPS PETROLE
-INTERCONTINENTAL PRODUCTION CO			RECEIVED: 02/03/82 JA: TX						
8216907	F-09-036630	4249731995		103		SMITH/MORRIS #1	CHICO WEST CONGLOMERA	13.5	
-J CLEO THOMPSON & JAMES CLEO THOMPS			RECEIVED: 02/03/82 JA: TX						
8217034	F-7C-04653	4210533554		102-4		C W MEADOWS #4	UNIVERSITY 31 (STRAWN	245.0	PHILLIPS PETROLEU
-J M HUBER CORPORATION			RECEIVED: 02/03/82 JA: TX						
8216897	F-10-035548	4223300000		108		HERRING #1	WEST PANHANDLE	16.0	COLORADO INTERSTA
-JADE ENTERPRISES INC			RECEIVED: 02/03/82 JA: TX						
8216986	F-10-039131	4206500000		103		WYATT #1	PANHANDLE CARSON	146.0	GETTY OIL CO
8216997	F-10-039849	4206500000		103		WYATT #1	PANHANDLE WEST	237.0	GETTY OIL CO
-JAMES EDWARD HAYNES JR			RECEIVED: 02/03/82 JA: TX						
8216939	F-7B-038234	4204900000		102-4		HAYNES #2	HAYNES (CROSS CUT)	75.0	ODESSA NATURAL CO
-JAMES W RASMUSSEN			RECEIVED: 02/03/82 JA: TX						
8216920	F-08-037729	4213533161		103		TXL #2-A #11747	COWDEN NORTH	55.0	PHILLIPS PETROLEU
-JOHN L COX			RECEIVED: 02/03/82 JA: TX						
8217002	F-08-039888	4231732377		103		LOIS MADISON "B" #1-X RRC #21969	SPRABERRY (TREND AREA	10.0	ALPINE OIL CO
8217039	F-7C-041766	4238332050		103		MARY HUGHES "169" #2	SPRABERRY (TREND AREA	10.0	EL PASO NATURAL G
8217001	F-08-039887	4232931009		103		MILES #1	PARKS (SPRABERRY)	10.0	MOBIL PRODUCING T
8217000	F-7C-039885	4246100000		103		POWELL "16" #2 RRC #NA	SPRABERRY (TREND AREA	20.0	MOBIL PRODUCING T
8216999	F-7C-039884	4246100000		103		POWELL "20" #1 RRC #NA	SPRABERRY (TREND AREA	20.0	MOBIL PRODUCING T
8216998	F-7C-039882	4246100000		103		POWELL "35" #2 RRC #NA	SPRABERRY (TREND AREA	10.0	MOBIL PRODUCING T
8216926	F-7C-037987	4238300000		103		ROCKER B "D" #3-X (#04537)	SPRABERRY (TREND AREA	10.0	EL PASO NATURAL G

JD NO	DA SRT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-KILROY CO OF TEXAS				RECEIVED:	02/03/82	JA: TX			
8217015	F-03-040546	4236130368		102-4		STARK FOUNDATION #1	SHANNON N (NODOSARIA)	728.0	UNITED TEXAS TRAN
-L R SPRADLING				RECEIVED:	02/03/82	JA: TX			
8216990	F-10-039407	4217930799		103		FURNEAUX #1A 24592	PANHANDLE WEST	70.0	PHILLIPS PETROLEU
-MAGUIRE OIL COMPANY				RECEIVED:	02/03/82	JA: TX			
8216917	F-03-037589	4232100000		107-TF		HUEBNER GAS UNIT #2-3	FAITH-MAG (9500' FRIO	0.1	VALLEY PIPE LINES
-MARSHALL EXPLORATION INC				RECEIVED:	02/03/82	JA: TX			
8216994	F-06-039750	4241930327		102-4	103	LOCKE #1	CARLILE & HOWELL (640	370.0	UNITED GAS PIPELI
-MAY PETROLEUM INC				RECEIVED:	02/03/82	JA: TX			
8217003	F-10-039898	4235730910		102-4		TAYLOR #1 (84397)	TAYLOR (LOWER MORROW)	91.3	NORTHERN NATURAL
-MGF OIL CORP				RECEIVED:	02/03/82	JA: TX			
8217045	F-7C-041824	4238300000		103		UNIVERSITY "16-C" #1	SPRABERRY (TREND AREA	0.0	J L DAVIS
-MHW INC				RECEIVED:	02/03/82	JA: TX			
8217050	F-7B-041892	4213300000		108		D HAMILTON ESTATE #1 (08063)	EASTLAND COUNTY REGUL	0.0	LONE STAR GAS CO
-MITCHELL ENERGY CORPORATION				RECEIVED:	02/03/82	JA: TX			
8216834	F-09-026516	4249700000		103		A S C CU #8-6	ALVORD SOUTH (CADDO C	0.0	NATURAL GAS PIPEL
8216899	F-03-035610	4228700000		103		ARNOLD KRAUSE UNIT A #1 14659	GIDDINGS (AUSTIN CHAL	20.0	
8216912	F-09-036880	4249700000		108-ER		B B MCCLURE #1 28735	BOONSVILLE (BEND CONG	13.2	NATURAL GAS PIPEL
8216951	F-03-038374	4228700000		102-2		BECKER UNIT A #1 13286	GIDDINGS (BUDA)	0.0	
8216826	F-09-005073	4249700000		108-ER		C D SIPES #1	BOONSVILLE BEND CONG	21.3	NATURAL GAS PIPEL
8216925	F-7B-037981	4236300000		108		CLAYTON -C- #1 76346	GRAFORD (BEND CONGL)	12.4	SOUTHWESTERN GAS
8216823	F-09-004172	4249700000		108-ER		D F MCCLESKEY UNIT #1 28734	BOONSVILLE BEND CONG	8.3	NAT GAS PIPELINE
8216827	F-09-035282	4249700000		108-ER		G KAKER #4	BRIDGEPORT (CADDO CON	8.4	NATURAL GAS PIPEL
8216995	F-09-039771	4249700000		108		GERTRUDE WILSON #3 68359	BOONSVILLE (BEND CONG	13.7	NATURAL GAS PIPEL
8216889	F-03-033986	4214900000		102-2		HOLMES UNIT B #1 13932	GIDDINGS (AUSTIN CHAL	18.0	SOUTH CEN-TEX GAS
8216964	F-09-038770	4249731962		103		J A LITTLE #2	BOONSVILLE (BEND CONG	835.0	NATURAL GAS PIPEL
8216931	F-7B-038159	4236732022		103		J T BAKER #3	MINERAL WELLS N (BIG	125.0	NATURAL GAS PIPEL
8216824	F-09-004186	4249700000		108-ER		J W THOMAS #1 28838	BOONSVILLE BEND CONG	7.1	NATURAL GAS PIPEL
8217004	F-09-039978	4249731862		103		KATIE MOORE #3	MORRIS (CONSOLIDATED	125.0	NATURAL GAS PIPEL
8216949	F-03-038371	4228730641		102-2		KRAUSE UNIT B #1	GIDDINGS (BUDA)	0.0	PGP GAS PRODUCTS
8216901	F-7B-036058	4236300000		108-ER		L O MCKEE #1 64075	GRAFORD (BEND CONGL)	10.5	SOUTHWESTERN GAS
8216829	F-7B-020519	4236332271		103		L WILLIAMS #1	MINERAL WELLS S (STRA	87.5	
8216948	F-03-038370	4228700000		102-2		LUECKE UNIT A #1 13931	GIDDINGS (AUSTIN CHAL	0.0	
8216821	F-09-004055	4249700000		108-ER		M H PEEK #1 28773	BOONSVILLE BEND CONG	13.2	NATURAL GAS PIPEL
8216838	F-09-027892	4249700000		108		OTIS MEEKS #1 28740	BOONSVILLE (BEND CONG	8.0	NATURAL GAS PIPEL
8216842	F-09-028558	4249700000		108		R E AUSTIN #1	BOONESVILLE (BEND CON	9.0	SOUTHWESTERN GAS
8216924	F-7B-037977	4236700000		108		R R HOWARD #3 91422	COYLE (MARBLE FALLS)	7.7	SOUTHWESTERN GAS
8216822	F-09-004063	4249700000		108-ER		ROY WOMACK #1	BOONSVILLE BEND CONG	18.0	NATURAL GAS PIPEL
8216830	F-03-322694	4237300000		108-ER		SOUTHLAND PAPER MILL A-4 71772	HORTENSE (WOODBINE)	5.6	HOUSTON PIPELINE
8216839	F-09-028062	4249700000		108		TELLIE WRIGHT #2 84101	BOONESVILLE (BEND CON	0.0	NATURAL GAS PIPEL
8216843	F-05-028669	4229330473		107-TF		THOMASON #1	POKEY EAST (COTTON VA	375.0	
8217025	F-09-041103	4249700000		108		W H HOBBS #2 74854	BOONSVILLE (BEND CONG	13.2	NATURAL GAS PIPEL
8216992	F-09-039539	4249700000		108		WENDEL A OSBURN #1 32553	BOONSVILLE (BEND CONG	13.5	NATURAL GAS PIPEL
8216950	F-03-038372	4228700000		102-2		WENKE UNIT A #1 14352	GIDDINGS (AUSTIN CHAL	0.0	
-MOBIL PRDG TEXAS & NEW MEXICO INC				RECEIVED:	02/03/82	JA: TX			
8217053	F-04-041962	4247933042		102-4		W N MCELROY #2	CALLAGHAN N (WILCOX L	782.9	VALERO TRANSMISSI
-MWJ PRODUCING COMPANY				RECEIVED:	02/03/82	JA: TX			
8216869	F-08-030973	4231700000		103		ORY #2	SPRABERRY TREND AREA	0.0	PHILLIPS PETROLEU
-NATURAL GAS ANADARKO INC				RECEIVED:	02/03/82	JA: TX			
8216887	F-10-033917	4239330717		102-4		LEDRICK #1-7	LEDRICK RANCH	72.0	TRANSWESTERN PIPE
-ORO NEGRO OPERATIONS INC				RECEIVED:	02/03/82	JA: TX			
8216884	F-06-033271	4218330460		103	107-TF	JOHN HENDERSON #1	LANSING N (COTTON VAL	365.0	
-PALO PETROLEUM INC				RECEIVED:	02/03/82	JA: TX			

JD NO	JA DKT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8216853	F-7B-029542	4204931806	102-4	103	C ANDERSON #1	PALO DAVIS (RANGER)	91.3	ODESSA NATURAL CO
8216857	F-7B-029671	4204931857	102-4	103	CAGLE #1	PALO DAVIS (DUFFER)	27.4	ODESSA NATURAL CO
8216847	F-7B-029337	4204931898	102-4	103	CLARK #1	BLIND HOG (RANGER)	54.8	ODESSA NATURAL CO
8216850	F-7B-029384	4204931914	102-4	103	CLAWSON "B" #1	PALO DAVIS (RANGER)	19.0	ODESSA NATURAL CO
8216855	F-7B-029669	4204931920	102-4	103	CREATH DAVIS #2	PALO DAVIS (RANGER)	13.9	ODESSA NATURAL CO
8216844	F-7B-029240	4213300000	102-4	103	DOYAL LASATER #2	BLIND HOG (RANGER)	151.5	ODESSA NATURAL CO
8216854	F-7B-029667	4204931867	102-4	103	E RILEY "A" #1	PALO DAVIS (RANGER)	63.9	OBESSA NATURAL CO
8217026	F-7C-041239	4238300000	103		FRED BALL #1	SPRABERRY TRENT	12.8	EL PASO NATURAL G
8216858	F-7B-029672	4213300000	102-4	103	G STEEL "A" #1	BLIND HOG (RANGER)	57.2	ODESSA NATURAL CO
8216859	F-7B-029673	4204900000	102-4	103	G STEEL "C" #1	BLIND HOG (RANGER)	164.3	ODESSA NATURAL CO
8216851	F-7B-029386	4204931869	102-4	103	GARY JONES #1	BLIND HOG (RANGER)	8.8	ODESSA NATURAL CO
8216848	F-7B-029382	4213300000	102-4	103	GIBBONS #1	WILDCAT	105.5	ODESSA NATURAL CO
8216862	F-7B-029744	4213331640	102-4	103	JOE BROWN #2	BLIND HOG (RANGER)	63.9	ODESSA NATURAL CO
8216856	F-7B-029673	4204931766	102-4	103	LASATER "B" #2	BLIND HOG (RANGER)	45.6	ODESSA NATURAL CO
8216846	F-7B-029280	4204931868	102-4	103	LEWALLEN #1	BLIND HOG (RANGER)	60.2	ODESSA NATURAL CO
8216852	F-7B-029467	4213331677	102-4	103	LEWALLEN "A" #1	BLIND HOG (RANGER)	36.5	ODESSA NATURAL CO
8216849	F-7B-029383	4204931934	102-4	103	LOW ESTATE #2	BLIND HOG (RANGER)	38.3	ODESSA NATURAL CO
8216860	F-7B-029679	4204932091	102-4	103	STANBAUGH "B" #1	PALO DAVIS (DUFFER)	73.0	ODESSA NATURAL CO
8216845	F-7B-029278	4204932090	102-4	103	STANBAUGH C #1	PALO DAVIS (DUFFEY)	100.4	ODESSA NATURAL CO
-PARAFFINE OIL CORP			RECEIVED:	02/03/82	JA: TX			
8217031	F-02-041496	4246931780	102-4		KEERAN "B" #2-T	KEERAN E (7000)	18.0	FLORIDA GAS TRANS
8217019	F-02-040831	4205731024	102-4		P H WELDER "C" #1-L	HEYSER SE (G-10)	217.0	FLORIDA GAS TRANS
8217058	F-02-042059	4205731077	102-4		P H WELDER D #5	KATIE WELDER (G-13)	67.0	SEAGULL PIPELINE
-PARKER OPERATING CO INC			RECEIVED:	02/03/82	JA: TX			
8216971	F-09-038893	4250300000	108		HALL-PARKS #2 RRC #91797	YOUNG COUNTY REGULAR	0.0	NATURAL GAS PIPEL
8216870	F-7B-031160	4214300000	103		J C WATSON RRC #81710	MORGAN MILL (MARBLE F	0.0	ENERGY PIPELINE C
-PAUL DE CLEVA			RECEIVED:	02/03/82	JA: TX			
8216965	F-7B-038786	4209330777	103		MATTHEWS "A" #1	BEATTIE N (MARBLE FAL	11.0	SOUTHWESTERN GAS
-PAUL STEPHEN FUQUA			RECEIVED:	02/03/82	JA: TX			
8216894	F-7B-035136	4222130651	102-4		FUQUA -J T MILLS #1	MILLS	9.5	EMPIRE PIPELINE C
-PDC GAS CO			RECEIVED:	02/03/82	JA: TX			
8216828	F-08-018973	4247500000	102-4		BRANDENBURG "B" #1	BRANDENBURG PAYTON (S	0.0	EL PASO NATURAL G
-PERRYMAN OPERATING CO INC			RECEIVED:	02/03/82	JA: TX			
8216895	F-05-035462	4221300000	102-4	107-TF	STEVENS #1	THOMAS LAKE (COTTON V	0.0	TEXAS UTILITIES F
-PETROLEUM MANAGEMENT INC			RECEIVED:	02/03/82	JA: TX			
8216906	F-04-036435	4248900000	102-4		YTURRIA CATTLE CO #10	LA SARA NE (8080') PR	200.0	TEXAS EASTERN TRA
-PHILLIPS PETROLEUM COMPANY			RECEIVED:	02/03/82	JA: TX			
8216963	F-10-038671	4217930935	103		BOONE #2	PANHANDLE GRAY	0.0	
8216962	F-10-038625	4223331110	103		CATTLE L #2	PANHANDLE HUTCHINSON	0.0	EL PASO NATURAL G
8216938	F-10-038232	4248300000	108		DESON #4	PANHANDLE WHEELER	0.0	
8216928	F-10-038077	4229500000	103		DUKE E #1	KIOWA CREEK	0.0	PANHANDLE EASTERN
8216876	F-10-032080	4235731071	103		FLOWERS D #2	HORIZON (CLEVELAND)	0.0	PANHANDLE EASTERN
8216918	F-10-037614	4242100000	108		GROVES #1	TEXAS HUGOTON	0.0	EL PASO NATURAL G
8216832	F-10-025328	4223300000	108		HARVEY UNIT 8-5	PANHANDLE HUTCHINSON	16.8	GETTY OIL CO
8216937	F-10-038231	4223300000	108		KILLOUGH B #1	PANHANDLE HUTCHINSON	0.0	EL PASO NATJRAL G
8217056	F-09-041995	4249732037	103		WILEY A #2	BOONSVILLE BEND CONGL	100.0	LONE STAR GAS CO
8216952	F-7C-038384	4241300056	108		WILLIAMS-F #2 (19095)	OTTO (STRAWN)	17.9	ARCO OIL & GAS CO
-PIONEER PRODUCTION CORPORATION			RECEIVED:	02/03/82	JA: TX			
8216953	F-10-038398	4229530875	103		SCHULTZ "C" UNIT #2-960	MAMMOTH CREEK NORTH (	0.0	TRANSWESTERN PIPE
-QUINTANA PETROLEUM CORP			RECEIVED:	02/03/82	JA: TX			
8216945	F-02-038313	4239130581	103		FANNIE V W HEARD 96-U	TOM O'CONNOR (5500' S	9.0	UNITED TEXAS TRAN
8216961	F-02-038577	4239141351	103		MARY CLAIRE BAUER ET VIR 13-U	TOM O'CONNOR (5900' S	36.0	UNITED TEXAS TRAN
8216946	F-02-038317	4239131423	103		MAUDE WILLIAMS "A" D-115	LAKE PASTURE (H-440 S	0.3	UNITED TEXAS TRAN

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8216947	F-02-038320	4239100000		103		MAUDE WILLIAMS "A" D-98-L	LAKE PASTURE (FT-740-	12.0	UNITED TEXAS TRAN
8216944	F-02-038312	4239131248		103		THOMAS O'CONNOR "C" 79-L	TOM O'CONNOR (6600' S	9.0	UNITED TEXAS TRAN
-RANGER OPERATING CO				RECEIVED:	02/03/82	JA: TX			
8217029	F-09-041389	4250334208		103		IVY #2 #20620	YOUNG COUNTY REGULAR	73.0	LONE STAR GAS CO
-RIDDLE OIL CO				RECEIVED:	02/03/82	JA: TX			
8217048	F-06-041872	4220330820		103		HARRISON ESTATE #1 108409	LANSING NORTH (PETTIT	182.5	ARKANSAS LOUISIAN
-ROCKWOOD RESOURCES INC				RECEIVED:	02/03/82	JA: TX			
8216913	F-03-037017	4248132078		103		KULCAK #1 ID NO 93005	KULCAK (GRETA 4900)	0.0	DELHI GAS PIPELIN
-S & B ENTERPRISES INC				RECEIVED:	02/03/82	JA: TX			
8216929	F-08-038083	4237133141		103		OLIX "A" #3	PAYTON	18.3	PERRY GAS PROCESS
8216930	F-08-038085	4237133336		103		OLIX "B" #4	PAYTON	6.6	PERRY GAS PROCESS
-S K TUTHILL & B J BARBEE				RECEIVED:	02/03/82	JA: TX			
8216923	F-02-037912	4239131432		102-4		C F ZARSKY #1	TIVOLI SOUTH FRIO LO	30.0	
-SAMEDAN OIL CORPORATION				RECEIVED:	02/03/82	JA: TX			
8216904	F-04-036271	4227331380		102-2		S T 818-L #A-4	SAMEDAN FRIO	2200.0	EL PASO NATURAL G
-SAMSON RESOURCES COMPANY				RECEIVED:	02/03/82	JA: TX			
8216914	F-03-037192	4237330491		103		TRAMMEL TRUST #1	LEGGETT (WOODBINE)	1175.4	BADISCHE CORP
-SANCHEZ-OBRIEN OIL & GAS CORP				RECEIVED:	02/03/82	JA: TX			
8217042	F-02-041800	4229732067		102-4		BODDEN-FROST GAS UNIT #1	GEORGE WEST W (10,400	500.0	UNITED TEXAS TRAN
8217007	F-04-040167	4250331363		107-TF		VAQUILLAS RANCH LTD #1	LAS OVEJAS (LOBO)	500.0	TENNESSEE GAS PIP
-SAXON OIL COMPANY				RECEIVED:	02/03/82	JA: TX			
8216976	F-7C-039027	4238331842		103		DUKE #1	SPRABERRY (TREND AREA	24.1	PHILLIPS PETROLEU
8216919	F-7C-037634	4246131724		103		KEENEY #3	SPRABERRY (TREND AREA	19.0	PHILLIPS PETROLEU
8216981	F-08-039032	4231700000		103		KNOX #5A	BREEDLOVE EAST (SPRAB	22.6	PHILLIPS PETROLEU
8216978	F-08-039029	4231732323		103		KNOX #6	BREEDLOVE EAST (SPRAB	26.6	PHILLIPS PETROLEU
8216980	F-08-039031	4231732288		103		ROLLOW #3	BREEDLOVE EAST (SPRAB	15.0	PHILLIPS PETROLEU
8216979	F-08-039030	4231700000		103		ROLLOW "A" #2	BREEDLOVE EAST (SPRAB	13.1	PHILLIPS PETROLEU
8216958	F-7C-038490	4246131701		103		SKAGGS #2	SPRABERRY (TREND AREA	20.1	PHILLIPS PETROLEU
8216957	F-7C-038489	4246131700		103		SKAGGS #3	SPRABERRY (TREND AREA	30.3	PHILLIPS PETROLEU
8216916	F-7C-037533	4238331870		103		UNIVERSITY "15-58" #2	SPRABERRY (TREND AREA	15.3	NORTHERN NATURAL
-SCANDRILL CO				RECEIVED:	02/03/82	JA: TX			
8216909	F-09-036741	4250334661		103		B W KING #2	BRAZEEL (CADDO)	0.0	SUN GAS GATHERING
8216977	F-09-039028	4250334666		103		B W KING #3	BRAZEEL (CADDO)	27.4	SUN GAS TRANSMISS
8216982	F-09-039034	4223733457		103		HENDERSON-BRIDWELL #1	JACK COUNTY REGULAR	72.3	TEXAS UTILITIES F
8216890	F-09-034063	4250334391		103		KISINGER #8	SCAN (CONGL)	0.0	SOUTHWESTERN GAS
8216983	F-09-039038	4250334811		103		MORRIS STEPHENS #6	YOUNG COUNTY REGULAR	7.3	SUN GAS TRANSMISS
8216933	F-7B-038174	4244732540		102-4	103	PUTNAM #4	BOROCK (CADDO)	293.1	CLEAR FORK GAS CO
8216932	F-7B-038173	4244732539		102-4	103	PUTNAM #5	BOROCK (CADDO)	255.1	CLEAR FORK GAS CO
8216984	F-09-039039	4250334801		103		SCHLITTLER #1	BRAZEEL (CADDO)	21.9	SUN GAS TRANSMISS
-SHELL OIL CO				RECEIVED:	02/03/82	JA: TX			
8217020	F-02-040888	4246931781		103		SOPHIE G BROWN #3	HELEN GOHLKE SW (FRIO	110.0	FLORIDA GAS TRANS
8216831	F-10-023442	4229500000		108-ER		WHEAT 1-678	KIOWA CREEK	6.0	TRANSWESTERN PIPE
-STALLWORTH OIL & GAS INC				RECEIVED:	02/03/82	JA: TX			
8216881	F-7B-032822	4236731826		102-4		BIRD #3	WILDCAT	0.0	SOUTHWESTERN GAS
8216880	F-7B-032807	4236731846		102-4	103	BIRD-BEDFORD UNIT #1	WILDCAT	0.0	SOUTHWESTERN GAS
-SUN OIL COMPANY (DELAWARE)				RECEIVED:	02/03/82	JA: TX			
8216886	F-04-033579	4240931458		103		J M HUNT #11-C	PLYMOUTH	3.0	HOUSTON PIPE LINE
8216868	F-7C-030742	4208100000		108		J S WALKER #10	BLOODWORTH/5700	0.3	LONE STAR GAS CO
-SUPERIOR OIL CO				RECEIVED:	02/03/82	JA: TX			
8217027	F-03-041349	4205131766		102-2	103	A A KOCUREK #1	GIDDINGS (AUSTIN CHAL	0.0	
8217051	F-03-041938	4205131653		102-2	103	B J YENDREY #1	GIDDINGS (AUSTIN CHAL	0.0	
8216835	F-04-026717	4221500000		108		JOHN HAMMAN B #1	NORTH MONTE CHRISTO	12.0	FLORIDA GAS TRANS
8216867	F-02-030555	4205731004		102-4		M B TRAYLOR F #1	MAUDE B TRAYLOR N	0.0	

JD NO	JA KT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217005	F-02-040070	4228531588	102-3		RANDOW GAS UNIT #1 #2	NORTH WORD (EDWARDS)	429.8	VALERO TRANSMISSI
-TENNECO OIL COMPANY			RECEIVED:	02/03/82	JA: TX			
8216874	F-10-031636	4217930788	103		COMBS 31-A	PANHANDLE	9.0	PHILLIPS PETROLEU
-TENROC CORP			RECEIVED:	02/03/82	JA: TX			
8216985	F-03-039088	4205131556	102-2		BLEDSOE #1	GIDDINGS (AUSTIN CHAL	525.0	PHILLIPS PETROLEU
-TEXACO INC			RECEIVED:	02/03/82	JA: TX			
8217040	F-08-041770	4210931479	103		CULBERSON "W" FEE #4	FORD WEST (4100)	1.5	EL PASO NATURAL G
8216936	F-08-038227	4237133181	102-4		MANZANITA UNIT #1	MANZANITA (DEVONIAN)	857.8	INTRATEX GAS CO
8217011	F-08-040464	4232930999	102-4		ZULA B WYLIE B #2	BRADFORD RANCH (ATOKA	244.5	EL PASO NATURAL G
-TEXAS CRUDE INC			RECEIVED:	02/03/82	JA: TX			
8216993	F-06-039676	4207300000	102-4		SOUTHERN PINE GAS UNIT #3 #1	SOUTHERN PINE (TRAVIS	365.0	UNITED TEXAS TRAN
-TEXAS GENERAL PETROLEUM CORP			RECEIVED:	02/03/82	JA: TX			
8216900	F-04-035994	4235531599	102-4		LESLIE MUMME THOMAS #1-C	DOUGHERTY	150.0	UNITED GAS PIPE L
-TEXAS INTERNATIONAL PET CORP			RECEIVED:	02/03/82	JA: TX			
8216879	F-03-032680	4205131012	102-2		SCHINDLER-BIRCH CREEK RANCH #2	GIDDINGS	292.0	CLAJON GAS CO
-TEXAS OIL & GAS CORP			RECEIVED:	02/03/82	JA: TX			
8217030	F-03-041390	4205131345	102-2	103	CRIDDLE #1	GIDDINGS (AUSTIN CHAL	0.0	
8217054	F-05-041972	4228900000	102-4		GUEST #1	BEAR GRASS (TRAVIS PE	0.0	
8216875	F-05-031863	4216130601	102-4	103	JORDAN "A" #1	BEAR GRASS NE (COTTON	0.0	DELHI GAS PIPELIN
8216875	F-05-031863	4216130601	107-TF		JORDAN "A" #1	BEAR GRASS NE (COTTON	0.0	DELHI GAS PIPELIN
8217024	F-8A-041020	4226930928	103		MASTERSON "A" #2	JUNIPER	160.0	DELHI GAS PIPELIN
8217055	F-7C-041975	4240131182	102-4		WALLACE "F" #1	PINEHILL W (TRAVIS PE	0.0	
-THOMAS-POWELL ROYALTY INC			RECEIVED:	02/03/82	JA: TX			
8217018	F-7C-040829	4239931951	102-4		MCADAMS #2 (09212)	BROWN SUGAR (MISS)	3.0	UNION TEXAS PETRO
-UNION EXPLORATION			RECEIVED:	02/03/82	JA: TX			
8216968	F-7B-038836	4242932861	102-4		CLANTON #1 (96296)	RUSSELL (DUFFER)	292.0	LONE STAR GAS CO
-UNION OIL COMPANY OF CALIF			RECEIVED:	02/03/82	JA: TX			
8217023	F-03-041008	4214930962	102-2		ELMER KRAUSE #1	GIDDINGS-AUSTIN CHALK	328.0	CLAJON GAS CO
8217038	F-08-041718	4213535700	103		MOSS UNIT #6-14	COWDEN SOUTH	24.0	ODESSA NATURAL CO
-UNION TEXAS PETROLEUM			RECEIVED:	02/03/82	JA: TX			
8217036	F-7C-041703	4223531779	103		FARMAR 38 #1	ROCK PEN (CANYON)	109.5	CRA INC
-VORTT EXPLORATION CO INC			RECEIVED:	02/03/82	JA: TX			
8216911	F-09-036794	4250334436	102-4		D SINGLETON #1A (20769)	MURRAY N E (CONGLOMER	0.0	J H TAYLOR GAS CO
-W L PENNINGTON INC			RECEIVED:	02/03/82	JA: TX			
8216820	F-10-002054	4208700000	108-ER		TITTLE 1-83	PANHANDLE EAST	0.0	EL PASO NATURAL G
-WAINOCO OIL & GAS COMPANY			RECEIVED:	02/03/82	JA: TX			
8216898	F-05-035558	4216130623	102-4	107-TF	W E RILEY GAS UNIT #1	MCSWANE (13,020 BOSSI	150.0	DELHI GAS PIPELIN
-WILLIAM H DAVIS			RECEIVED:	02/03/82	JA: TX			
8216927	F-10-038057	4239330855	103		MORRISON #1	MORRISON RANCH	292.0	DIAMOND SHAMROCK
-WILLIAM PERLMAN			RECEIVED:	02/03/82	JA: TX			
8216891	F-7C-034465	4243532463	103	107-TF	W E SAWYER 16-1	SHURLEY RANCH (CANYON	0.0	EL PASO NATURAL G
-WILLIAMS-GIEGER RESOURCES INC			RECEIVED:	02/03/82	JA: TX			
8216905	F-05-036303	4220330774	103	107-TF	IRELAND WILLIAMS #1	WASKOM (COTTON VALLEY	150.0	UNITED GAS PIPE L
8217009	F-06-040311	4236531234	103	107-TF	TRAVIS LYNCH-#1	CARTHAGE (COTTON VALL	100.0	UNITED GAS PIPE L
-WORLD PRODUCERS INC			RECEIVED:	02/03/82	JA: TX			
8216967	F-7B-038830	4236731711	102-4		BARRETT BROTHERS UNIT #1	MALES (4300*)	70.0	SOUTHWESTERN GAS

OTHER PURCHASERS

8217022	E I DUPONT DE*NEMOURS & CO
8217044	VALERO TRANSMISSION CO
8217052	VALERO TRANSMISSION CORP

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5431 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 23, 1982.

JD	ID #	RRC ID	DTE	SEC(T)	SEC(Y)	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION									
-ADOBE OIL & GAS CORPORATION						RECEIVED: 02/03/82 JA: TX			
8217295	F-75-044529	4235530243		102-2	107-TF	BAULCH UNIT #1	BALD PRAIRIE NORTH (C	292.0	UNITED TEXAS TRAN
-AKERS AND FULTZ INC						RECEIVED: 02/03/82 JA: TX			
8217334	F-39-044797	4223732018		103		ROY CHERRYHOMES F #2 18694	MARINA MAG (CONGL)	78.0	CITIES SERVICE CO
8217383	F-09-044965	4223732043		103		ROY CHERRYHOMES F #4 18694	MARINA-MAG (CONGL)	31.0	CITIES SERVICE CO
8217353	F-39-044882	4223732321		103		ROY CHERRYHOMES F #7-83924	MARINA MAG (CONGL)	1.0	CITIES SERVICE 6
8217384	F-39-044966	4223732383		103		ROY CHERRYHOMES F #8 80769	MARINA-MAG (CONGL)	7.0	CITIES SERVICE CO
8217368	F-39-044914	4223732405		103		ROY CHERRYHOMES F #9 20048	ROY (CONGL)	10.0	CITIES SERVICE CO
-AMAX PETROLEUM CORPORATION						RECEIVED: 02/03/82 JA: TX			
8217127	F-03-043120	4215731207		102-4		L R MORGAN #1	KATY S (FIRST WILCOX)	1300.0	HOUSTON PIPE LINE
8217133	F-03-043181	4215731207		103		L R MORGAN #1	KATY S (FIRST WILCOX	1300.0	HOUSTON PIPE LINE
-AMERADA HESS CORPORATION						RECEIVED: 02/03/82 JA: TX			
8217386	F-75-044968	4222732533		103		FLANAGAN #1	RED DRAW (FUSSELMAN)	57.6	PHILLIPS PETROLEU
8217149	F-8A-043426	4216531990		103		SEMINOLE SAN ANDRES UNIT #4123	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
-AMERICAN DELTA CORP						RECEIVED: 02/03/82 JA: TX			
8217304	F-03-044604	42-5131752		102-2		WASHBURN-TIETJEN UNIT #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-AMERICAN QUASAR PETROLEUM CO						RECEIVED: 02/03/82 JA: TX			
8217239	F-8A-044311	4203330724		102-4		GOOD 1-11	SEC 11 BLK 32 T-32N T	0.0	
8217365	F-8A-042204	4244530988		103		MITCHELL FLACHE #2-71	S BROWNFIELD SEC 71 B	0.0	
-AMMEX PETROLEUM INC						RECEIVED: 02/03/82 JA: TX			
8217116	F-03-042940	4205131661		102-2	103	DALE UNIT #1	BIG A (TAYLOR)	367.2	CLAJON GAS CO
-AMOCO PRODUCTION CO						RECEIVED: 02/03/82 JA: TX			
8217208	F-08-044011	4200332286		103		FRANK COWDEN R/A "C" #14	COWDEN NORTH DEEP	0.4	WESTAR TRANSMISSI
8217341	F-08-044829	4200332430		103		FUHRMAN MASCHO UNIT #108 BLK 9	FUHRMAN-MASCHO	6.6	PHILLIPS PETROLEU
8217340	F-08-044828	4200332599		103		FUHRMAN MASCHO UNIT #109 BLK 9	FUHRMAN-MASCHO	4.0	PHILLIPS PETROLEU
8217339	F-08-044827	4200332945		103		FUHRMAN MASCHO UNIT #115 BLK 9	FUHRMAN-MASCHO	2.2	PHILLIPS PETROLEU
8217336	F-08-044826	4200332624		103		FUHRMAN MASCHO UNIT #129 BLK 9	FUHRMAN-MASCHO	0.4	PHILLIPS PETROLEU
8217309	F-03-044635	4240131115		102-4	107-TF	JESSE EARL SEALEY GAS UNIT #1	DIRGIN/COTTON VALLEY/	220.0	LONE STAR GAS CO
-ANDERSON PETROLEUM INC						RECEIVED: 02/03/82 JA: TX			
8217061	F-7C-042675	4243532446		103	107-TF	GUY WYATT ASKEW 1-54	SAWYER (CANYON)	35.0	SUTTON COUNTY PIP
8217060	F-7C-042074	4243532445		103	107-TF	GUY WYATT ASKEW 2-54	SAWYER (CANYON)	50.0	SUTTON COUNTY PIP
-ARCO OIL AND GAS COMPANY						RECEIVED: 02/03/82 JA: TX			
8217123	F-01-043068	4231130877		103		D W RHODE 9#3L	RHODE RANCH EAST (WIL	700.0	TEXAS EASTERN TRA
8217312	F-7C-044653	4223530459		108		KETCHUM MOUNTAIN (CLFK) UNIT #49-16	KETCHUM MTN (CLEARFOR	1.9	J L DAVIS
-ARIES PETROLEUM INC						RECEIVED: 02/03/82 JA: TX			
8217166	F-7C-043709	4205933314		102-4		N V GIBBS #1	J R G CANYON	142.0	SOUTHWESTERN GAS
-B & W EXPLORATION						RECEIVED: 02/03/82 JA: TX			
8217174	F-7C-04379	4213333144		102-4		CLARK #1	WILDCAT	265.0	NORTHERN GAS PROD
-BENNETT PRODUCTION CORP						RECEIVED: 02/03/82 JA: TX			
8217214	F-09-044045	4233730000		103		ANNA MCFALL #3	MPS ELLENBURGER	480.0	MATADOR PIPELINE
-BLAKE HAMMAN						RECEIVED: 02/03/82 JA: TX			

JD NO	JA AT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217285	F-09-044491	4249700000	108		FRANK HARLAN #1 41267	BOONSVILLE (BEND CONG	18.0	CITIES SERVICE CO
-BTA OIL PRODUCERS			RECEIVED:	02/03/82	JA: TX			
8217297	F-7C-044536	4238331804	103		JACKSON-B-#9	SPRABERRY (TREND AREA	30.0	EL PASO NATURAL G
-C. J. WOFFORD			RECEIVED:	02/03/82	JA: TX			
8217254	F-02-044363	4202531471	102-4		GRADY SMITH #1 ID#94712	DAHL (QUEEN CITY 5970	93.0	VALERO TRANSMISSI
-CARL M ARCHER			RECEIVED:	02/03/82	JA: TX			
8217111	F-10-042897	4219530213	108		HILLER-BUCKNER 62012	CLEMENTINE (MARMATON	9.0	PANHANDLE EASTERN
-CARTER ENERGY CORP			RECEIVED:	02/03/82	JA: TX			
8217106	F-09-042867	4223733420	102-4		CLAYTON HEIRS #2-C	CLAYTON (STRAWN 3900*	110.0	LONE STAR GAS CO
8217105	F-09-042866	4223733420	103		CLAYTON-HEIRS #2-T	CUSTARD (CONGL 4650*)	18.0	LONE STAR GAS CO
8217276	F-09-044458	4223733624	102-4		E L JOHNSON #1	CLAYTON (STRAWN 3900*	110.0	LONE STAR GAS CO
-CARTER EXPLORATION CO			RECEIVED:	02/03/82	JA: TX			
8217100	F-02-042817	4202531566	102-4 103		JANET RIST GAS UNIT #2	SLIVA SOUTHWEST (3880	100.0	VALERO TRANSMISSI
-CASADOR OIL & GAS CO			RECEIVED:	02/03/82	JA: TX			
8217284	F-7B-044487	4249900000	103		FLETCHER #1	BROWN COUNTY REGULAR	312.0	ODESSA NATURAL GA
-CHAMPLIN EXPLORATION INC			RECEIVED:	02/03/82	JA: TX			
8217275	F-03-044457	4205130634	102-2		BARNETT #1 (RRC ID #13066)	GIDDINGS (AUSTIN CHAL	36.5	CLAJON GAS CO
8217230	F-03-044228	4205309303	102-2		BARNETT #2 (RRC LEASE #13066)	GIDDINGS (AUSTIN CHAL	120.0	CLAJON GAS CO
8217246	F-03-044356	4205130974	102-2		BARNETT #3 (RRC ID #90252)	GIDDINGS (AUSTIN CHAL	420.0	CLAJON GAS CO
8217250	F-03-044357	4205131035	102-2		BARNETT #4 (RRC ID 13066)	GIDDINGS (AUSTIN CHAL	200.0	CLAJON GAS CO
8217251	F-03-044358	4205130940	102-2		BARNETT #5 (RRC ID #13066)	GIDDINGS (AUSTIN CHAL	180.0	CLAJON GAS CO
8217274	F-8A-044455	4228730436	102-2		GARWOOD GERDES "A" (RRC ID #81236)	GIDDINGS (AUSTIN CHAL	182.5	PGP GAS PRODUCTS
8217306	F-03-044610	4228700000	102-2		GARWOOD GERDES "B" #1 (RRC #81966)	GIDDINGS (AUSTIN CHAL	107.5	PGP GAS PRODUCTS
8217307	F-03-044611	4205130559	102-2		STEGMUELLER #3 (RRC ID #87201)	GIDDINGS (AUSTIN CHAL	720.0	CLAJON GAS CO
8217313	F-03-044672	4205130627	102-2		STEGMUELLER #4 (RRC ID #13204)	GIDDINGS (AUSTIN CHAL	720.0	CLAJON GAS CO
8217305	F-03-044606	4205131077	102-2		STEGMUELLER #8 (RRC #13204)	GIDDINGS (AUSTIN CHAL	240.0	CLAJON GAS CO
-CHAMPLIN PETROLEUM COMPANY			RECEIVED:	02/03/82	JA: TX			
*8217077	F-04-02385	4227300000	108		G P WARDNER #129	STRATTON	3.0	TENNESSEE GAS PIP
*8217078	F-04-042386	4235500000	108		G P WARDNER #17	STRATTON	1.6	TENNESSEE GAS PIP
8217134	F-08-043212	4243100000	103		I W TERRY #13	CONGER SW (PENN)	60.0	NORTHERN NATURAL
*8217066	F-04-042213	4235500000	108		W S SELLERS #1	STRATTON (BERTRAM)	11.0	TENNESSEE GAS PIP
-CINCO OIL & GAS INC			RECEIVED:	02/03/82	JA: TX			
8217194	F-01-043921	4217900000	102-2		SIMPER "B" UNIT #2	PEACH CREEK (AUSTIN C	0.0	TIPPERARY GATHERI
-CIRCLE SEVEN PRODUCTION CO			RECEIVED:	02/03/82	JA: TX			
8217257	F-09-044376	4223733336	102-4		MARY C SEWELL #1-T (LEASE NO 21331)	GORDON (CONGL)	0.0	LONE STAR GAS CO
8217314	F-09-044677	4223733901	102-4		THETFORD EAST #1	LENORA (D-ZONE CONGL)	0.0	CITIES SERVICE CO
-CLARION RESOURCES INC			RECEIVED:	02/03/82	JA: TX			
8217218	F-7B-044100	4214300000	102-4 103		CREECH 2	SAP OAK (DUFFER)	0.0	NORTHERN GAS PROD
-CLAYTON W WILLIAMS JR			RECEIVED:	02/03/82	JA: TX			
8217071	F-03-042255	4205100000	102-2		ELO JUNEK #1	GIDDINGS (AUSTIN CHAL	0.0	VALERO TRANSMISSI
-COATES ENERGY TRUST			RECEIVED:	02/03/82	JA: TX			
8217325	F-04-044754	4213135207	102-4		ANNIE PEAL BARNES #1 (RRC ID 95388)	KOHLER (COX)	10.0	
-CONOCO INC			RECEIVED:	02/03/82	JA: TX			
8217343	F-04-044837	4242700000	108		FRIO D-5 UNIT #15	RINCON (FRIO D-5)	0.5	TENNESSEE GAS PIP
8217182	F-04-043831	4242731552	102-4		T B SLICK EST H-536 #165	RINCON (VICKSBURG 706	300.0	TENNESSEE GAS PIP
8217164	F-04-043690	4242731544	102-4		T B SLICK EST H-536 #83	RINCON (VICKSBURG 670	300.0	TENNESSEE GAS PIP
8217227	F-08-044206	4200300000	108		W H BONER -A- #26 ID #01663	FUHRMAN-NIX	2.3	PHILLIPS PETROLEU
8217226	F-08-044203	4200300000	108		W H BONER -A- #32 ID #01663	FUHRMAN-NIX	0.4	PHILLIPS PETROLEU
-CONVEST ENERGY CORP			RECEIVED:	02/03/82	JA: TX			
8217157	F-8A-043579	4226330678	102-2		WAYNE WILLIAMS "B" 3-B	POLLAN	0.0	EL PASO NATURAL G
-CORDOVA RESOURCES INC			RECEIVED:	02/03/82	JA: TX			
8217289	F-7B-044500	4213332441	103		A E COOK #15	EASTLAND COUNTY REGUL	4.4	ODESSA NATURAL GA
8217288	F-7B-044505	4213332543	103		A E COOK #17	EASTLAND COUNTY REGUL	9.9	ODESSA NATURAL GA

JD NO	J# RT	API NO	J SEC(1)	SEC(2)	WELL NAME
8217213	F-78-044031	4213332461	103		ALEXANDER "A" #2
8217290	F-78-044507	4213300000	103		BONNIE BROOKS #3
8217294	F-78-044511	4213332919	103		C P BRANNIN #2
8217115	F-78-042930	4213300000	103	108	CALDWELL #1
8217291	F-78-044508	4213332527	103		D J ARMSTRONG #15
8217292	F-78-044509	4213332529	103		D J ARMSTRONG #17
8217118	F-78-042956	4213300000	108		HARRIS FISHER #4
8217287	F-78-044497	4213300000	108		MORRIS "B" #1
8217293	F-78-044510	4213332795	103		NICHOLS #1
8217212	F-78-044030	4213332788	103		O G MOORE #3
8217119	F-78-042960	4213300000	108		SHEPPARD #2
8217117	F-78-042953	4213300000	103	108	SHEPPARD #3
8217210	F-78-044027	4213333058	103		SMOOT #1
8217211	F-78-044029	4213332660	103		T BOUQUET #1
8217286	F-78-044493	4213300000	108		UNDERWOOD #2
-COTTON PETROLEUM CORPORATION			RECEIVED:	02/03/82	JA: TX
8217153	F-10-043506	4229530907	103		IMKE #1
-DALLAS SUNBELT OIL & GAS INC			RECEIVED:	02/03/82	JA: TX
8217124	F-78-043073	4213332766	103		CARVER -A- #2
8217125	F-78-043074	4213332765	103		CARVER #1
-DALPORT OIL CORPORATION			RECEIVED:	02/03/82	JA: TX
8217324	F-04-044748	4240931533	102-4		CAMPBELL EST #3
-DAMSON OIL CORPORATION			RECEIVED:	02/03/82	JA: TX
8217073	F-04-02299	4247933076	103		O S PETTY #2-11
8217072	F-04-042298	4247933077	103		O S PETTY #3-11
-DELTA DRILLING CO			RECEIVED:	02/03/82	JA: TX
8217129	F-06-043153	4242300000	103		JONES #1
-DIAMOND SHAMROCK CORPORATION			RECEIVED:	02/03/82	JA: TX
8217354	F-10-044891	4219500000	108		A P SPICER #3
8217355	F-10-044892	4219500000	108		A P SPICER #4
8217356	F-10-044893	4219500000	108		A P SPICER #5
8217357	F-10-044894	4219500000	108		A P SPICER #6
8217191	F-10-043901	4229530912	103		C C DUKE "D" #2
-DISCOVERY OPERATING INC			RECEIVED:	02/03/82	JA: TX
8217152	F-7C-043502	4241331058	103	107-TF	HENDERSON C #1
-DONALD C SLAWSON			RECEIVED:	02/03/82	JA: TX
8217234	F-10-044273	4229531066	102-4	103	DICKENSON #2-147
-DORCHESTER EXPLORATION INC			RECEIVED:	02/03/82	JA: TX
*8217175	F-08-043794	4243133998	103		F CONGER 1 #3
8217322	F-08-044732	4243130904	103		FOSTER 9 #2
8217161	F-01-043616	4217730642	103		PARR #1
*8217170	F-08-043760	4243131006	103		TERRY 7-1
-DORCHESTER GAS PRODUCING CO			RECEIVED:	02/03/82	JA: TX
8217376	F-10-044952	4206500000	108		BEDNORZ #3 (24325)
8217377	F-10-044953	4217900000	108		BURKE #6 (24336)
8217375	F-10-044951	4206500000	108		COBB #1 (24339)
8217372	F-10-044948	4206500000	108		PAN A #1 (24378)
8217374	F-10-044950	4206500000	108		POWERS #1 (24383)
8217373	F-10-044949	4217906300	108		WILSON-HART #1 (24403)
-DYCO PETROLEUM CORPORATION			RECEIVED:	02/03/82	JA: TX
8217121	F-10-043048	4248330862	107-DP		CAMPBELL WEBB #1-28
-EL PASO NATURAL GAS COMPANY			RECEIVED:	02/03/82	JA: TX
8217217	F-10-044087	4238726130	108		LAYCOCK #13

FIELD NAME	PROD	PURCHASER
EASTLAND COUNTY REGUL	0.0	SOUTHWESTERN GAS
EASTLAND COUNTY REGUL	0.9	ODESSA NATURAL GA
EASTLAND COUNTY REGUL	24.8	ODESSA NATURAL GA
EASTLAND COUNTY REGUL	0.9	ODESSA NATURAL CO
EASTLAND COUNTY REGUL	4.5	ODESSA NATURAL GA
EASTLAND COUNTY REGUL	0.0	ODESSA NATURAL GA
EASTLAND COUNTY REGUL	0.3	ODESSA NATURAL CO
EASTLAND COUNTY REGUL	0.4	ODESSA NATURAL GA
EASTLAND COUNTY REGUL	4.3	ODESSA NATURAL GA
EASTLAND COUNTY REGUL	1.5	SOUTHWESTERN GAS
EASTLAND COUNTY REGUL	0.0	ODESSA NATURAL CO
EASTLAND COUNTY REGUL	0.4	ODESSA NATURAL CO
EASTLAND COUNTY REGUL	54.8	SOUTHWESTERN GAS
EASTLAND COUNTY REGUL	6.6	SOUTHWESTERN GAS
EASTLAND COUNTY REGUL	0.4	ODESSA NATURAL GA
FOLLETT (MORROW)	35.0	PHILLIPS PETROLEU
EASTLAND COUNTY REGUL	14.0	LONE STAR GAS CO
EASTLAND COUNTY REGUL	36.0	LONE STAR GAS CO
MIDWAY SOUTH (5077)	73.0	ARCO OIL & GAS CO
OOS HERMANOS/WEST (OL	219.0	DELHI GAS PIPELIN
OOS HERMANOS/WEST (OL	0.0	DELHI GAS PIPELIN
CHAPEL HILL (TRAVIS P	0.0	ETEXAS PRODUCERS
TWIN	0.0	NORTHERN NATURAL
TWIN	0.0	NORTHERN NATURAL
TWIN	0.0	NORTHERN NATURAL
TWIN	0.0	NORTHERN NATURAL
BRADFORD	0.6	
CODY BELL (CANYON)	107.1	CRA INC
RICKS (MORROW UPPER)	150.0	HIGH PLAINS NATUR
CONGER (PENN)	422.7	TEXAS UTILITIES F
CONGER (PENN)	354.0	ESPERANZA PIPELIN
GONZALES (AUSTIN CHAL	27.3	
CONGER (PENN)	86.5	TEXAS UTILITY FUE
PANHANDLE WEST	15.0	NORTHERN NATURAL
PANHANDLE WEST	20.0	NORTHERN NATURAL
PANHANDLE WEST	16.0	NORTHERN NATURAL
PANHANDLE WEST	12.0	NORTHERN NATURAL
PANHANDLE WEST	20.0	NORTHERN NATURAL
PANHANDLE WEST	18.0	NORTHERN NATURAL
ALLISON PARKS (UPPER	1500.0	MICHIGAN WISCONSI
PANHANDLE EAST	18.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-ENERGY RESERVES GROUP INC			RECEIVED:	02/03/82	JA: TX			
8217359	F-10-044900	4223300000	108		SANFORD-BIVINS "A" #1RC	WEST PANHANDLE	6.7	PHILLIPS PETROLEU
-ENSERCH EXPLORATION INC			RECEIVED:	02/03/82	JA: TX			
8217112	F-09-042906	4249732209	103		B P VAUGHT #5	BOONSVILLE	654.0	LONE STAR GAS CO
-ENSOURCE INC			RECEIVED:	02/03/82	JA: TX			
8217331	F-7C-044775	4238331721	103		FRED BALL "A" #1	SPRABERRY (TREND AREA	9.1	EL PASO NATURAL G
-ERSO INC			RECEIVED:	02/03/82	JA: TX			
8217258	F-05-044381	4236533300	103	107-TF	CARTHAGE GAS UNIT #42	CARTHAGE (COTTON VALL	365.0	TENNESSEE GAS PIP
-ESENJAY PETROLEUM CORP			RECEIVED:	02/03/82	JA: TX			
8217317	F-03-044709	4214930882	103		L C HAIRE #1 #14811	GIDDINGS (AUSTIN CHAL	50.0	PHILLIPS PETROLEU
-EXXON CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217268	F-08-044434	4200332784	103		FULLERTON CLEARFORK UNIT #423	FULLERTON	15.0	PHILLIPS PETROLEU
8217190	F-7C-043886	4210332620	103		J B TUBB E #2U	SAND HILLS (MCKNIGHT)	37.0	EL PASO NATURAL G
8217184	F-06-043834	4207330437	103		JANIE P NICHOLSON #9	NECHES (WOODBINE)	150.0	UNITED GAS PIPELI
*8217176	F-04-043796	4227330571	103		K R TIJERINA J-131 (95440)	TIJERINA-CANALES-BLUC	276.0	ARMCO STEEL CORP
8217382	F-03-044964	4247330309	103		KATY GAS FIELD CONSOLIDATED #4405	KATY (I-B)	1.2	UNITED TEXAS TRAN
8217346	F-7C-044856	4223531793	103		MC AFEE-LINTHICUM #1	MERTZON (CANYON)	5.0	
8217380	F-04-044962	4204730918	102-4		MCGILL BROS 463 (95709)	KELSEY SE (29-A N)	365.0	TRUNKLINE GAS CO
8217233	F-08-044260	4200332830	103		MEANS/SAN ANDRES/UNIT #1558	MEANS	15.0	PHILLIPS PETROLEU
8217379	F-04-044957	4226130634	102-4		MRS S K EAST 125-D (95937)	RITA (11-R II)	730.0	NATURAL GAS PIPEL
8217185	F-06-043836	4207330438	103		PERMELIA NAYS #3	NECHES (WOODBINE)	175.0	UNITED GAS PIPELI
8217271	F-8A-044445	4216532129	103		ROBERTSON CLEARFORK UNIT #6703	ROBERTSON N (CLEARFOR	15.0	PHILLIPS PETROLEU
8217113	F-04-042922	4248930661	102-4		S H BELL "B" 8 (95943)	WILLAMAR (GRABEN 4720	365.0	NATURAL GAS PIPEL
8217381	F-04-044963	4226130444	102-4		SARITA OIL & GAS UNIT 145-D (09310)	SARITA (6-B)	10.0	NATURAL GAS PIPEL
8217183	F-06-043833	4207330435	103		T J CUNNINGHAM EST #7	NECHES (WOODBINE)	33.0	UNITED GAS PIPELI
8217345	F-08-044855	4210931479	103		TEXACO FEE C #1	FORD WEST (4100)	2.0	
8217219	F-11-044107	4239330876	103		W H MOORE #4	MENDOTA NW (DOUGLAS L	16.0	TRANSWESTERN PIPE
-FARGO ENERGY CORP			RECEIVED:	02/03/82	JA: TX			
8217256	F-03-044371	4205131858	102-2		CLEVELAND #1 RRC #14749	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-FERRIER & TIERNEY OIL INC			RECEIVED:	02/03/82	JA: TX			
8217143	F-01-043401	4217730998	102-4		BURCHARD #1	CHRISTIAN (6800)	18.0	VALERO TRANSMISSI
-FISHER-WEBB INC			RECEIVED:	02/03/82	JA: TX			
8217318	F-7C-044711	4241330993	103		EMMONS #3	PAGE WEST (CANYON)	50.0	INTRATEX GAS CO
8217319	F-7C-044712	4241331011	103		EMMONS #4	PAGE WEST (CANYON)	50.0	INTRATEX GAS CO
8217320	F-7C-044713	4241331039	103		EMMONS #5	PAGE WEST (CANYON)	50.0	INTRATEX GAS CO
8217265	F-7B-044407	4244131908	103		V BROWN #2	LAKE ABILENE (4000')	50.0	FORT CHADBOURNE C
8217266	F-7B-044409	4244131943	103		V BROWN #3	LAKE ABILENE (4000')	50.0	FORT CHADBOURNE C
-FLAG-REDFERN OIL CO			RECEIVED:	02/03/82	JA: TX			
8217237	F-08-044292	4237132633	103		MCDONALD #2-U #034404	PUTMAN (WOLFCAMP)	267.0	DELHI PIPELINE CO
-FORUM ENERGY INC			RECEIVED:	02/03/82	JA: TX			
8217165	F-7B-043708	4204932855	102-4		D HARDY "B" #1 (96015)	HARDY (MARBLE FALLS)	235.0	ODESSA NATURAL CO
-GENESIS PETROLEUM CORP			RECEIVED:	02/03/82	JA: TX			
8217110	F-04-042889	4213135178	102-4		G C HINOJOSA #1	STARR BRITE W (4900')	146.0	HOUSTON PIPE LINE
-GEODYNE RESOURCES INC			RECEIVED:	02/03/82	JA: TX			
8217122	F-10-043052	4229500000	103		LEONORE "B" #1-784	MAMMOTH CREEK (TONKAW	73.0	DIAMOND SHAMROCK
-GEORGE H MITCHELL			RECEIVED:	02/03/82	JA: TX			
8217262	F-06-044390	4237100000	108		MAUER #2	ABELL EAST (GLORIETA)	2.4	PGP GAS PRODUCTS
-GERONIMO OIL CO			RECEIVED:	02/03/82	JA: TX			
8217172	F-04-043782	4240931506	103		DANIEL I COGGIN JR #1-B	MIDWAY (6200)	182.0	VALLEY PIPELINES
-GETTY OIL COMPANY			RECEIVED:	02/03/82	JA: TX			
8217151	F-02-043478	4200500000	108		NONA BERRY DAVIS #2 RRC #4835	YOUGEEN	22.0	UNITED GAS PIPELI
8217059	F-03-042072	4205100000	102-2		R P KOVAR #1	GIDDINGS (AUSTIN CHAL	148.0	FERGUSON CROSSING
-GHR ENERGY CORP			RECEIVED:	02/03/82	JA: TX			

JD NO	JA DKT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217103	F-04-042842	4247932970	102-4	107-TF	BRUNI RANCH #6-C	BRUNI RANCH (LOBO 980	365.0	VALERO TRANSMISSI
-GILLRING OIL CO			RECEIVED: 02/03/82 JA: TX					
8217308	F-04-044625	4204730939	103		D J SULLIVAN IV #1	ANN MAG (FRIO-VICKSBU	109.5	TENNESSEE GAS PIP
-GOLDKING PRODUCTION COMPANY			RECEIVED: 02/03/82 JA: TX					
8217098	F-03-042776	4232131129	103		IRA HICKS #1	E ASHBY (9000')	637.0	HOUSTON PIPE LINE
-GROVER J GEISELMAN			RECEIVED: 02/03/82 JA: TX					
8217326	F-03-044767	4215731234	103		LEUS GAS UNIT #1	NEEDVILLE S (FLT BLK	100.0	PHILLIPS PETROLEU
-GULF ENERGY PRODUCING COMPANY			RECEIVED: 02/03/82 JA: TX					
8217086	F-08-042542	4217331115	103		W C HOUSTON JR #1 (26965)	SPRABERRY TREND AREA	0.0	PHILLIPS PETROLEU
-GULF OIL CORPORATION			RECEIVED: 02/03/82 JA: TX					
8217160	F-08-043607	4247532354	103		ESTES E W #248	ESTES BLOCK 34 (PENN)	37.0	CABOT CORP
8217141	F-08-043377	4247532330	103		HUTCHINGS STOCK ASSN #1126	WILDCAT	0.0	CABOT CORP
8217369	F-08-044957	4247511164	108		HUTCHINGS STOCK ASSN #766	WARD-ESTES NORTH	1.0	CABOT CORP
8217370	F-08-044943	4249501313	108		KEYSTONE CATTLE CO #160	KEYSTONE (DEVONIAN)	2.0	CABOT CORP
8217333	F-10-044785	4223300000	108		QUINN #11	PANHANDLE CARSON COUN	0.5	GETTY OIL CO
8217332	F-10-044784	4223300000	108		QUINN #12	PANHANDLE CARSON COUN	0.5	GETTY OIL CO
-H-M OIL CO			RECEIVED: 02/03/82 JA: TX					
8217079	F-02-042454	4228531605	102-4	103	MCELROY #1	SPEAKS SW (2850)	0.0	VALERO TRANSMISSI
-HAROLD D COURSON			RECEIVED: 02/03/82 JA: TX					
8217225	F-10-044193	4219500000	108		WAMBLE	HANSFORD (MORROW UPPE	15.0	NORTHERN NATURAL
-HEXAGON OIL & GAS INC			RECEIVED: 02/03/82 JA: TX					
8217062	F-78-042132	4236732077	103		MCCULLOH #1	MOBY DICK (CONGLOMERA	182.0	SOUTHWESTERN GAS
-HNG OIL COMPANY			RECEIVED: 02/03/82 JA: TX					
8217128	F-10-043140	4221100000	108		LUCAS "9" #1	VIKING (MORROW UPPER)	35.8	MID-LOUISIANA GAS
8217223	F-7C-044170	4243500000	108		PFLUGER "85" #4	SAWYER CANYON	58.3	INTRATEX GAS CO
-HOWELL DRILLING INC			RECEIVED: 02/03/82 JA: TX					
8217197	F-02-043978	4228500000	103	107-TF	LAY MCCORD GAS UNIT #1 #1	SWEET HOME	0.0	VALERO TRANSMISSI
-HUGHES & HUGHES			RECEIVED: 02/03/82 JA: TX					
8217277	F-04-044465	4235531748	102-4		WALTER B NORRIS #C-1	W MINNIE BOCK (7575)	85.0	DELHI GAS PIPELIN
-HURLEY PETROLEUM CORPORATION			RECEIVED: 02/03/82 JA: TX					
8217104	F-06-042863	4236500000	108		VERA BLACK UNIT #1-C	BETHANY (PETTIT)	0.0	TENNESSEE GAS PIP
-INLAND OCEAN INC			RECEIVED: 02/03/82 JA: TX					
8217238	F-02-044309	4246900000	108		C SCHAAR A-2 (51912)	COLOGNE	0.0	VALERO TRANSMISSI
-J A LEONARD			RECEIVED: 02/03/82 JA: TX					
8217252	F-03-044361	4205100000	102-4		COFFIELD-WINSTON "A" #1	INEZ JAMESON (NAVARRO	14.0	FERGUSON CROSSING
8217253	F-03-044362	4205100000	102-4		COFFIELD-WINSTON "A" #2	INEZ JAMESON (NAVARRO	55.0	FERGUSON CROSSING
-J A WILBURN			RECEIVED: 02/03/82 JA: TX					
8217081	F-78-042466	4215131079	103		J A WILBURN "B" #1	CLAYTONVILLE (CANYON	18.0	TIPPERARY OIL & G
-J CLEO THOMPSON & JAMES CLEO THOMPS			RECEIVED: 02/03/82 JA: TX					
8217126	F-7C-043100	4210533575	103.	107-TF	MEADOWS "A" #5	OZONA (CANYON SAND)	270.0	PHILLIPS PETROLEU
8217154	F-7C-043512	4210533595	102-4		MEADOWS "B" #3	UNIVERSITY 31 (STRAWN	295.0	PHILLIPS PETROLEU
8217080	F-7C-042459	4210533571	103	107-TF	P L CHILDRESS #10	OZONA NE (CANYON 7520	300.0	PHILLIPS PETROLEU
8217329	F-7C-044771	4210500000	108		THOMPSON #1	OZONA (CANYON SAND)	7.0	EL PASO NATURAL G
8217330	F-7C-044772	4210500000	108		THOMPSON FEE #4	OZONA (CANYON SAND)	11.0	EL PASO NATURAL G
8217328	F-7C-044773	4210500000	108		THOMPSON FEE #8	OZONA (CANYON SAND)	15.0	EL PASO NATURAL G
8217327	F-7C-044769	4210500000	108		THOMPSON FEE #9	OZONA (CANYON SAND)	10.0	EL PASO NATURAL G
8217243	F-08-044329	4200332738	103		W MEANS (GRAYBURG SAN ANDRES) #9-5A	MEANS	23.0	PHILLIPS PETROLEU
8217244	F-08-044330	4200332747	103		WEST MEANS UNIT 9-6	MEANS	27.0	PHILLIPS PETROLEU
8217342	F-08-044832	4200332760	103		WEST MEANS UNIT 9-7	MEANS	24.0	PHILLIPS PETROLEU
8217246	F-08-044332	4200332746	103		WEST MEANS 8-10	MEANS	23.0	PHILLIPS PETROLEU
8217245	F-08-044331	4200332736	103		WEST MEANS 8-9	MEANS	23.0	PHILLIPS PETROLEU
8217247	F-08-044333	4200332762	103		WEST MEANS 9-8	MEANS	23.0	PHILLIPS PETROLEU
-JACKSON EXPLORATION INC			RECEIVED: 02/03/82 JA: TX					

JD NO	JA RT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217120	F-04-042969	4247932733	107-TF		BARRERA #2	BARRERA (WILCOX LOWER	25.0	VALERO TRANSMISSI
-JEM PETROLEUM CORP			RECEIVED:	02/03/82	JA: TX			
8217264	F-7C-044399	4243500000	108		STITES #1-M AND #1-L	BRANCH NORTH (CANYON	17.0	EL PASO NATURAL G
-JOE MCGUIRE			RECEIVED:	02/03/82	JA: TX			
8217241	F-7C-044326	4210533572	102-4	103	JOE F BEAN "D" #2	PIKES PEAK DRAW (CANY	82.8	PERMIAN CORP
8217241	F-7C-044326	4210533572	107-TF		JOE F BEAN "D" #2	PIKES PEAK DRAW (CANY	82.8	PERMIAN CORP
-JOHN R THOMPSON OPERATING INC			RECEIVED:	02/03/82	JA: TX			
8217092	F-02-042583	4202500000	103		E S BROWN #1	NORMANNA S (2050')	36.5	UNITED GAS PIPELI
-JUSTISS OIL CO INC			RECEIVED:	02/03/82	JA: TX			
8217063	F-06-042192	4220330849	102-2	107-TF	BLALOCK GAS UNIT #2	BLOCKER (COTTON VALLE	275.0	UNITED GAS PIPE L
-KENNEDY & MITCHELL INC			RECEIVED:	02/03/82	JA: TX			
8217167	F-03-043720	4215731134	102-4		TDC #4-200-4	PECAN GROVE (8000)	500.0	HOUSTON PIPELINE
8217168	F-03-043721	4215731134	102-4		TDC #4-200-4	PECAN GROVE (7700)	75.0	HOUSTON PIPELINE
-KERR-MCGEE CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217209	F-10-044014	4229500000	108		BRILLHART 2-852	KIOWA CREEK	1.0	NORTHERN NATURAL
-LADD PETROLEUM CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217303	F-7B-044602	4236731555	103		DURHAM #3	TOTO (STRAWN)	93.9	LONE STAR GAS CO
8217074	F-7B-042301	4236731818	103		L B WILSON #3-T	TOTO (BEND CONGLOMERA	86.2	LONE STAR GAS CO
-M BRAD BENNETT INC & RKH LTD			RECEIVED:	02/03/82	JA: TX			
8217344	F-08-044851	4238931207	102-4	103	COLLIE #1	COLLIE(DELAWARE)	10.9	INTRATEX GAS CO
-M S KLOTZMAN EXPLORATION			RECEIVED:	02/03/82	JA: TX			
8217301	F-02-044567	4249330701	102-4		CLARENCE J SKLOSS #1-C	PATTON (AUSTIN CHALK)	90.0	J L DAVIS
8217300	F-01-044566	4249330701	102-4		CLARENCE J SKLOSS #1-T	KLOTZMAN (EAGLEFORD)	90.0	J L DAVIS
-MAGUIRE OIL COMPANY			RECEIVED:	02/03/82	JA: TX			
8217150	F-8A-043469	4231700000	103		GRANTHAM "C" #1	ACKERLY	0.2	GETTY OIL CO
-MARIANAS OPERATING CO INC			RECEIVED:	02/03/82	JA: TX			
8217159	F-7B-043601	4208332536	102-4		COLEMAN COUNTRY CLUB #1	WILDCAT	272.0	ODESSA NATURAL CO
-MARSHALL EXPLORATION INC			RECEIVED:	02/03/82	JA: TX			
8217180	F-7B-043821	4236332378	103		ALLEN "B" #3	BRANSON N (BIG SALINE	73.0	SOUTHWESTERN GAS
8217070	F-06-042233	4236531303	103	107-TF	SABINE ROYALTY #2	BELLE BOWER (COTTON V	360.0	TENNESSEE GAS PIP
-MATZINGER EXPLORATION CO			RECEIVED:	02/03/82	JA: TX			
8217224	F-02-044181	4228531587	102-4	103	JACOBS RANCH #1	SARTWELLE	365.0	VALERO TRANSMISSI
-MCCANN CORP			RECEIVED:	02/03/82	JA: TX			
8217240	F-08-044322	4222732401	102-2	103	FLANAGAN "A" #1	RED DRAW (MISS)	64.8	PHILLIPS PETROLEU
-MEWBOURNE OIL COMPANY			RECEIVED:	02/03/82	JA: TX			
8217094	F-11-042627	4235731133	102-4		MEKEEL #1	TURNER SE (UPPER MORR	50.0	DIAMOND SHAMROCK
8217064	F-10-042195	4229530963	103		SCHULTZ "716" #1	LIPSCOMB (MORROW)	60.0	TRANSWESTERN PIPE
-MGF OIL CORP			RECEIVED:	02/03/82	JA: TX			
8217388	F-01-044974	4249330687	103		HUNTER MCDANIEL #1	MARCELINA CREEK (AUST	1.4	
8217389	F-01-044975	4249330688	103		HUNTER MCDANIEL #2	MARCELINA CREEK (AUST	16.6	
8217390	F-01-044976	4249330674	103		URBANCZYK UNIT #1	MARCELINA CREEK (AUST	39.6	
-MINERAL DEVELOPMENT INC			RECEIVED:	02/03/82	JA: TX			
8217299	F-08-044552	4237133306	103		MAGNOLIA "EE" #13 #26136	PECOS VALLEY HIGH GRA	0.2	NORTHERN NATURAL
-MITCHELL ENERGY CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217171	F-03-043771	4214930888	102-2		ABELL UNIT A #1	GIDDINGS (AUSTIN CHAL	7.2	SOUTH CEN-TEX GAS
8217187	F-7C-043866	4210532956	103		CHILDRESS #15-2	KAMA (STRAWN)	50.0	
8217349	F-09-044866	4249700000	108		DOLLIE THORELL #1 54289	RHOME (ATOKA)	11.0	NATURAL GAS PIPEL
8217186	F-03-043850	4214900000	102-2	103	GEST UNIT A #1	GIDDINGS (AUSTIN CHAL	7.2	SOUTH CEN-TEX GAS
8217068	F-09-042226	4249700000	108		H D SCROGGINS #1 88097	BOONSVILLE (BEND CONG	3.7	SOUTHWESTERN GAS
8217350	F-7B-044871	4236700000	108		I M PEEK #1 85241	RENO (CONGL)	3.8	NATURAL GAS PIPEL
8217348	F-09-044865	4249700000	108		J W HOUSTON #1C 28686	BOONSVILLE (BEND CONG	5.5	NATURAL GAS PIPEL
8217216	F-09-044082	4223700000	102-4		J W LOVING EST #7-U	JERMYN WEST (CADDO LO	10.6	SOUTHWESTERN GAS
8217139	F-09-043345	4223733540	102-4		J W LOVING EST #9-L	JERMYN WEST (MARBLE F	31.0	SOUTHWESTERN GAS

JD NO	DI NT	API NO	RRC(1)	RRC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217140	F-04-043348	4249731996	103		JACK DALY UNIT 1 #2	BOONSVILLE (BEND CONG	38.0	NATURAL GAS PIPEL
8217269	F-03-044438	4215100000	102-2	103	JOOST #1	GIDDINGS (BUDA)	15.0	SOUTH CEN-TEX GAS
8217155	F-09-043534	4223700000	108		R L MORRIS B #3-C 38686	MORRIS (CONGL)	10.5	NATURAL GAS PIPEL
8217067	F-73-042224	4236700000	108		RAGLE #3 89746	DICEY (CONGL)	10.4	SOUTHWESTERN GAS
8217347	F-75-044863	4242900000	108		T RANDELL #1 76051	STEPHENS COUNTY REG (	13.3	SOUTHWESTERN GAS
8217076	F-09-042353	4249732133	103		TCWB #27	BOONSVILLE (BEND CONG	216.7	NATURAL GAS PIPEL
8217069	F-09-042232	4249700000	108		W SIMPSON #1	BOONSVILLE (BEND CONG	8.9	NATURAL GAS PIPEL
8217351	F-78-044872	42367.0000	108		WOOTERS #1 65835	BRAZOS EAST (CADDO)	10.2	SOUTHWESTERN GAS
-MOBIL PRDG TEXAS & NEW MEXICO INC			RECEIVED:		02/03/82 JA: TX			
8217296	F-08-044531	4200332770	103		MCFARLAND QUEEN NORTH UNIT #5A	MCFARLAND (QUEEN)	0.4	PHILLIPS PETROLEU
8217315	F-88-044691	4207931426	103		NORTH CENTRAL LEVELLAND UNIT #355	LEVELLAND	0.4	AMOCO PRODUCTION
-MORAN EXPLORATION INC			RECEIVED:		02/03/82 JA: TX			
8217249	F-70-044343	4223531615	103		ROCKER B "S" #6	SPRABERRY (TREND AREA	0.0	NORTHERN NATURAL
8217242	F-08-044328	4217331101	103		SCHAEFER #2	SPRABERRY (TREND AREA	0.0	EL PASO NATURAL G
-MORMAC ENERGY CORP			RECEIVED:		02/03/82 JA: TX			
8217109	F-04-042881	4235531798	102-4		HENRY CABLA #1-C	FARENTHOLD N (5500)	365.0	NUE-WELLS PIPELIN
-MORROW RESOURCES INC			RECEIVED:		02/03/82 JA: TX			
8217259	F-70-044386	4245130777	102-2	103	BROWN #1	WILDCAT	188.5	LONE STAR GAS CO
-MR OIL CO			RECEIVED:		02/03/82 JA: TX			
8217192	F-08-043911	4247532405	103		MCFARLAND I B SEC 25 #12	WARD-ESTES NORTH	23.0	WESTERN COUNTIES
8217090	F-08-042571	4247500000	108		RICHTER LOUIS #16	WARD-ESTES NORTH	36.5	CABOT CORP
8217089	F-08-042570	4247500000	108		RICHTER LOUIS #28	WARD-ESTES NORTH	0.4	CABOT CORP
8217088	F-08-042569	4247500000	108		RICHTER LOUIS #29	WARD-ESTES NORTH	0.4	CABOT CORP
8217087	F-08-042568	4247500000	108		RICHTER LOUIS #32	WARD-ESTES NORTH	0.4	CABOT CORP
8217091	F-08-042572	4247500000	108		RICHTER LOUIS #8	WARD-ESTES NORTH	0.4	CABOT CORP
-N D MCINTYRE			RECEIVED:		02/03/82 JA: TX			
8217114	F-70-042923	4243532385	103	107-TF	BAKER #1	INTERSTATE (CANYON)	185.0	PRODUCERS GAS CO
-NICHOLS & BRADY PRODUCTION CO			RECEIVED:		02/03/82 JA: TX			
8217142	F-88-043385	4216531847	103		BINGHAM "A" #1-R #62566	HOMANN (SAN ANDRES)	1.6	PHILLIPS PETROLEU
-NORTH RIDGE CORP			RECEIVED:		02/03/82 JA: TX			
8217082	F-75-042481	4213300000	102-4		B A DANLEY #1	RANGER NW (MARBLE FAL	16.6	PRISM ENTERPRISES
8217083	F-78-042482	4213333208	102-4	103	D B THOMPSON #1	RANGER (BLACK LIME WE	22.3	PRISM ENTERPRISES
8217085	F-73-042486	4213300000	102-4		J W BARNES #2	RANGER NW (MARBLE FAL	13.0	SUN GAS TRANSMISS
8217084	F-73-042484	4213300000	102-4		J W BARNES #4	RANGER NW (MARBLE FAL	18.0	PRISM ENTERPRISES
-NORTH STAR PETROLEUM CORPORATION			RECEIVED:		02/03/82 JA: TX			
8217361	F-10-044902	4223300000	108		BIVINS #1 (02468)	PANHANDLE HUTCHINSON	24.0	PANHANDLE PRODUCI
8217360	F-10-044901	4223300000	108		BIVINS #4 (02468)	PANHANDLE HUTCHINSON	24.0	PANHANDLE PRODUCI
8217362	F-10-044903	4223300000	108		SHAFFER-SANFORD #3 (02725)	PANHANDLE HUTCHINSON	12.0	PANHANDLE PRODUCI
8217363	F-10-044904	4223300000	108		SHAFFER-SANFORD #4 (02725)	PANHANDLE HUTCHINSON	12.0	PANHANDLE PRODUCI
-ORIGINALA PETROLEUM CORP			RECEIVED:		02/03/82 JA: TX			
8217236	F-00-044277	4273379000	103		WILLIE RUTH RICHARDS #21-94278	CARY MAG (CONGLOMERAT	140.0	TEXAS UTILITIES F
-ORLA PETCO INC			RECEIVED:		02/03/82 JA: TX			
8217366	F-08-044912	4210931435	103		BILL MEEKER #4	ED KENNEDY (CHERRY CA	0.0	TEXACO INC
8217367	F-08-044913	4210931451	103		BILL MEEKER #5	ED KENNEDY (CHERRY CA	0.0	TEXACO INC
-ORMAND INDUSTRIES INC			RECEIVED:		02/03/82 JA: TX			
8217158	F-70-043586	4210500000	108		MONTGOMERY 17-#1	OZONA	9.0	NORTHERN NATURAL
-OTIS ENERGY INC			RECEIVED:		02/03/82 JA: TX			
8217281	F-75-044480	4213332630	102-4		I N HART #1	BANKLINE-OWEN N (MARB	912.5	ODESSA NATURAL CO
8217282	F-75-044483	4213332752	102-4		I N HART #1-C	BANKLINE-OWEN N (COMY	182.5	ODESSA NATURAL CO
8217280	F-75-044477	4213332656	102-2		J S HART #5	EASTLAND COUNTY REGUL	18.3	ODESSA NATURAL GA
-P C BURNS			RECEIVED:		02/03/82 JA: TX			
8217220	F-[illegible]-044116	42 7731860	103		H O WINDLE #1 20666	CLAY COUNTY REGULAR	6.0	SANFORD P FAGADAU
-PARAGON RESOURCES INC			RECEIVED:		02/03/82 JA: TX			

JD NO	DATE	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217335	F-04-044805	4250531253	103	107-TF	MUNOZ #1	HUNDIDO (LOBO)	146.0	
-PENNZOIL PRODUCING COMPANY		RECEIVED:	02/03/82	JA: TX				
8217097	F-04-042703	4235531248	103		E A KINSEY #A-3	AGUA DULCE (6400')	330.0	UNITED GAS PIPE L
8217313	F-04-044639	4250500000	102-4		JENNINGS #35-F	JENNINGS W (WILCOX 7,	657.0	NATURAL GAS PIPEL
8217135	F-04-043228	4221502025	108		SAVAGE UNIT #B-2	HIDALGO (HACKNEY B WE	4.0	VAL GAS CO
-PETROLEUM CORPORATION OF TEXAS		RECEIVED:	02/03/82	JA: TX				
8217263	F-02-044395	4217531484	102-3		WALTER DIETZEL #2	COLLETTOVILLE CREEK (	23.7	
-PETROLEUM EQUITIES CORP		RECEIVED:	02/03/82	JA: TX				
8217255	F-7C-044364	4243532315	103		VANDERSTUCKEN #6	SAWYER (CANYON)	138.0	LONE STAR GAS CO
-PHILLIPS PETROLEUM COMPANY		RECEIVED:	02/03/82	JA: TX				
8217231	F-08-044236	4222732462	103		BELLAM #15	IATAN EAST (HOWARD)	6.2	
8217298	F-08-044541	4222732463	103		BELLAM #16	IATAN EAST (HOWARD)	9.5	
8217144	F-08-043406	4213502670	108		GS ANDECTOR #R-12	GOLDSMITH (CLEARFORK)	13.0	EL PASO NATURAL G
8217316	F-08-044693	4213520358	108		N PENWELL #31	PENWELL (GLORIETA)	8.0	EL PASO NATURAL G
8217364	F-6E-044908	4240107684	108		PENNY #4	EAST TEXAS	0.6	PARADE CO
8217365	F-6E-044909	4240107685	108		THRASH #44	EAST TEXAS	1.2	PARADE CO
-PIONEER PRODUCTION CORPORATION		RECEIVED:	02/03/82	JA: TX				
8217337	F-10-044611	4221100000	103		G W SPORTSMAN #1-49	WASHITA NW (DOUGLAS)	0.0	
-QUINTIN LITTLE CO		RECEIVED:	02/03/82	JA: TX				
8217278	F-03-044472	4214931222	102-2		PENNY LOU UNIT #1	GIDDINGS (AUSTIN CHAL	80.0	PHILLIPS PETROLEU
-ROYAL OIL & GAS CORPORATION		RECEIVED:	02/03/82	JA: TX				
8217169	F-01-043724	4217731097	102-2	103	TILMON H GRAY #2	CHRISTIAN (6800) FIEL	100.0	VALERO TRANSMISSI
-SAGE ENERGY CO		RECEIVED:	02/03/82	JA: TX				
8217132	F-03-043180	4205131756	102-2		BIRCH CREEK "B" #1 RRC 14476	GIDDINGS (AUSTIN CHAL	256.0	PHILLIPS PETROLEU
8217279	F-7B-044475	4214930938	102-2		KELLY #1 RRC #14446	GIDDINGS (AUSTIN CHAL	7.0	PHILLIPS PETROLEU
8217283	F-03-044484	4214931057	102-2		MARK I RRC #14525	GIDDINGS (AUSTIN CHAL	10.0	PHILLIPS PETROLEU
8217130	F-03-043178	4205131593	102-2		NIX #1 RRC #	GIDDINGS (AUSTIN CHAL	46.2	PHILLIPS PETROLEU
8217131	F-03-043179	4205131446	102-2		TIGE UNIT #1 RRC #	GIDDINGS (AUSTIN CHAL	167.7	PHILLIPS PETROLEU
-SAMSON RESOURCES COMPANY		RECEIVED:	02/03/82	JA: TX				
8217311	F-06-044654	4241930332	102-4		V COOK GAS UNIT #1	NORTH TIMPSON (TRAVIS	153.5	DELHI GAS PIPELIN
-SANCHEZ-OBRIEN OIL & GAS CORP		RECEIVED:	02/03/82	JA: TX				
8217093	F-04-042614	4250531350	107-DP		MERCURIO MARTINEZ #1	LAS OVEJAS LOBO 6	500.0	TENNESSEE GAS PIP
-SANTA FE ENERGY PRODUCTS CO		RECEIVED:	02/03/82	JA: TX				
8217387	F-08-044968	4213533620	103		SPC #1	HARPER	12.0	PHILLIPS PETROLEU
-SCANDRILL CO		RECEIVED:	02/03/82	JA: TX				
8217229	F-09-044212	4223734101	103		HENDERSON #3	BRYSON EAST	29.9	SUN GAS TRANSMISS
8217228	F-09-044210	4223734102	103		HENDERSON #4	BRYSON EAST	27.8	SUN GAS TRANSMISS
-SCOTT & REMINGTON		RECEIVED:	02/03/82	JA: TX				
8217222	F-03-044150	4250300000	102-2		PACE & STRANGE #12	YOUNG COUNTY REGULAR	0.0	MID-STATES GAS CO
-SEATEX ENERGY CORP		RECEIVED:	02/03/82	JA: TX				
8217270	F-09-044443	4250335094	103		GILMORE #1	BRYSON SOUTH (CADDO M	36.5	SOUTHWESTERN GAS
-SECURITY PETROLEUM DRILLING INC		RECEIVED:	02/03/82	JA: TX				
8217215	F-10-044047	4217930936	103		EVANS #8 04731	PANHANDLE GRAY COUNTY	72.0	CABOT PIPELINE CO
-SEELY OIL CO		RECEIVED:	02/03/82	JA: TX				
8217137	F-7B-043290	4242932847	102-4		T P ROBERTSON "61" #1 17287	ANN T (MISS)	18.0	GREAT WESTERN GAS
-SHELL OIL CO		RECEIVED:	02/03/82	JA: TX				
8217198	F-04-043981	4221531146	103		A A MCALLEN #74	MCALLEN RANCH (VICKSB	430.0	VALERO INTERSTATE
8217075	F-04-042351	4213135119	102-4		L C WEATHERBY GAS UNIT #2	ROSITA NW (WILCOX W)	350.0	UNITED TEXAS TRAN
8217196	F-04-043976	4221531119	103		WOODS CHRISTIAN #25	MCALLEN RANCH (VICKSB	400.0	VALERO INTERSTATE
-SIOUX NATURAL GAS CORP		RECEIVED:	02/03/82	JA: TX				
8217302	F-7A-044594	4205932824	102-4		R L GRIGGS #5	MEXIA CREEK CONGLOMER	12.1	SIOUX PIPELINE CO
-SKLAR & PHILLIPS OIL CO		RECEIVED:	02/03/82	JA: TX				
8217188	F-06-043871	4242330479	103		TELEDYNE #1	CHAPEL HILL (PETTET)	100.0	ETEXAS PRODUCERS

JD NO	JA TXT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217189	F-76-043872	4242330479	103		TELEDYNE #1	CHAPEL HILL (RODESSA)	50.0	ETEXAS PRODUCERS
-SOHIO PETROLEUM CO			RECEIVED:		02/03/82 JA: TX			
8217267	F-7C-04411	4217331205	103		D J CAUBLE #10	CALVIN (DEAN)	83.0	EL PASO NATURAL G
-STEWART PETROLEUM CO			RECEIVED:		02/03/82 JA: TX			
8217235	F-03-044275	4216730845	102-4		W H COON 1-M #14888	COON (6963)	102.0	
-STROUBE EXPLORATION INC			RECEIVED:		02/03/82 JA: TX			
8217221	F-78-044129	4215131230	103		FIELDS #5-A 16961	RAVEN CREEK NORTH (ST	10.8	PALO DURO PIPELIN
-SUPERIOR OIL CO			RECEIVED:		02/03/82 JA: TX			
8217358	F-04-044899	4227300000	108		ARCO-STORM #1	RICARDO	0.0	HOUSTON PIPELINE
8217232	F-02-044258	4212300000	107-TF		E E PLACKE #1	TERRYVILLE W	0.0	LONE STAR GAS CO
8217336	F-03-044809	4205100000	102-2	103	E L MOORE #3	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
-TEXACO INC			RECEIVED:		02/03/82 JA: TX			
8217101	F-8A-042829	4221933224	103		BOB SLAUGHTER BLK #332	SLAUGHTER	0.0	AMOCO PRODUCTION
8217163	F-8A-043647	4221933222	103		BOB SLAUGHTER BLK #333	SLAUGHTER	4.0	AMOCO PRODUCTION
8217273	F-78-044452	4210931453	103		CULBERSON "Y" FEE #2	FORD WEST (4100)	0.0	EL PASO NATURAL G
8217162	F-8A-043646	4221933119	103		IRA P DELOACHE #16	LEVELLAND	0.7	AMOCO PRODUCTION
-TEXAS GENERAL PETROLEUM CORP			RECEIVED:		02/03/82 JA: TX			
8217096	F-04-042656	4235531756	102-4		L W MUMME #1	DOUGHERTY (FRIO 4200)	60.0	UNITED GAS PIPELI
-TEXLAND-RECTOR & SCHUMACHER			RECEIVED:		02/03/82 JA: TX			
8217195	F-8A-043961	4221933077	103		DAVIS "B" #7	SLAUGHTER	1.0	AMOCO PRODUCTION
-TEXOMA PRODUCTION CO			RECEIVED:		02/03/82 JA: TX			
8217095	F-03-042632	4232131088	102-4		H L HENRY #1	SIMPSONVILLE (11000)	0.0	NATURAL GAS PIPEL
-THE DOW CHEMICAL COMPANY			RECEIVED:		02/03/82 JA: TX			
8217181	F-01-043824	4212731815	103		BRISCOE RANCH #23	CATARINA SW (OLMOS)	48.0	VALERO TRANSMISSI
8217179	F-01-043817	4212731908	103		BRISCOE RANCH #28	CATARINA SW (OLMOS)	61.0	VALERO TRANSMISSI
8217178	F-01-043816	4212731907	103		BRISCOE RANCH #29	CATARINA SW (OLMOS)	45.0	VALERO TRANSMISSI
8217177	F-01-043815	4212731906	103		BRISCOE RANCH #30	CATARINA SW (OLMOS)	59.0	VALERO TRANSMISSI
8217102	F-05-042836	4234931741	102-4	103	J A BREITHAUPT OIL UNIT C #1	CHENEYBORO	82.0	INTRASTATE GAS TR
-THOMAS C CANAN			RECEIVED:		02/03/82 JA: TX			
8217352	F-78-044879	4242932951	103		CURRY "C" #1	STEPHENS COUNTY REGUL	116.0	SOUTHWESTERN GAS
-THREE-B OIL CO			RECEIVED:		02/03/82 JA: TX			
8217156	F-08-043575	4247532377	103		POTTS #1	PAYTON	32.8	PERRY PIPELINE CO
-TOWNER PETROLEUM CO			RECEIVED:		02/03/82 JA: TX			
8217138	F-03-043294	4214930986	102-2		HUTSON #1	GIDDINGS (AUSTIN CHAL	432.0	CLAJON GAS CO
-TRITON OIL & GAS CORP			RECEIVED:		02/03/82 JA: TX			
8217323	F-05-044743	4221330320	102-4		JARVIS #1	TRINIDAD S (RODESSA)	494.0	UNITED GAS PIPELI
-TUCKER DRILLING COMPANY INC			RECEIVED:		02/03/82 JA: TX			
8217145	F-7C-043409	4241300000	108		JAMES T HUNT #1	W J B (CANYON)	1.0	LONE STAR GAS CO
8217147	F-7C-043422	4241300000	108		JOHN E DYER #1	ELDORADO E (CANYON)	2.4	LONE STAR GAS CO
8217148	F-7C-043423	4223531796	103		LINDLEY "40" #1	CHRISTI (CANYON 6800)	66.6	
8217321	F-7C-044714	4209530533	102-4	103	MILLER #1	WILLENA (GOEN 4140)	272.6	SUN OIL CO
8217146	F-7C-043420	4241300000	108		THAD A THOMSON "C" #1	W J B (CANYON)	13.1	LONE STAR GAS CO
-TXO PRODUCTION CORP			RECEIVED:		02/03/82 JA: TX			
8217108	F-10-042671	4235731186	102-4		DANIELS "C" #1	RICKS (MORROW UPPER)	300.0	DELHI GAS PIPELIN
8217107	F-7C-042870	4210533598	103		ROBERTSON "C" #3	OZONA (CANYON SAND)	0.0	DELHI GAS PIPELIN
-UNION OIL COMPANY OF CALIF			RECEIVED:		02/03/82 JA: TX			
8217260	F-08-044387	4200332668	103		DOLLARHIDE UNIT #17-16-C	DOLLARHIDE (CLEARFORK	30.0	DOLLARHIDE GASOLI
8217261	F-08-044388	4200332667	103		DOLLARHIDE UNIT #4-11-C	DOLLARHIDE (CLEARFORK	20.0	DOLLARHIDE GASOLI
-W M LAUGHLIN			RECEIVED:		02/03/82 JA: TX			
8217385	F-04-044967	4213103000	108		V C DE GONZALEZ #1	INDEPENDENCE (3150 GA	19.6	VALLEY GAS TRANSM
-WARREN PETR CO A DIV OF GULF OIL CO			RECEIVED:		02/03/82 JA: TX			
8217099	F-08-042799	4210332610	103		W N WADDELL 1209	SAND HILLS (MCKNIGHT)	583.2	EL PASO NATURAL G
8217371	F-08-044946	4210332628	103		W N WADDELL 1214	SAND HILLS (MCKNIGHT)	26.0	EL PASO NATURAL G

JD NO.	DA CAT	ID. NO.	SEC(1) SEC(2) WELL NO.		FIELD NAME	PROD	PURCHASER
-WCS PETROLEUM INC			RECEIVED: 02/03/82	JA: TX			
8217136	F-03-043263	4204130615	102-2	VAN RIET NO 1	WELLBORN (AUSTIN CHAL	0.0	FERGUSON CROSSING
-WILLIAM J AMIS			RECEIVED: 02/03/82	JA: TX			
8217207	F-09-043990	4218100000	102-4	E W MCADEN #5	PHILPICK (6450)	105.0	UNION TEXAS PETRO
8217206	F-09-043989	4218100000	102-4	E W MCADEN #6	PHILPICK (6450)	55.0	UNION TEXAS PETRO
8217205	F-09-043988	4218100000	102-4	E W MCADEN #7	PHILPICK (6450)	52.0	UNION TEXAS PETRO
8217202	F-09-043985	4218100000	102-4	GOLDSTON #1	PHILPICK (6450)	89.0	UNION TEXAS PETRO
8217201	F-09-043984	4218100000	102-4	GOLDSTON #2	PHILPICK (6450)	42.0	UNION TEXAS PETRO
8217204	F-09-043987	4209700000	102-4	GREEN #1	PHILPICK (6450)	153.0	UNION TEXAS PETRO
8217203	F-09-043986	4209700000	102-4	GREEN #3	PHILPICK (6450)	55.0	UNION TEXAS PETRO
8217200	F-09-043983	4209700000	102-4	SNUGGS #2	PHILPICK (6450)	47.0	UNION TEXAS PETRO
8217199	F-09-043982	4209700000	102-4	SNUGGS-GREEN UNIT #1	PHILPICK (6450)	39.0	UNION TEXAS PETRO
-WILLIAMS PETROLEUM CO			RECEIVED: 02/03/82	JA: TX			
8217272	F-73-044445	4236300000	103	LANDAR #8	BRA (CONGLOMERATE)	500.0	TEXAS UTILITIES F
-WINDSOR PRODUCING CO			RECEIVED: 02/03/82	JA: TX			
8217193	F-03-043917	4228730933	103	DEAN EQUIPMENT COMPANY #2	GIDDINGS (AUSTIN CHAL	36.5	PERRY PIPELINE CO
8217173	F-03-043788	4228731034	103	RAMIREZ #1	GIDDINGS (BUDA)	36.5	PGP GAS PRODUCTS
-WOOD MCSHANE & THAMS			RECEIVED: 02/03/82	JA: TX			
8217378	F-08-044954	4200332982	103	LITTMAN "A" 101 RRC #26861	LITTMAN (SAN ANDRES)	224.8	

OTHER PURCHASERS	VOLUME NO :600
8217066	COLUMBIA GAS TRANS CORP
8217077	COLUMBIA GAS TRANS CORP
8217078	COLUMBIA GAS TRANS CORP
8217172	VALERO TRANSMISSION CO
8217175	VALERO TRANSMISSION CO
8217176	E I DUPONT DENEMOURS & CO INC

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Engergy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before March 16, 1982.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 82–5432 Filed 2–26–82; 8:45 am]

BILLING CODE 6717–01–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 23, 1982.

JD NO	JA SET	API NO	C SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION								
-A E N ENERGY INC			RECEIVED:	02/03/82	JA: TX			
8217518	F-7B-045251	4213333095	102-4		GEORGE STEEL #1	BLIND HOG (CADDO)	25.0	SOUTHWESTERN GAS
-AKERS AND FULTZ INC			RECEIVED:	02/03/82	JA: TX			
8217734	F-09-045831	4223700000	103		ROY CHERRYHOMES F #5 18694	MARINA MAG (CONGL)	11.0	CITIES SERVICE GA
-ALLAR CO			RECEIVED:	02/03/82	JA: TX			
8217440	F-09-045053	4223700000	103		MARY GRAHAM EST #1	CRUM (MARBLE FALLS)	75.0	SOUTHWESTERN GAS
-ALPS OIL CO			RECEIVED:	02/03/82	JA: TX			
8217633	F-08-045504	4210332701	103		M B MCKNIGHT "A" #7	SAND HILLS (MCKNIGHT)	32.9	WARREN PETROLEUM
-AMERADA HESS CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217478	F-8A-045185	4216531935	103		SEMINOLE SAN ANDRES UNIT #1011	SEMINOLE SAN ANDRES	0.4	PHILLIPS PETROLEU
8217483	F-8A-045194	4216532031	103		SEMINOLE SAN ANDRES UNIT #1012	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217484	F-8A-045195	4216532044	103		SEMINOLE SAN ANDRES UNIT #1013	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217485	F-8A-045196	4216532030	103		SEMINOLE SAN ANDRES UNIT #1014	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217486	F-8A-045197	4216532043	103		SEMINOLE SAN ANDRES UNIT #1016	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217487	F-8A-045198	4216532094	103		SEMINOLE SAN ANDRES UNIT #1017	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217479	F-8A-045190	4216531905	103		SEMINOLE SAN ANDRES UNIT #1103	SEMINOLE SAN ANDRES	0.2	PHILLIPS PETROLEU
8217494	F-8A-045206	4216531943	103		SEMINOLE SAN ANDRES UNIT #1203	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217495	F-8A-045207	4216532029	103		SEMINOLE SAN ANDRES UNIT #1204	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217496	F-8A-045208	4216531909	103		SEMINOLE SAN ANDRES UNIT #1307	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217506	F-8A-045227	4216531906	103		SEMINOLE SAN ANDRES UNIT #1308	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217507	F-8A-045228	4216532044	103		SEMINOLE SAN ANDRES UNIT #1310	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217508	F-8A-045229	4216532041	103		SEMINOLE SAN ANDRES UNIT #1411	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217509	F-8A-045230	4216531920	103		SEMINOLE SAN ANDRES UNIT #1509	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217510	F-8A-045231	4216531910	103		SEMINOLE SAN ANDRES UNIT #1510	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217511	F-8A-045232	4216531908	103		SEMINOLE SAN ANDRES UNIT #1511	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217512	F-8A-045233	4216531908	103		SEMINOLE SAN ANDRES UNIT #1512	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217513	F-8A-045234	4216532020	103		SEMINOLE SAN ANDRES UNIT #1513	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217514	F-8A-045235	4216532039	103		SEMINOLE SAN ANDRES UNIT #1514	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217515	F-8A-045236	4216532042	103		SEMINOLE SAN ANDRES UNIT #1515	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217545	F-8A-045322	4216532015	103		SEMINOLE SAN ANDRES UNIT #1516	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217544	F-8A-045321	4216532038	103		SEMINOLE SAN ANDRES UNIT #1609	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217538	F-8A-045307	4216532048	103		SEMINOLE SAN ANDRES UNIT #1610	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217537	F-8A-045306	4216532037	103		SEMINOLE SAN ANDRES UNIT #1611	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217535	F-8A-045304	4216531888	103		SEMINOLE SAN ANDRES UNIT #1612	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217536	F-8A-045305	4216532047	103		SEMINOLE SAN ANDRES UNIT #1613	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217534	F-8A-045302	4216532046	103		SEMINOLE SAN ANDRES UNIT #1615	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217533	F-8A-045301	4216532035	103		SEMINOLE SAN ANDRES UNIT #1909	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217532	F-8A-045300	4216532056	103		SEMINOLE SAN ANDRES UNIT #2221	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217531	F-8A-045299	4216532124	103		SEMINOLE SAN ANDRES UNIT #2916	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217488	F-8A-045199	4216532128	103		SEMINOLE SAN ANDRES UNIT #2917	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217489	F-8A-045200	4216532127	103		SEMINOLE SAN ANDRES UNIT #2918	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU

JD NO	JA TKT NO	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217490	F-8A-045201	4216532130	103		SEMINOLE SAN ANDRES UNIT #2919	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217480	F-8A-045191	4216532142	103		SEMINOLE SAN ANDRES UNIT #3407	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217460	F-8A-045170	4216531888	103		SEMINOLE SAN ANDRES UNIT #4010	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217461	F-8A-045171	4216531892	103		SEMINOLE SAN ANDRES UNIT #4011	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217462	F-8A-045173	4216531888	103		SEMINOLE SAN ANDRES UNIT #4015	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217463	F-8A-045174	4216532008	103		SEMINOLE SAN ANDRES UNIT #4018	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217464	F-8A-045175	4216532009	103		SEMINOLE SAN ANDRES UNIT #4019	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217497	F-8A-045209	4216531889	103		SEMINOLE SAN ANDRES UNIT #4118	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217498	F-8A-045210	4216531888	103		SEMINOLE SAN ANDRES UNIT #4119	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217499	F-8A-045211	4216531888	103		SEMINOLE SAN ANDRES UNIT #4120	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217500	F-8A-045212	4216531927	103		SEMINOLE SAN ANDRES UNIT #4121	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217501	F-8A-045213	4216531928	103		SEMINOLE SAN ANDRES UNIT #4122	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217502	F-8A-045214	4216532034	103		SEMINOLE SAN ANDRES UNIT #4124	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217491	F-8A-045202	4216532105	103		SEMINOLE SAN ANDRES UNIT #4127	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217492	F-8A-045203	4216532108	103		SEMINOLE SAN ANDRES UNIT #4128	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217493	F-8A-045204	4216532107	103		SEMINOLE SAN ANDRES UNIT #4129	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217465	F-8A-045176	4216531992	103		SEMINOLE SAN ANDRES UNIT #4205	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217466	F-8A-045177	4216531884	103		SEMINOLE SAN ANDRES UNIT #4313	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217467	F-8A-045178	4216531885	103		SEMINOLE SAN ANDRES UNIT #4314	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217468	F-8A-045179	4216500000	103		SEMINOLE SAN ANDRES UNIT #4315	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217469	F-8A-045180	4216531929	103		SEMINOLE SAN ANDRES UNIT #4316	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217470	F-8A-045181	4216531930	103		SEMINOLE SAN ANDRES UNIT #4317	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217471	F-8A-045182	4216531931	103		SEMINOLE SAN ANDRES UNIT #4318	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217472	F-8A-045183	4216531933	103		SEMINOLE SAN ANDRES UNIT #4320	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217473	F-8A-045184	4216531991	103		SEMINOLE SAN ANDRES UNIT #4322	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217458	F-8A-045163	4216531934	103		SEMINOLE SAN ANDRES UNIT #4908	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217474	F-8A-045185	4216531902	103		SEMINOLE SAN ANDRES UNIT #708	SEMINOLE SAN ANDRES	68.3	PHILLIPS PETROLEU
8217475	F-8A-045186	4216531903	103		SEMINOLE SAN ANDRES UNIT #709	SEMINOLE SAN ANDRES	78.2	PHILLIPS PETROLEU
8217481	F-8A-045192	4216531936	103		SEMINOLE SAN ANDRES UNIT #802	SEMINOLE SAN ANDRES	0.1	PHILLIPS PETROLEU
8217476	F-8A-045187	4216531904	103		SEMINOLE SAN ANDRES UNIT #904	SEMINOLE SAN ANDRES	117.6	PHILLIPS PETROLEU
8217482	F-8A-045193	4216531888	103		SEMINOLE SAN ANDRES UNIT #905	SEMINOLE SAN ANDRES	0.0	PHILLIPS PETROLEU
8217477	F-8A-045188	4216532045	103		SEMINOLE SAN ANDRES UNIT #906	SEMINOLE SAN ANDRES	0.2	PHILLIPS PETROLEU
-AMOCO PRODUCTION CO			RECEIVED:	02/03/82	JA: TX			
8217698	F-08-045688	4200332944	103		FUHRMAN MASCHO UNIT #122 BLK 9	FUHRMAN-MASCHO	6.6	PHILLIPS PETROLEU
8217697	F-08-045686	4213533753	103		GOLDSMITH LANDRETH (DEEP) UNIT #233	GOLDSMITH (CLEARFORK)	273.8	PHILLIPS PETROLEU
8217771	F-08-046005	4213533760	103		GOLDSMITH LANDRETH DEEP UNIT #200	GOLDSMITH (CLEARFORK)	44.5	PHILLIPS PETROLEU
8217770	F-08-046004	4213533793	103		GOLDSMITH LANDRETH DEEP UNIT #202	GOLDSMITH (CLEARFORK)	30.3	PHILLIPS PETROLEU
8217768	F-08-046002	4213533769	103		GOLDSMITH LANDRETH DEEP UNIT #204	GOLDSMITH (CLEARFORK)	2.6	PHILLIPS PETROLEU
8217769	F-08-046003	4213533791	103		GOLDSMITH LANDRETH DEEP UNIT #231	GOLDSMITH (CLEARFORK)	18.6	PHILLIPS PETROLEU
8217767	F-08-046001	4213533772	103		GOLDSMITH LANDRETH DEEP UNIT #239	GOLDSMITH (CLEARFORK)	11.3	PHILLIPS PETROLEU
8217772	F-08-046006	4213533771	103		GOLDSMITH LANDRETH DEEP UNIT #240	GOLDSMITH (CLEARFORK)	11.3	PHILLIPS PETROLEU
8217699	F-08-045689	4213533756	103		GOLDSMITH LANDRETH/DEEP/UNIT #234	GOLDSMITH (CLEARFORK)	261.3	PHILLIPS PETROLEU
-ANADARKO PRODUCTION COMPANY			RECEIVED:	02/03/82	JA: TX			
8217411	F-10-045002	4234100000	108		BIVINS A-1	PANHANDLE RC/RED CAVE	12.5	PIONEER CORP
8217405	F-10-044996	4223300000	108		BOST A-1	PANHANDLE RC/RED CAVE	14.0	PIONEER CORP
8217406	F-10-044997	4223300000	108		BOST B-1	PANHANDLE RC/RED CAVE	12.2	PIONEER CORP
8217412	F-10-045003	4237500000	108		MASTERSON I-1	PANHANDLE RC/RED CAVE	21.1	PIONEER CORP
8217407	F-10-044998	4237500000	108		MASTERSON J-1	PANHANDLE RC/RED CAVE	19.4	PIONEER CORP
8217413	F-10-045004	4237500000	108		MASTERSON K-1	PANHANDLE RC/RED CAVE	19.4	PIONEER CORP
8217415	F-10-045006	4206500000	108		POLING A-1	PANHANDLE RC/RED CAVE	11.5	PIONEER CORP
8217414	F-10-045005	4206500000	108		POLING B-1	PANHANDLE RC/RED CAVE	14.6	PIONEER CORP
8217409	F-10-045000	4234100000	108		SNEED B-10	PANHANDLE RC/RED CAVE	21.8	PIONEER CORP
8217410	F-10-045001	4234100000	108		SNEED B-9	PANHANDLE RC/RED CAVE	11.6	PIONEER CORP

J) W	J- X					FIELD NAME	PROL	PURCHASER
8217408	F-10-044999	4237500000	108	STATE B-1A		PANHANDLE RC/RED CAVE	15.4	PIONEER CORP
-ARCO OIL AND GAS COMPANY			RECEIVED:	02/03/82	JA: TX			
8217435	F-08-045047	4200332907	103	EMMA COWDEN #100		EMMA	2.6	EL PASO NATURAL G
8217433	F-08-045038	42.0332814	103	EMMA COWDEN #95		EMMA	1.5	EL PASO NATURAL G
8217434	F-08-045039	4200332815	103	EMMA COWDEN #96		EMMA	7.3	EL PASO NATURAL G
8217383	F-04-045405	4213134947	107-DP	GORMAN GAS UNIT #2		SEVEN SISTERS EAST (H	348.0	VALERO TRANSMISSI
-ARKLA EXPLORATION COMPANY			RECEIVED:	02/03/82	JA: TX			
8217683	F-06-045632	4236531040	107-TF	MAURITZEN #1		CARTHAGE (COTTON VALL	100.0	ARKANSAS LOUISIAN
-BLAIR OIL COMPANY			RECEIVED:	02/03/82	JA: TX			
8217429	F-10-045036	4206530953	103	SHELIA #1		PANHANDLE	0.0	PANHANDLE EASTERN
8217427	F-10-045027	4206530916	103	SHELIA #2		PANHANDLE	0.0	PANHANDLE EASTERN
8217428	F-10-045028	4206530921	103	SHELIA #3		PANHANDLE	0.0	PANHANDLE EASTERN
-BLAKE HAMMAN			RECEIVED:	02/03/82	JA: TX			
8217578	F-09-045388	4236700003	108-TF	WALTER R BENNETT 30941		BOONSVILLE (BEND CONG	20.0	NATURAL GAS PIPEL
-C F LAWRENCE & ASSOC INC			RECEIVED:	02/03/82	JA: TX			
8217668	F-7C-045605	4210500000	102-4	CHAMBERS COUNTY SCHOOL LAND "G"		KENLAW (SEVEN RIVERS)	0.0	APACHE GAS CORP
-CHALLENGER MINERALS INC			RECEIVED:	02/03/82	JA: TX			
8217747	F-8A-045904	4211531473	102-4	H E HANCOCK #1		CMI (SPRABERRY)	8.0	PHILLIPS PETROLEU
8217748	F-8A-045905	4211531558	102-4	H E HANCOCK #2-X		CMI (SPRABERRY)	28.0	PHILLIPS PETROLEU
-CHAMA PETROLEUM CO			RECEIVED:	02/03/82	JA: TX			
8217760	F-08-045956	4247531870	102-4	SEALY SMITH FOUNDATION #1		CHAMA (GLORIETA)	875.0	EL PASO NATURAL G
8217759	F-08-045955	4247532102	102-4	SEALY SMITH FOUNDATION #2		CHAMA (GLORIETA)	875.0	EL PASO NATURAL G
-CHAMPLIN EXPLORATION INC			RECEIVED:	02/03/82	JA: TX			
8217755	F-03-045942	4214930822	102-2	BAILEY-FIETSAM UNIT #1(RRC #13910)		GIDDINGS (AUSTIN CHAL	4.5	PHILLIPS PETROLEU
8217756	F-03-045946	4214930845	102-2	GOSCH-GUADIANO #1 (RRC ID #13933)		GIDDINGS (BUDA)	2.0	PHILLIPS PETROLEU
8217757	F-03-045945	4214930959	102-2	TILICEK UNIT #1 (RRC ID #14294)		GIDDINGS (AUSTIN CHAL	6.6	PHILLIPS PETROLEU
-CHARLES L WALKER			RECEIVED:	02/03/82	JA: TX			
8217752	F-08-045923	4200332934	102-4 103	FISHER "4" #3		BLOCK A-34 (SAN ANDRE	6.1	PHILLIPS PETROLEU
8217761	F-08-045971	4200332908	102-4 103	FISHER "5" #2		BLOCK A-34 (SAN ANDRE	25.2	PHILLIPS PETROLEU
-CHEVRON U S A INC			RECEIVED:	02/03/82	JA: TX			
8217439	F-7C-045045	4241331003	103	NEVA WEST (STRAWN) UNIT #1005		NEVA WEST (STRAWN)	43.0	ARCO OIL & GAS CO
8217774	F-8A-046015	4241531966	103	SACROC UNIT #9-13		KELLY - SNYDER	24.0	EL PASO NATURAL G
8217685	F-8A-045637	4241531932	103	SACROC UNIT 68-9		KELLY-SNYDER	2.0	EL PASO NATURAL G
8217684	F-8A-045636	4241531938	103	SACROC UNIT 70-6		KELLY-SNYDER	30.0	EL PASO NATURAL G
8217612	F-7B-045469	4249531298	103	W E BAIRD 13-79C		KEYSTONE (CLEAR FORK)	8.0	TRANSWESTERN PIPE
-CIRCLE SEVEN PRODUCTION CO			RECEIVED:	02/03/82	JA: TX			
8217586	F-09-045403	4223733852	102-4	D C CRANFORD "D" #1		DEE CEE (CONGL)	0.0	LONE STAR GAS CO
8217423	F-09-045017	4223733783	102-4	D C CRANFORD ESTATE C-1 (ID NO)		PERRIN (MARBLE FALLS)	0.0	LONE STAR GAS CO
8217421	F-09-045015	4223733025	102-4	MCCONNELL GAS UNIT #1 (ID NO 89762)		MIGL (5150)	0.0	LONE STAR GAS CO
8217422	F-09-045016	4223733661	102-4	WHITE #2 (ID NO)		ZUBER (STRAWN)	0.0	LONE STAR GAS CO
8217587	F-09-045410	4223733651	102-4	WM K MOORE #1		ENIS (CONGL)	0.0	LONE STAR GAS CO
-CITIES SERVICE COMPANY			RECEIVED:	02/03/82	JA: TX			
8217732	F-10-045825	4206530894	103	BURNETT RANCH E #12		PANHANDLE CARSON	90.0	CITIES SERVICE GA
8217690	F-08-045661	4213533606	103	CUMMINS-S #8		GOLDSMITH	15.0	PHILLIPS PETROLEU
8217696	F-06-045677	4249700000	108	DAVENPORT B #2		DAVENPORT (4TH CONGLO	16.0	CITIES SERVICE CO
8217670	F-10-045607	4206530893	103	DEAHL B #17		PANHANDLE CARSON COUN	18.2	CITIES SERVICE GA
8217733	F-10-045826	4217930978	103	EAKIN A #4		PANHANDLE	0.5	PHILLIPS PETROLEU
8217702	F-7C-045697	4246131788	103	NEAL "C" #2		BENEDUM (FUSSELMAN)	165.0	UNION TEXAS PETRO
8217701	F-08-045696	42.0332807	103	NORTH DOLLARHIDE UNIT #315		DOLLARHIDE (DEVONIAN)	29.0	UNION OIL OF CALI
-COASTAL OIL & GAS CORP			RECEIVED:	02/03/82	JA: TX			
8217650	F-10-045532	4237530857	103	MASTERSON "A" 8348 RO		PANHANDLE (RED CAVE)	1.0	COLORADO INTERSTA
8217663	F-10-045579	4237530866	103	MASTERSON "B" 8365 P		PANHANDLE (RED CAVE)	25.0	COLORADO INTERSTA
-COLUMBIA GAS DEVELOPMENT CORP			RECEIVED:	02/03/82	JA: TX			

JD NO	DOCKET	API NO	RRC(1) SPEC(2) WELL #	FIELD NAME	PROD	PURCHASER
8217754	F-03-045934	4228731064	102-2 LINDEN & FRANK BOWERS #6	GIDDINGS (AUSTIN CHAL	1.0	PHILLIPS PETROLEU
-COMINCO AMERICAN INC			RECEIVED: 02/03/82 JA: TX			
8217586	F-10-045418	4248300000	103 KELTON #1	MILLS RANCH (GRANITE	0.0	MISSISSIPPI RIVER
-COMMAND ENERGY CORP			RECEIVED: 02/03/82 JA: TX			
8217762	F-78-045979	4213300000	102-4 T T FAIR #2 RRC #95578	FAIR (MARBLE FALLS LO	200.0	NORTHERN GAS PROD
-CONOCO INC			RECEIVED: 02/03/82 JA: TX			
8217680	F-08-045628	4222700000	108 G O CHALK-C-#10 ID #18989	HOWARD GLASSCOCK	0.0	PHILLIPS
8217677	F-08-045625	4222700000	108 G O CHALK-D-#14 ID 02688	HOWARD GLASSCOCK	1.1	PHILLIPS PETROLEU
8217675	F-08-045623	4217300000	108 GNSHAM & GREEMAN #16 ID #22261	SPRAYBERRY TREND	0.4	ADOBE OIL
8217678	F-08-045626	4217300000	108 GRISHAM & GREEMAN #9 ID 22261	SPRAYBERRY TREND	0.2	ADOBE OIL
8217681	F-78-045629	4213500000	108 J M SHANNON-A-#20 ID #00435	ELKHORN	2.5	PERMIAN CORP
8217679	F-08-045627	4213500000	108 TXL 44-43 #6 ID #16192	LAWSON	2.9	PHILLIPS
8217676	F-08-045624	4200332604	103 W T FORD #58 ID #01665	FUHRMAN MASCHE	3.7	PHILLIPS
8217682	F-08-045636	4213500000	108 WIGHT UNIT #76 ID #20661	COWDEN N	16.1	AMOCO PRODUCTION
-CPC EXPLORATION INC			RECEIVED: 02/03/82 JA: TX			
8217664	F-78-045584	4251318320	102-4 JOHN MCKINNEY 1A LEASE NO 14711	CALDWELL (AUSTIN CHAL	100.0	FERGUSON CROSSING
-CROWN EXPLORATION CO			RECEIVED: 02/03/82 JA: TX			
8217426	F-78-045021	4215131233	103 PLEMONS #1	ROYSTON (CANYON)	0.0	LONE STAR GAS CO
-DALTON H COBB			RECEIVED: 02/03/82 JA: TX			
8217524	F-08-045265	4238931033	102-4 MARMADUKE #1 ID NO 85581	ARNO NORTH (DELAWARE)	55.0	INTRATEX GAS CO
-DAVID ALBERT OIL & GAS			RECEIVED: 02/03/82 JA: TX			
8217549	F-78-045329	4236300000	108 CALVIN 2A RRC #12493	PALO PINTO COUNTY REG	20.1	SOUTHWESTERN GAS
-DIAMOND SHAMROCK CORPORATION			RECEIVED: 02/03/82 JA: TX			
8217737	F-10-045859	4229530816	103 ALEX BORN "B" #2	BRADFORD	1.0	
8217738	F-84-045860	4230330681	103 EDMOND A ANDERSON #3-17	EDMISSON NW	0.1	
8217739	F-78-045862	4236333703	103 FORTNEY #1-25	J V T	0.0	
-DINERO OIL CO			RECEIVED: 02/03/82 JA: TX			
8217631	F-02-045497	4212531189	102-4 A ALGEA #1	LITTLE JOHN (3970)	180.0	UNITED GAS PIPE L
-E L SMITH III			RECEIVED: 02/03/82 JA: TX			
8217605	F-08-045452	4233731492	103 HINDS CLARK #1	NEWPORT SOUTH (BEND C	270.0	LONE STAR GAS CO
-EARL T SMITH & ASSOCIATES INC			RECEIVED: 02/03/82 JA: TX			
8217516	F-10-045241	4248330819	102-4 EUNICE TREADWELL #2	BRISCOE (MORROW)	1095.0	PIONEER CORP
-EL PASO NATURAL GAS COMPANY			RECEIVED: 02/03/82 JA: TX			
8217711	F-78-045745	4243519213	108 MARTIN #1	SONORA (CANYON UPPER)	21.0	EL PASO NATURAL G
8217712	F-10-045747	4248330801	108 MCALISTER #2X	PANHANDLE EAST	19.0	EL PASO NATURAL G
8217710	F-10-045744	4208730168	108 MCDOWELL #13	PANHANDLE EAST	19.0	EL PASO NATURAL G
8217713	F-10-045748	4208730166	108 MCDOWELL #14	PANHANDLE EAST	19.0	EL PASO NATURAL G
-ENERGY RESERVES GROUP INC			RECEIVED: 02/03/82 JA: TX			
8217746	F-78-045900	4232131044	103 J L CAMP #2	NORTHERN RANCH (FRIO	230.4	
8217745	F-78-045899	4238332017	103 ROCKER B "A" #21	SPRABERRY (TREND AREA	47.9	EL PASO NATURAL G
8217744	F-78-045898	4238332015	103 ROCKER B "W" #22	SPRABERRY (TREND AREA	16.2	EL PASO NATURAL G
8217743	F-78-045897	4238332018	103 ROCKER B "W" #23	SPRABERRY (TREND AREA	16.7	EL PASO NATURAL G
-ENERGY-AGRI PRODUCTS INC			RECEIVED: 02/03/82 JA: TX			
8217665	F-10-045591	4206530980	103 HENRY #2 (ID#04912)	PANHANDLE CARSON	167.0	GETTY OIL CO
8217540	F-10-045312	4206530981	103 PEELER #2 (ID #04825)	PANHANDLE CARSON	160.0	GETTY OIL CO
-ENRE CORP			RECEIVED: 02/03/82 JA: TX			
8217402	F-78-044993	4205933160	102-4 JOHN PRUET #1 (17584)	J PRUET (MORAN 1990)	5.0	BENGAL GAS TRANSM
8217401	F-78-044992	4205933276	102-4 JOHN PRUET #2 (17584)	J PRUET (MORAN 1990)	7.0	BENGAL GAS TRANSM
-ENSERCH EXPLORATION INC			RECEIVED: 02/03/82 JA: TX			
8217454	F-78-045074	4247900000	108 D B DAWSON #1	POTTSVILLE/MARBLE FAL	19.0	LONE STAR GAS CO
8217456	F-74-045076	4247900000	108 G A COX #1	LAS TIENDAS E (OLMOS)	17.0	LONE STAR GAS CO
8217455	F-74-045075	4247900000	108 G A COX #2	LAS TIENDAS E (OLMOS)	17.0	LONE STAR GAS CO
8217453	F-74-045073	4247900000	108 G V GARCIA #1	LAS TIENDAS E (OLMOS)	4.0	LONE STAR GAS CO

JD NO.	DOCKET	API NO.	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217442	F-78-045062	4219300003	108		HENRY NEIMAN #1	POTTSVILLE (MARBLE FA	21.0	LONE STAR GAS CO
8217452	F-04-045072	4247900000	108		J T MALTSBERGER #2	LAS TIENDAS E (OLMOS)	9.0	LONE STAR GAS CO
8217451	F-04-045071	4247900000	108		J T MALTSBERGER #4	LAS TIENDAS E (OLMOS)	20.0	LONE STAR GAS CO
8217450	F-04-045070	4247900000	108		J T MALTSBERGER #5	LAS TIENDAS E (OLMOS)	9.0	LONE STAR GAS CO
8217449	F-04-045069	4247900000	108		J T MALTSBERGER #6X	LAS TIENDAS E (OLMOS)	18.0	LONE STAR GAS CO
8217448	F-04-045068	4247900000	108		J T MALTSBERGER #7	LAS TIENDAS E (OLMOS)	4.0	LONE STAR GAS CO
8217717	F-08-045764	4223700000	108		L H YATES "E" #1	BOONSVILLE (BEND CONG	10.0	LONE STAR GAS CO
8217441	F-78-045061	4219300000	108		OTTO REINERT #1	POTTSVILLE (MARBLE FA	4.0	LONE STAR GAS CO
8217457	F-78-045077	4219300000	108		T J EST BURKS #2	POTTSVILLE/MARBLE FAL	9.0	LONE STAR GAS CO
8217447	F-04-045067	4247900000	108		T MIDDLETON B-2	LAS TIENDAS E (OLMOS)	8.0	LONE STAR GAS CO
8217446	F-04-045066	4247900000	108		T MIDDLETON C-1	LAS TIENDAS E (OLMOS)	17.0	LONE STAR GAS CO
8217445	F-04-045065	4247900000	108		T MIDDLETON E-1	LAS TIENDAS E (OLMOS)	17.0	LONE STAR GAS CO
8217444	F-04-045064	4247900000	108		T MIDDLETON F-1	LAS TIENDAS E (OLMOS)	21.0	LONE STAR GAS CO
8217443	F-04-045063	4247900000	108		T MIDDLETON F-2	LAS TIENDAS E (OLMOS)	20.0	LONE STAR GAS CO
-ESENJAY PETROLEUM CORP			RECEIVED:	02/03/82	JA: TX			
8217724	F-83-045788	4214930882	102-?		L C HAIRE #1 #14811	GIDDINGS (AUSTIN CHAL	50.0	PHILLIPS PETROLEU
-EXXON CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217557	F-08-045346	4231732351	103		BAYES BROTHERS #1	EAGLE (FUSSELMAN)	1.0	
*8217703	F-83-045711	4215731213	103		DON F MCMILLIAN "B" #1	KATY S (FIRST WILCOX)	1314.0	ARMCO STEEL CORP
8217558	F-08-045347	4210332703	103		ELIZABETH ARMSTRONG #5	MEANS SOUTH (WOLFCAMP	30.0	PHILLIPS PETROLEU
8217556	F-08-045344	4237133493	103		FORT STOCKTON UNIT #823	FORT STOCKTON (YATES	105.0	NUECES CO
8217554	F-08-045340	4210332940	103		FULLERTON CLEARFORK UNIT #3323	FULLERTON	15.0	PHILLIPS PETROLEU
8217555	F-08-045343	4210332894	103		FULLERTON CLEARFORK UNIT #917	FULLERTON	15.0	PHILLIPS PETROLEU
8217692	F-06-045665	4200131270	103		G W EATON ESTATE #31	NECHES (WOODBINE)	38.3	UNITED GAS PIPELI
*8217592	F-04-045425	4227331315	102-4		K R ALAZAN 325-D (95510)	ALAZAN (1-75)	110.0	ARMCO STEEL CORP
*8217591	F-04-045424	4227331572	103		K R LAGUNA LARGA 28 (95939)	T-C-B (V-3)	913.0	ARMCO STEEL CORP
*8217590	F-04-045423	4227331411	103		K R MORGAN M-68 (05154)	BORREGOS WEST (SEG F	44.0	ARMCO STEEL CORP
8217693	F-76-045657	4236500000	108		M J COLEMAN 1	CARTHAGE (PETTIT LO G	0.0	TEXAS EASTERN TRA
8217666	F-10-045599	4221131389	103		R A FLOWERS #5	MENDOTA NW (DOUGLAS L	77.0	TRANSWESTERN PIPE
*8217589	F-04-045422	4204730941	102-4		R J K JR TR VIBORAS PA 94-T (95938)	VIBORAS (G-59 VIII W)	456.0	ARMCO STEEL CORP
8217553	F-8A-045339	4216532083	103		ROBERTSON CLFK UNIT #6001	ROBERTSON N (CLFK 710	15.0	PHILLIPS PETROLEU
8217669	F-8A-045665	4216532011	103		SAM C JENKINS #8	JENKINS NORTH (CANYON	5.0	PHILLIPS PETROLEU
*8217709	F-04-045738	4204730959	103		VFGU #1 ZS-10-D (95941)	VIBORAS (MASSIVE FIRS	520.0	ARMCO STEEL CORP
8217599	F-03-045435	4220131204	103		WEBSTER FIELD UNIT #1827	WEBSTER	36.5	HOUSTON PIPELINE
8217598	F-03-045434	4220131184	103		WEBSTER FIELD UNIT #2138	WEBSTER	29.5	HOUSTON PIPELINE
8217656	F-03-045551	4220131104	103		WEBSTER FIELD UNIT #2769	WEBSTER	29.2	HOUSTON PIPELINE
-FAGADAU ENERGY CORP			RECEIVED:	02/03/82	JA: TX			
8217695	F-76-045676	4236332329	103		SEAMAN RANCH "A"	POSSUM KINGDOM (CONGL	10.0	FAGADAU ENERGY CO
-FISHER-WEBB INC			RECEIVED:	02/03/82	JA: TX			
8217629	F-7C-045494	4208131022	103		HARRIS "B" #3	BLOODWORTH SOUTH (570	50.0	SUN GAS CO
8217596	F-78-045430	4244131909	103		ROOF "R" #2	LAKE ABILENE (4000')	50.0	FORT CHADBOURNE C
8217630	F-78-045495	4244131942	103		RODE "C" #1	LAKE ABILENE (4000')	50.0	FORT CHADBOURNE C
-FLORIDA GAS EXPLORATION COMPANY			RECEIVED:	02/03/82	JA: TX			
8217541	F-04-045313	4222732565	103		STELLA PETTY 31 #2	FLORAC	65.0	ODESSA NATURAL CO
-FRANK CASS			RECEIVED:	02/03/82	JA: TX			
8217528	F-7C-045273	4236300000	103		UNIVERSITY 30 #2 RRC #09197	SPRABERRY (TREND AREA	30.0	EL PASO NATURAL G
-GAGE & CO			RECEIVED:	02/03/82	JA: TX			
8217432	F-7C-045037	4235331099	102-4		JAMESON JAHEW "I" #1 (09191)	SILVER (CANYON)	766.5	SUN GAS CO
-GAS DEVELOPMENT CORP			RECEIVED:	02/03/82	JA: TX			
8217503	F-7C-045216	4243500000	108		MILDRED CAUTHORN 16 #1	JO NELL (CANYON "D")	11.0	NORTHERN NATURAL
-GETTY OIL COMPANY			RECEIVED:	02/03/82	JA: TX			
8217614	F-06-045472	4237132876	103		MIRIAM RATCLIFF #1	COYANOSA (WOLFCAMP)	7.8	VALERO TRANSMISSI
-GOLDEN PETOLEUM			RECEIVED:	02/03/82	JA: TX			

FD NO	DA RT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217424	F-09-045019	4223733328	103		FATHERLY #2 21467	JACK COUNTY REGULAR	18.0	SOUTHWESTERN GAS
-GOLDSTON OIL CORP			RECEIVED:	02/03/82	JA: TX			
8217686	F-01-045641	4231131596	102-4		LINDHOLM GAS UNIT #1-A	HOSTETTER N (SLICK 80	730.0	TEXAS EASTERN TRA
-GULF OIL CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217561	F-08-045354	4247510122	108		HUTCHINGS STOCK ASSN #1022	WARD-ESTES NORTH	1.0	CABOT CORP
8217735	F-08-045850	4247532446	103		HUTCHINGS STOCK ASSN #1143	WARD-ESTES NORTH	8.0	CABOT CORP
8217552	F-08-045337	4247502304	108		HUTCHINGS STOCK ASSN #302	WARD-ESTES NORTH	1.0	CABOT CORP
8217551	F-08-045336	4247502452	108		HUTCHINGS STOCK ASSN #449	WARD-ESTES NORTH	1.0	CABOT CORP
8217560	F-08-045352	4247511166	108		HUTCHINGS STOCK ASSN #768	WARD-ESTES NORTH	2.0	CABOT CORP
8217563	F-08-045357	4247530573	108		HUTCHINGS STOCK ASSN #967	WARD-ESTES NORTH	3.0	CABOT CORP
8217517	F-02-045244	4202502579	108		ROSA E BORROUM #1	MINOAK (SLICK 7300)	4.0	TEXAS EASTERN TRA
-H & L OPERATING COMPANY			RECEIVED:	02/03/82	JA: TX			
8217542	F-10-045314	4229530932	102-4		SELL #1-30 RRC #04891	BOOKER N (MORROW UPPE	108.0	PHILLIPS PETROLEU
-H & S PRODUCTION INC			RECEIVED:	02/03/82	JA: TX			
8217700	F-09-045690	4207732157	103		LAKE UNIT #1 RRC #21402	WINKLER (CONGL)	72.0	TEXAS UTILITIES F
8217705	F-09-045220	4223733137	102-4		RALPH TIPTON #1 (20812)	TIPTON (ATOKA CONGL)	12.0	TEXAS UTILITIES F
8217704	F-09-045219	4223733437	102-4		RALPH TIPTON #1A (92064)	TIPTON (ATOKA CONGL)	36.0	TEXAS UTILITIES F
-HALVEY ENERGY CO			RECEIVED:	02/03/82	JA: TX			
8217714	F-7C-045749	4243131026	103		MUNN #4	JAMESON (STRAWN)	77.0	SUN GAS CO
-HAROLD D COURSON			RECEIVED:	02/03/82	JA: TX			
8217436	F-10-045042	4217900000	108		CARPENTER D-1	PANHANDLE EAST	5.5	COLTEXO CORP
8217604	F-10-045450	4217900000	106		CUBINE "B" #1		0.0	COLTEXO CORP
-HENRY PETROLEUM CORP			RECEIVED:	02/03/82	JA: TX			
8217730	F-6A-045817	4231700000	103		MCCULLOCH #2	TEX-HAMON (DEAN)	0.0	GETTY OIL CO
-HERITAGE OPERATING CO INC			RECEIVED:	02/03/82	JA: TX			
8217729	F-02-045814	4239131411	102-4		F B ROOKE & SONS #1	ROCHE NE (FRIO 6700)	237.3	UNITED GAS PIPE L
-HMH OPERATORS			RECEIVED:	02/03/82	JA: TX			
8217613	F-08-045471	4243100000	103		FOSTER B-23 #2	CONGER PENN	20.0	ESPERANZA PIPE LI
-HOUSTON OIL & MINERALS CORPORATION			RECEIVED:	02/03/82	JA: TX			
8217574	F-03-045376	4214930526	102-2		ED MORGAN #1	GIDDINGS (BUDA)	0.0	PGP GAS PRODUCTS
8217550	F-03-045330	4228700000	103		FRED UNGER #1	GIDDINGS (AUSTIN CHAL	0.0	PGP GAS PRODUCTS
8217575	F-03-045384	4228730293	103		IRMA SCHULTZ #2	GIDDINGS (AUSTIN CHAL	0.0	PGP GAS PRODUCTS
-HUGHES & HUGHES			RECEIVED:	02/03/82	JA: TX			
8217727	F-03-045801	4228730842	103		HARDEMAN #1	GIDDINGS (AUSTIN CHAL	550.0	CLAJON GAS CO
8217728	F-03-045802	4228700000	103		MARIE #1	GIDDINGS (AUSTIN CHAL	100.0	CLAJON GAS CO
-HULEN H LEMON			RECEIVED:	02/03/82	JA: TX			
8217753	F-08-045932	4232930915	103		TUBB #1	SPRABERRY (TREND AREA	8.0	PHILLIPS PETROLEU
-HYDROCARBON ENERGIES INC			RECEIVED:	02/03/82	JA: TX			
8217600	F-7C-045441	4232730407	103		NEEL #2 #08716	JACOBY (FRY)	10.9	SUN GAS CO
8217601	F-7C-045442	4232730406	103		NEEL #3 #08716	JACOBY (FRY)	0.0	SUN GAS CO
-INDIAN WELLS OIL CO			RECEIVED:	02/03/82	JA: TX			
8217672	F-7C-045609	4223531794	103		ATKINSON 10-1	TANKERSLEY (WOLFCAMP)	21.9	NORTHERN NATURAL
8217671	F-7C-045608	4223531802	103		ATKINSON 10-2	TANKERSLEY SW (STRAWN	11.0	NORTHERN NATURAL
8217673	F-7C-045610	4223531813	103		BROOKS 4-1	BROOKS (CANYON K)	27.0	NORTHERN NATURAL
8217674	F-7C-045618	4223531766	103		PROBANDT 56-1	PROBANDT (CANYON)	0.0	CRA INC
-INLAND OCEAN INC			RECEIVED:	02/03/82	JA: TX			
8217593	F-04-045426	4213100000	108		ROOS #1 (82817)	LABBE S	0.6	TENNESSEE GAS PIP
-J A LEONARD			RECEIVED:	02/03/82	JA: TX			
8217567	F-03-045364	4205100000	102-4		COFFIELD-WINSTON "B" 1	INEZ JAMESON (NAVARRO	40.0	FERGUSON CROSSING
8217568	F-03-045365	4205100000	102-4		COFFIELD-WINSTON "C" 1	INEZ JAMESON (NAVARRO	7.0	FERGUSON CROSSING
-J B PRODUCTION CO			RECEIVED:	02/03/82	JA: TX			
8217723	F-7C-045784	4239932053	103		PELZEL 96181	URBAN (MILES)	0.0	ODESSA NATURAL CO
-J CLEO THOMPSON & JAMES CLEO THOMPS			RECEIVED:	02/03/82	JA: TX			

JD NO	JA DRT	API NO	J	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217667	F-08-045602	4200332761		103		WEST MEANS UNIT 15-6	MEANS	23.0	PHILLIPS PETROLEU
-J M HUBER CORPORATION				RECEIVED:	02/03/82	JA: TX			
8217570	F-10-045372	4223331184		103		ARCO READ #3	PANHANDLE	30.0	COLORADO INTERSTA
8217708	F-10-045733	4206530903		103		CHAPMAN #5	PANHANDLE	16.0	COLORADO INTERSTA
8217742	F-10-045887	4223331147		103		INGERTON #6	PANHANDLE	44.0	COLORADO INTERSTA
8217751	F-10-045912	4223331185		103		READ #21	PANHANDLE	44.0	COLORADO INTERSTA
8217572	F-10-045374	4223331148		103		SOUTH HERRING #161	PANHANDLE	40.0	COLORADO INTERSTA
8217571	F-10-045373	4223331183		103		SOUTH HERRING #162	PANHANDLE	26.0	COLORADO INTERSTA
8217741	F-10-045886	4223331055		103		WEATHERLY "C" #59	PANHANDLE	33.0	COLORADO INTERSTA
-JAMES B HARBIN				RECEIVED:	02/03/82	JA: TX			
8217559	F-7B-045351	4204900000		108		OLIVER STEELE 18148	SALT CREEK MARBLE FAL	13.0	LONE STAR GAS CO
-JEM PETROLEUM CORP				RECEIVED:	02/03/82	JA: TX			
8217576	F-7B-045385	4215100000		103		SCHEMERT #1	SYLVESTER (GOEN)	20.0	PALO DURO PIPELIN
-L M YOUNG				RECEIVED:	02/03/82	JA: TX			
8217725	F-7B-045789	4204900000		102-4		W R CHAMBERS #D-1	DALE (CADDO)	0.0	ODESSA NATURAL CO
-LUNSFORD P LIVINGSTON				RECEIVED:	02/03/82	JA: TX			
8217654	F-7B-045541	4244731800		102-4		THOMAS B MILLER "A" #2A (88092)	TUGGLE (TANNEHILL)	55.0	CLEAR FORK GAS CO
-MAGUIRE OIL COMPANY				RECEIVED:	02/03/82	JA: TX			
8217437	F-7B-045043	4215130982		103		BOWDEN #1	SYLVESTER (FLIPPEN)	0.0	
-MARALO INC				RECEIVED:	02/03/82	JA: TX			
8217573	F-08-045375	4200332829		103		BITLER LOWE "B" #9	FULLERTON	1.8	PHILLIPS PETROLEU
-MARDAM EXPLORATION INC				RECEIVED:	02/03/82	JA: TX			
8217459	F-02-045164	4239131438		103		GILLIAM #1-C	BONNIE VIEW (5000)	110.0	UNITED TEXAS TRAN
8217597	F-02-045431	4225530815		102-4		IMPERIAL OIL #1	COY CITY (CARRIZO 474	110.0	VALERO TRANSMISSI
-MAY PETROLEUM INC				RECEIVED:	02/03/82	JA: TX			
8217691	F-10-045665	4229530955		103		WRIGHT #1	LIPSCOMB SE (MORROW)	547.5	DIAMOND SHAMROCK
-MCCANN CORP				RECEIVED:	02/03/82	JA: TX			
8217547	F-08-045325	4222732323		103		JANE READ #1	COAHOMA N (FUSSEL)	106.6	GETTY OIL CO
8217546	F-08-045324	4222732388		103		WOLF #1	COAHOMA (MISS)	24.5	GETTY OIL CO
-MEADCO PROPERTIES				RECEIVED:	02/03/82	JA: TX			
8217632	F-7C-045501	4223531775		102-4		E SUGG 11 #4 RRC ID #08571	TAOS (CANYON)	43.0	NORTHERN NATURAL
-MEG PETROLEUM CORP				RECEIVED:	02/03/82	JA: TX			
8217580	F-7C-045393	4223531719		102-2	103	ROCK PEN NORTH #1	ROCK PEN (CANYON)	78.8	CRA INC
8217569	F-7C-045369	4223531810		102-2	103	ROCK PEN NORTH #2	ROCK PEN (CANYON)	111.6	CRA INC
8217581	F-7C-045394	4223531664		102-2	103	SUGG-FARMAR #1	ROCK PEN (CANYON)	10.0	NORTHERN NATURAL
8217579	F-7C-045392	4223531720		102-2	103	SUGG-FARMAR #2	ROCK PEN (CANYON)	79.6	NORTHERN NATURAL
-MGF OIL CORP				RECEIVED:	02/03/82	JA: TX			
8217391	F-01-044977	4249330743		103		FELIX J JANEK JR #1	MARCELINA CREEK (AUST	16.2	
8217330	F-01-045293	4249330719		103		FRANK LABUS #1	MARCELINA CREEK (AUST	6.5	
8217393	F-01-044981	4249330780		103		HUNTER MCDANIEL #5	MARCELIN CREEK (AUSTI	9.0	
8217392	F-01-044978	4249330903		103		MARVIN B OXFORD #1	MARCELINA CREEK (AUST	2.5	
8217529	F-01-045292	4249330749		103		SZALWINSKI UNIT #1	MARCELINA CREEK (AUST	11.8	
-MOBIL PRDG TEXAS & NEW MEXICO INC				RECEIVED:	02/03/82	JA: TX			
8217527	F-08-045270	4237133394		103		E P SIBLEY "B" #7	COYANOSA N (DELAWARE)	17.5	EL PASO NATURAL G
8217610	F-08-045460	4233530851		103		W W WATSON #28	IATAN EAST (HOWARD)	0.4	GETTY OIL CO
8217609	F-08-045459	4233530850		103.		W W WATSON #29	IATAN EAST (HOWARD)	0.4	GETTY OIL CO
8217608	F-08-045456	4233531153		103		W W WATSON #31	IATAN EAST (HOWARD)	0.4	GETTY OIL CO
8217715	F-08-045751	4233530858		103		W W WATSON #34	IATAN EAST (HOWARD)	0.4	GETTY OIL CO
8217716	F-08-045752	4233531277		103		W W WATSON #35	IATAN EAST (HOWARD)	0.4	GETTY OIL CO
-MONSANTO COMPANY				RECEIVED:	02/03/82	JA: TX			
8217628	F-8A-045493	4207931007		103		DYKE #2	LEVELLAND	5.0	CITIES SERVICE CO
8217749	F-08-045908	4249531315		103		MITCHELL #2	MONAHANS NE (PENN DET	112.0	EL PASO NATURAL G
8217750	F-8A-045913	4250132162		103		SAWYER #8	WASSON (SAN ANDRES)	3.0	SHELL OIL CO

JD NO	DOCKET	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-MORAN EXPLORATION INC				RECEIVED:	02/03/82	JA: TX			
8217707	F-01-045727	4217731025		103		JAMES D CLACK JR #1	PEACH CREEK (AUSTIN C	0.0	VALERO TRANSMISSI
-MORRIS STEPHENS				RECEIVED:	02/03/82	JA: TX			
8217706	F-09-045726	4223700000		108		MCGUERRY #1 RRC #42668	BARTONS CHAPEL S (STR	12.0	LONE STAR GAS CO
8217705	F-78-045725	4236300000		108		STEPHENS #1 RRC #35508	BRAD SW (BIG SALINE C	19.0	LONE STAR GAS CO
-NATOMAS NORTH AMERICA INC				RECEIVED:	02/03/82	JA: TX			
8217661	F-7C-045568	4245130745		103		JONES #2	HOUR (STAWN)	48.0	NORTHERN NATURAL
-NUCORP ENERGY INC				RECEIVED:	02/03/82	JA: TX			
8217577	F-13-045386	4228733796		102-2		SUSIE CLEMONS UNIT #2 #1	GIDDINGS (AUSTIN CHAL	23.7	PHILLIPS PETROLEU
-PEND OREILLE OIL & GAS CO				RECEIVED:	02/03/82	JA: TX			
8217594	F-32-045427	4229732746		102-4		C S NELSON TRUST #6	LIMES (WILCOX 9900)	1095.0	TRANSCONTINENTAL
-PETROC CO				RECEIVED:	02/03/82	JA: TX			
8217758	F-76-045951	4213333084		103		BOYD #1 (17700)	FOSTER (MARBLE FALLS)	69.0	ODESSA NATURAL CO
-PHILLIPS PETROLEUM COMPANY				RECEIVED:	02/03/82	JA: TX			
8217521	F-08-045255	4213502678		108		GS ANDECTOR #L-09	GOLDSMITH (CLEARFORK)	7.0	EL PASO NATURAL G
8217519	F-08-045253	4213520787		108		N PENWELL #60	PENWELL	3.0	EL PASO NATURAL G
8217520	F-08-045254	4213505776		108		TXL-D WELL #1	TXL (SAN ANDRES)	2.4	SHELL OIL CO
8217736	F-7C-045853	4243530422		108		WARD C #1	SONORA (CANYON UPPER)	19.0	INTRATEX GAS CO
-POGO PRODUCING COMPANY				RECEIVED:	02/03/82	JA: TX			
8217548	F-09-045328	4237133191		107-DP		PAGE ROYALTY #1	ROJO CABALLOS	730.0	VALERO TRANSMISSI
-POLK & PATTON INC				RECEIVED:	02/03/82	JA: TX			
8217688	F-09-045658	4223732600		102-4		GRACE HAWTHORNE #1;ID-84151	HAWTHORNE (B-ZONE CON	51.1	LONE STAR GAS CO
8217689	F-09-045659	4223732501		102-4		LENORA FRANKLIN #1;ID-84152	LENORA (D-ZONE CONGL)	288.3	LONE STAR GAS CO
-R A BLAIR				RECEIVED:	02/03/82	JA: TX			
8217603	F-78-045448	4204932099		103		LOLA LEE BLAIR #1 (15426)	BROWN COUNTY REGULAR	2.0	SIOUX PIPELINE CO
-R B INVESTORS INC				RECEIVED:	02/03/82	JA: TX			
8217687	F-78-045651	4244732569		103		W H CARPENTER #1 (16996)	BURK GREGORY (CADDO)	18.0	THROCKMORTON GAS
-RALPH L WAY INC				RECEIVED:	02/03/82	JA: TX			
8217726	F-7C-045797	4238332048		103		UNIVERSITY "10" #7	FARMER (SAN ANDRES)	3.8	NORTHERN NATURAL
-REMUDA OIL & GAS CO				RECEIVED:	02/03/82	JA: TX			
8217602	F-38-045444	4247532181		103		CYNTHIA MONROE #1	QUITO WEST (CHERRY CA	36.5	DELHI GAS PIPELIN
-ROY FARRELL				RECEIVED:	02/03/82	JA: TX			
8217564	F-10-045360	4236500000		108		CULVER C L #1-A (ID#90598)	PANHANDLE WEST	11.2	NAT'L GAS PIPELIN
-SAGE ENERGY CO				RECEIVED:	02/03/82	JA: TX			
8217623	F-7C-045481	4238331646		103		UNIVERSITY 10 #10	FARMER (SAN ANDRES)	9.1	NORTHERN NATURAL
8217622	F-7C-045480	4238331647		103		UNIVERSITY 10 #11 RRC #07742	FARMER (SAN ANDRES)	1.8	NORTHERN NATURAL
8217621	F-7C-045479	4238331648		103		UNIVERSITY 10 #12 RRC #07742	FARMER (SAN ANDRES)	1.5	NORTHERN NATURAL
8217620	F-7C-045478	4238331649		103		UNIVERSITY 10 #13 RRC #07742	FARMER (SAN ANDRES)	18.0	NORTHERN NATURAL
8217619	F-7C-045477	4238332020		103		UNIVERSITY 10 #14 RRC 07742	FARMER (SAN ANDRES)	49.0	NORTHERN NATURAL
8217618	F-7C-045476	4238331651		103		UNIVERSITY 10 #15 RRC 07742	FARMER (SAN ANDRES)	28.0	NORTHERN NATURAL
8217617	F-7C-045475	4238331652		103		UNIVERSITY 10 #16 RRC#07742	FARMER (SAN ANDRES)	32.0	NORTHERN NATURAL
8217615	F-7C-045473	4238331653		103		UNIVERSITY 10 #17 RRC#07742	FARMER (SAN ANDRES)	1.5	NORTHERN NATURAL
8217616	F-7C-045474	4238331916		103		UNIVERSITY 10 #18 RRC 07742	FARMER (SAN ANDRES)	4.4	NORTHERN NATURAL
8217627	F-7C-045486	4238331630		103		UNIVERSITY 10 #3 RRC #07742	FARMER (SAN ANDRES)	1.8	NORTHERN NATURAL
8217626	F-7C-045485	4238231631		103		UNIVERSITY 10 #4 RRC #07742	FARMER (SAN ANDRES)	2.6	NORTHERN NATURAL
8217625	F-7C-045483	4238331642		103		UNIVERSITY 10 #6 RRC #07742	FARMER (SAN ANDRES)	21.9	NORTHERN NATURAL
8217624	F-7C-045482	4238331643		103		UNIVERSITY 10 #7 RRC #07742	FARMER (SAN ANDRES)	5.1	NORTHERN NATURAL
-SANDLIN DEVELOPMENT INC				RECEIVED:	02/03/82	JA: TX			
8217396	F-33-044987	4218900000		103		L E ENGSTROM #2	KAINER	255.0	GOLDENROD TRANSMI
-SCANDRILL CO				RECEIVED:	02/03/82	JA: TX			
8217731	F-09-045819	4250335304		103		PEARL T KURK #34	YOUNG COUNTY REGULAR	78.5	SUN GAS TRANSMISS
-SEAGO OIL INC				RECEIVED:	02/03/82	JA: TX			
8217763	F-7A-045985	4215131201		103		DOUGLAS #1 (17123)	SYLVESTER (GOEN)	18.0	PALO DURO PIPELIN

JD #	DA ST		FIELD CODE	WELL #		FIELD NAME	PROD	PURCHASER
-SHA-JAM CORP			RECEIVED: 02/03/82 JA: TX					
8217704	F-01-045721	4217732704	103	GLASS #1		PEACH CREEK (AUSTIN-C	27.3	VALERO TRANSMISSI
-SHELL OIL CO			RECEIVED: 02/03/82 JA: TX					
8217418	F-09-045011	4213500000	108	FERRILL GEORGE R #5		B M C (V SDSTN)	15.5	UNION TEXAS PETRO
8217585	F-06-045408	4249900000	108	H H NOE UNIT #1		MANZIEL (RODESSA X)	11.0	ARKANSAS LOUISIAN
8217419	F-09-045011	4213500000	108	JORDAN UNIVERSITY UNIT #616		JORDAN	0.4	PHILLIPS PETROLEU
8217584	F-06-045407	4249900000	108	S R REYNOLDS UNIT #1		MANZIEL (RODESSA X)	14.0	ARKANSAS LOUISIAN
8217420	F-08-045012	4213500000	108	TXL L A/C 3 #32		TXL (SAN ANDRES)	11.0	SHELL OIL ET AL
8217417	F-08-045009	4213500000	108	TXL NORTH UNIT #530		TXL (TUBB)	9.8	SHELL OIL ET AL
8217416	F-08-045008	4213500000	108	TXL NORTH UNIT #536-L		TXL (TUBB)	2.9	SHELL OIL ET AL
-SIERRA EXPLORATION CO			RECEIVED: 02/03/82 JA: TX					
8217400	F-03-044991	4223732189	102-4	GRAHAM #1 (18876)		KLM (CADDO B)	67.0	SOUTHWESTERN GAS
8217399	F-09-044997	4223732598	102-4	GRAHAM #2 (19436)		KLM (CADDO A)	35.0	SOUTHWESTERN GAS
8217398	F-09-044958	4223732559	102-4	POWELL #1 (19455)		LYNN CREEK (CADDO)	15.0	SOUTHWESTERN GAS
8217397	F-09-044988	4223732136	103	VINSON R #1 (18887)		JACK COUNTY REGULAR	0.3	SOUTHWESTERN GAS
-SIMPSON-MANN OIL PRODUCERS			RECEIVED: 02/03/82 JA: TX					
8217425	F-7C-045027	4223531773	103	J R SCOTT EST #3		SPRABERRY (TREND AREA	45.0	NORTHERN NATURAL
-SNOW OIL CO			RECEIVED: 02/03/82 JA: TX					
8217765	F-7B-045987	4213331997	102-4	DANIEL-TEXFEL #1 (15397)		PAT KAHAN (MISS)	17.0	LONE STAR GAS CO
8217766	F-7B-045988	4213332317	102-4	DANIELS #2 (89613)		PAT KAHAN (MISS)	203.0	LONE STAR GAS CO
8217764	F-7B-045985	4213331719	102-4	J M DANIELS #1 (15067)		PAT KAHAN (MISS)	82.0	LONE STAR GAS CO
-SOHIO PETROLEUM CO			RECEIVED: 02/03/82 JA: TX					
8217526	F-7C-045267	4238331953	103	E G CAUBLE "C" #2		CALVIN (DEAN)	30.0	EL PASO NATURAL G
8217525	F-7C-045266	4238331981	103	E G CAUBLE "L" #5		CALVIN (DEAN)	2.0	EL PASO NATURAL G
-SRC OIL & GAS PRODUCTION CO			RECEIVED: 02/03/82 JA: TX					
8217740	F-06-045884	4249931524	108	BROWN GAS UNIT #1		WILLMANN (3100)	438.0	UNITED GAS PIPELI
-SUEMAUR CORP			RECEIVED: 02/03/82 JA: TX					
8217395	F-04-044986	4213135124	103	WELDER HEIRS #1-381		SEVEN SISTERS W (5700	100.0	VALERO TRANSMISSI
-SUMMIT ENERGY INC			RECEIVED: 02/03/82 JA: TX					
8217662	F-10-045569	4248300000	108	R L HOWARD #1		EAST PANHANDLE	12.0	EL PASO NATURAL G
-SUN OIL COMPANY (DELAWARE)			RECEIVED: 02/03/82 JA: TX					
8217582	F-04-045404	4242700000	108	BENTSEN BROS A #5L		HINDE 6750	10.0	TRANSCONTINENTAL
8217718	F-7B-045776	4213332432	103	J C LITTLETON #1		EASTLAND COUNTY REGUL	30.0	LONE STAR GAS CO
8217722	F-02-045781	4246931557	102-4	NANCY F SHELTON #7		PALO ALTO	22.0	UNITED TEXAS TRAN
8217720	F-8A-045778	4221933217	103	SOUTHEAST LEVELLAND #266		LEVELLAND	144.0	AMOCO PRODUCTION
8217719	F-8A-045777	4221933220	103	SOUTHEAST LEVELLAND UNIT #259		LEVELLAND	2.0	AMOCO PRODUCTION
8217721	F-8A-045779	4221933204	103	SOUTHEAST LEVELLAND UNIT #268		LEVELLAND	6.2	AMOCO PRODUCTION
-TARINA OIL CO			RECEIVED: 02/03/82 JA: TX					
8217773	F-01-046009	4228300000	108	C N COCKE #C-1		COOKE (EDWARDS LIME)	8.0	TRANSCONTINENTAL
-TAUBERT & STEED			RECEIVED: 02/03/82 JA: TX					
8217566	F-06-045362	4249930905	102-4	107-TF RUTH DAVIS GAS UNIT #1 RRC #96113		NEUHOFF (COTTON VALLE	318.3	UNITED GAS PIPELI
8217565	F-06-045361	4249931951	102-4	107-TF SUN DAVIS UNIT #1 RRC ID #96018		NEUHOFF (COTTON VALLE	1825.0	UNITED GAS PIPELI
-TEE OPERATING CO			RECEIVED: 02/03/82 JA: TX					
8217539	F-03-045313	4216700000	102-2	FIRTH ESTATE #1		GREENS LAKE (MIOCENE	0.0	
-TEN OIL OPERATING CO			RECEIVED: 02/03/82 JA: TX					
8217543	F-7C-045316	4210533409	103	UNIVERSITY BLOCK 46 #1003		BLOCK 46 EAST (GRAYBU	10.0	
-TEXACO INC			RECEIVED: 02/03/82 JA: TX					
8217438	F-8A-045044	4216532051	103	A B WHARTON #94		HARRIS	0.7	PHILLIPS PETROLEU
8217655	F-8A-045547	4216931636	103	I N MCCRARY #1		POST (GLORIETA)	8.5	
-THOMAS-POWELL ROYALTY INC			RECEIVED: 02/03/82 JA: TX					
8217404	F-7C-044995	4239931942	102-4	CURNUTTE #1-L (95253)		WINGATE NW (ODOM)	325.0	UNION TEXAS PETRO
8217403	F-7C-044994	4239931942	102-4	CURNUTTE #1-U (09152)		WINGATE NW (GARDNER)	41.0	UNION TEXAS PETRO
-TXO PRODUCTION CORP			RECEIVED: 02/03/82 JA: TX					

JD NO	JA RT	API NO	DIST	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8217394	F-02-044984	4228531482	108			HANCOCK #3-3 RRC ID #69827	PROVIDENT CITY (WILCO	0.0	TEXAS EASTERN TRA
-UNION OIL COMPANY OF CALIF			RECEIVED:	02/03/82		JA: TX			
8217611	F-08-045464	4213533555	103			MOSS UNIT #17-17	COWDEN SOUTH	9.0	ODESSA NATURAL CO
-W R EDWARDS JR			RECEIVED:	02/03/82		JA: TX			
8217606	F-10-045454	4223300000	103			BEARKILLER #39	PANHANDLE HUTCHINSON	95.0	PANHANDLE PRODUCI
8217562	F-10-045355	4234100000	103			CASTLEMAN #1	PANHANDLE MOORE	95.0	DIAMOND SHAMROCK
8217607	F-10-045455	4223300000	103			MERCHANT #5	PANHANDLE HUTCHINSON	130.0	PANHANDLE PRODUCI
-WAGNER & BROWN			RECEIVED:	02/03/82		JA: TX			
8217638	F-08-045512	4243130801	103			GLASS "E" #3-36	CONGER (PENN)	239.0	VALERO TRANSMISSI
8217637		4243130814	103			GLASS "E" #4-36	CONGER (PENN)	87.0	VALERO TRANSMISSI
8217636	F-08-045510	4243130874	103			GLASS "F" #3-12	CONGER (PENN)	438.0	VALERO TRANSMISSI
8217642	F-08-045518	4243130655	103			GLASS "G" #4-14	CONGER (PENN)	346.0	VALERO TRANSMISSI
8217641	F-08-045516	4243130667	103			GLASS "H" #2-32	CONGER (PENN)	480.0	VALERO TRANSMISSI
8217648	F-08-045530	4243130880	103			GLASS "I" #2-38	CONGER (PENN)	238.0	VALERO TRANSMISSI
8217649	F-08-045531	4243130924	103			GLASS "I" #3-38	CONGER (PENN)	192.0	VALERO TRANSMISSI
8217645	F-08-045523	4243130925	103			GLASS "I" #4-38	CONGER (PENN)	36.0	VALERO TRANSMISSI
8217646	F-08-045524	4243130806	103			GLASS "J" #2-26	CONGER (PENN)	85.0	VALERO TRANSMISSI
8217643	F-08-045519	4243130903	103			GLASS "J" #3-26	CONGER (PENN)	192.0	VALERO TRANSMISSI
8217647	F-08-045527	4243130922	103			GLASS "J" #4-26	CONGER (PENN)	68.0	VALERO TRANSMISSI
8217644	F-08-045521	4243130901	103			GRIGSBY #3-14	CONGER (PENN)	87.0	VALERO TRANSMISSI
8217640	F-08-045514	4243130951	103			GRIGSBY #4-14	CONGER (PENN)	0.0	VALERO TRANSMISSI
8217659	F-08-045566	4243130612	103			HILDEBRAND #22-20	CONGER (PENN)	250.0	VALERO TRANSMISSI
8217660	F-08-045567	4243130628	103			HILDEBRAND #23-12	CONGER (PENN)	216.0	VALERO TRANSMISSI
8217651	F-08-045535	4243130656	103			HILDEBRAND #24-9	CONGER (PENN)	220.0	VALERO TRANSMISSI
8217653	F-08-045538	4243130672	103			HILDEBRAND #25-26	CONGER (PENN)	201.0	VALERO TRANSMISSI
8217657	F-08-045559	4243130676	103			HILDEBRAND #26-4	CONGER (PENN)	160.0	VALERO TRANSMISSI
8217639	F-08-045513	4243130644	103			MARGARET #1-14	CONGER (PENN)	128.0	VALERO TRANSMISSI
8217658	F-08-045561	4243130668	103			RAY "A" #5-30	CONGER (PENN)	223.0	VALERO TRANSMISSI
8217635	F-08-045508	4243130688	103			RAY "C" #1-3	CONGER (PENN)	165.0	VALERO TRANSMISSI
8217634	F-08-045507	4243130717	103			REYNOLDS #1-11	CONGER (PENN)	28.0	VALERO TRANSMISSI
8217652	F-08-045537	4243130739	103			THELMA #1-34	CONGER (PENN)	229.0	VALERO TRANSMISSI
-WARREN PETR CO A DIV OF GULF OIL CO			RECEIVED:	02/03/82		JA: TX			
8217522	F-08-045262	4210332578	103			W N WADDELL #1146	DUNE	0.5	EL PASO NATURAL G
8217523	F-08-045263	4210332599	103			W N WADDELL #1147	DUNE	2.4	EL PASO NATURAL G
8217595	F-08-045429	4210332640	103			W N WADDELL 1215	SAND HILLS (MCKNIGHT)	12.1	EL PASO NATURAL G
-WCS PETROLEUM INC			RECEIVED:	02/03/82		JA: TX			
8217431	F-03-045035	4205131421	102-2			WILLIE OPPERMANN #4	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-WESTERN CHIEF OIL & GAS CO			RECEIVED:	02/03/82		JA: TX			
8217430	F-09-045033	4223733538	103			JOHNNY DUNLAP #1-A	JACK COUNTY REGULAR	286.0	SOUTHWESTERN GAS
-WOOLSEY PETROLEUM CORP			RECEIVED:	02/03/82		JA: TX			
8217694	F-09-045672	4249732199	103			VERDA NORTH 21476	ALVORD SOUTH (ATOKA)	72.0	TEXAS UTILITIES F

OTHER PURCHASERS

8217589	E I DUPONT DE NEMOURS & CO INC
8217590	E I DUPONT DE NEMOURS & CO INC
8217591	E I DUPONT DE NEMOURS & CO INC
8217592	E I DUPONT DE NEMOURS & CO INC
8217703	E I DUPONT DE NEMOURS & CO INC
8217709	E I DUPONT DE NEMOURS & CO INC

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-5433 Filed 2-26-82; 8:45 am]

BILLING CODE 6717-01-C

ENVIRONMENTAL PROTECTION AGENCY

[WH-FRL 2064-2]

Management Advisory Group to the Construction Grants Program; Open Meeting

Under Pub. L. 92-463, notice is hereby given that a meeting of the Management Advisory Group (MAG) to the construction grants program will be held in the Regional Administrator's Conference Room, EPA-Region VIII, 1860 Lincoln Street, Denver, Colorado, on March 8-9, 1982. The meeting will begin at 9:00 a.m. on March 8, 1982.

The purpose of the meeting is to review the proposed reform regulations for the construction grants program, and to provide advice on the management of sludge.

The meeting will be open to the public. Any member of the public wishing to attend the meeting should contact the Executive Secretary, Mr. William A. Whittington, Acting Director, Municipal Construction Division, EPA, Washington, DC 20460. The telephone number is area code 202-426-8986.

This meeting is announced in less than the 15 days required for notice of meeting due to the need to obtain advice before the regulations are put into effect.

Dated: February 24, 1982.

Bruce R. Barrett,

Acting Assistant Administrator for Water.

[FR Doc. 82-5483 Filed 2-26-82; 8:45 am]

BILLING CODE 6560-29-M

[OPTS-59079A; TSH-FRL-2057-2]

Substituted Pyridinium Bromide; Approval of Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA received an application for a test marketing exemption (TM-82-2) under section 5 of the Toxic Substances Control Act (TSCA) on January 13, 1982. Notice of receipt of the application was published in the **Federal Register** of January 26, 1982 (47 FR 3597). EPA has granted the exemption.

EFFECTIVE DATE: This exemption is effective on February 19, 1982.

FOR FURTHER INFORMATION CONTACT: Rose Allison, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-206, 401 M St., SW., Washington, DC 20460, (202-382-3733).

SUPPLEMENTARY INFORMATION: Under section 5 of TSCA, anyone who intends to manufacture in, or import into, the United States a new chemical substance for commercial purposes must submit a notice to EPA before manufacture or import begins. A "new" chemical substance is any chemical substance that is not on the Inventory of existing substances compiled by EPA under section 8(b) of TSCA. Section 5(a)(1) requires each premanufacture notice (PMN) to be submitted in accordance with section 5(d) and any applicable requirements of section 5(b). Section 5(d)(1) defines the contents of a PMN and section 5(b) contains additional reporting requirements for certain new chemical substances.

Section 5(h), "Exemptions", contains several provisions for exemptions from some or all of the requirements of section 5. In particular, section 5(h)(1) authorizes EPA, upon application, to exempt persons from any requirements of section 5(a) or section 5(b), and to permit them to manufacture or process chemical substances for test marketing purposes. To grant an exemption, the Agency must find that the test marketing activities will not present any unreasonable risk of injury to health or the environment. EPA must either approve or deny the application within 45 days of its receipt, and under section 5(h)(6) the Agency must publish a notice of this disposition in the **Federal Register**. If EPA grants a test marketing exemption, it may impose restrictions on the test marketing activities.

On January 13, 1982, EPA received an application for an exemption from the requirements of sections 5(a) and 5(b) of TSCA to manufacture a new chemical substance for test marketing purposes. The application was assigned test marketing exemption number TM-82-2. The manufacturer claimed its identity, the specific chemical identity, and the specific use of the new substance as confidential business information. The generic name of the new substance is substituted pyridinium bromide and it will be incorporated into a consumer article. A maximum of 20 kilograms (kg) will be manufactured for test marketing purposes, during a test marketing period not to exceed one year. During manufacturing, 18 workers in all shifts may be exposed for a total of 16 hours/day for 250 days. At a processing site, 18 workers in all shifts may be exposed for 16 hours/day for 250 days. At another site, 30 workers in all shifts may be exposed for 24 hours/day for 250 days. At an additional site, 150 workers in all shifts would be exposed for a total of 24 hours/day for 355 days. A maximum of 4 workers may have exposure for 24 hours/day for 355 days during disposal. A notice published in the **Federal Register** of January 26, 1982 (47 FR 3597) announced recipt of this application and requested comment on the appropriateness of granting the exemption. The Agency did not receive any comments concerning the application.

EPA has established that the test marketing of the substance described in TM-82-2 under the conditions set out in the application will not present any unreasonable risk of injury to health or the environment. At the levels of expected exposure there are no high level health concerns. The production volume is low. Worker exposure should be low if proper protective equipment specified in the test marketing exemption application is worn, the area of expsoure is ventilated, and the specified safety procedures are followed. The final use of the substance will involve a restricted and minimal exposure to consumers as part of a consumer article. Environmental release is expected to be low and environmental effects are not expected at these levels.

This test marketing exemption is granted based on the facts and information obtained and reviewed, but is subject to all conditions set out in the exemption application and, in particular, those enumerated below.

1. This exemption is granted solely to this manufacturer.

2. Each bill of lading that accompanies a shipment of the substance during the test marketing period must state that the use of the substance is restricted to that described to EPA in the test marketing exemption application.

3. The production volume of the new substance may not exceed the quantity of 20 kg described in the test marketing exemption application.

4. The test marketing activity approved in this notice is limited to a 1-year period commencing on the date of signature of this notice by the Administrator.

5. The number of workers exposed to the new chemical should not exceed that specified in the application and the exposure levels and duration of exposure should not exceed those specified.

The Agency reserves the right to rescind its decision to grant this exemption should any new information come to its attention which casts significant doubt on the Agency's conclusion that the test marketing of this

substance under the conditions specified in the application will not present an unreasonable risk of injury to human health or the environment.

Dated: February 19, 1982.

Anne M. Gorsuch,

Administrator.

[FR Doc. 82-5397 Filed 2-26-82; 8:45 am]

BILLING CODE 6560-31-M

[OPTS-51401; TSH-FRL-2060-5]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of interim policy published in the **Federal Register** of May 15, 1979 (44 FR 28558) and November 7, 1980 (45 FR 74378). This notice announces receipt of eight PMNs and provides a summary of each.

DATES: Written comments by: PMN 82-128, 82-129, and 82-130—April 17, 1982. PMN 82-131, 82-132, 82-133, 82-134, and 82-135—April 18, 1982.

ADDRESS: Written comments, identified by the document control number "[OPTS-51401]" and the specific PMN number should be sent to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, DC 20460, (202-382-3532).

FOR FURTHER INFORMATION CONTACT: David Dull, Acting Chief, Notice Review Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-216, 401 M St., SW., Washington, DC 20460, (202-382-3729).

SUPPLEMENTARY INFORMATION: The following are summaries of information provided by the manufacturer on the PMNs received by EPA:

PMN 82-128

Close of Review Period. May 17, 1982.

Manufacturer's Identity. American Color and Chemical Corporation, P.O. Box 88, Mt. Vernon Street, Lock Haven, PA 17745.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Naphthalenesulfonic acid, 5-phenyazo-8-toluidinoazo.

Use. The manufacturer states that the PMN substance will be used in nylon carpet and upholstery.

PRODUCTION ESTIMATES

	Kilograms per year	
	Minimum	Maximum
1st year	1,500	3,000
2d year	2,000	5,000
3d year	3,000	10,000

Physical/Chemical Properties

Appearance—Orange powder.
pH—7.0-7.5.

Toxicity Data. No data were submitted.

Exposure. The manufacturer states that during manufacture, processing and use, 4 workers may experience dermal and inhalation exposure 4 hrs/day, 10 days/yr.

Environmental Release/Disposal. The manufacturer states that less than 10 kg/yr will be released to water 1 hr/day, 20 days/yr. Disposal is to a publicly owned treatment works (POTW).

PMN 82-129

Close of Review Period. May 17, 1982.

Manufacturer's Identity. GAF Corporation, 140 W. 51st Street, New York, NY 10020.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Esterfied copolymer of a vinyl compound and an unsaturated carboxylic acid.

Use. The manufacturer states that the PMN substance will be used as an electron resist resin.

Production Estimates. Claimed confidential business information.

Physical/Chemical Properties

Solubility:
Water—Insoluble.
Methyl alcohol—Insoluble.
N-octane—Soluble.
Toluene—Soluble.

Toxicity Data

Skin irritation (rabbit)—Moderate to severe.

Eye irritation (rabbit)—Mild to moderate.

Exposure. Claimed confidential business information.

Environmental Release/Disposal. Disposal is by incineration of sent to a treatment plant.

PMN 82-130

Close of Review Period. May 17, 1982.

Manufacturer's Identity. Claimed confidential business information.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Nitrobenzene sulfonate.

Use. The manufacturer states that the PMN substance will be used as a site-limited intermediate.

Production Estimates. 390,000 kg/yr over the next three years.

Physical/Chemical Properties

Appearance—White presscake (contains 35-40% water).
Solubility: water—Soluble.

Toxicity Data

Acute oral toxicity LD_{50} (rat)—>5.0 g/kg.

Acute dermal toxicity LD_{50} (rabbit)—>2.0 g/kg

Primary skin irritation (rabbit)—Slightly irritating.

Eye irritation (rabbit)—Moderately irritating.

Exposure. The manufacturer states that during manufacture 4-10 workers may experience minimal exposure 980 hrs annual totals during handling.

Enviornmental Release/Disposal. Disposal is to a biological waste water treatment plant.

PMN 82-131

Close of Review Period. May 18, 1982.

Manufacturer's Identity. Claimed confidential business information. Organization information provided:

Annual Sales—$5,000,000.

Manufacturing site—Middle Atlantic region.

Standard Industrial Classification Code—285.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Zinc-containing alkenyl carboxamide.

Use. Claimed confidential business information. Generic use information provided: The manufacturer states that the PMN substance will be used in a contained use.

Production Estimates. Claimed confidential business information.

Physical/Chemical Properties

Appearance—Brown clear liquid.
Flash point (Method ASTM D92)—350° F.
Viscosity @ 210° F—250 cs.
Pour point—0° F.
Density—.92.

Toxicity data

Acute oral toxicity LD_{50} (rat)—>5 g/kg.

Acute dermal toxicity LD_{50} (rat)—>2 g/kg.

Primary skin irritation (rabbit)—1.2/8.0.

Primary eye irritation (rabbit)—3/110 at 24 hrs. decreasing to 0/110 at 72 hrs.

Ames salmonella—Negative.

Exposure. Claimed confidential business information.

Environmental Release/Disposal. Claimed confidential business information.

PMN 82–132

Close of Review Period. May 18, 1982.

Importer's Identity. Naarden International USA, Inc., 919 Third Avenue, New York, NY 10022.

Specific Chemical Identity. Claimed confidential business information. Generic name provided; Terpene ester.

Use. The importer states that the PMN substance will be used in fragrance compounds.

Import Estimates. Claimed confidential business information.

Physical/Chemical Properties

Appearance—Colorless liquid.

Boiling point @135° C—20 mm Hg.
@105° C—5 mmHg.

Flash point, Pensky Martens @2° C closed cup—114.

Assay—>98%.

Solubility:

Water—<1g/l. Alcohol 90%—1:0,8 and more.

$$\text{Density} \quad \frac{d20}{20} = 0{,}8778$$

$$\text{Refractive index} \quad \frac{n20}{D} = 1{,}445$$

Toxicity Data

Oral toxicity LD_{50} (rat)— 5 g/kg.

Primary skin irritation (rabbit)—Severe irritant.

Eye irritation (rabbit)—Not an irritant.

Ames Salmonella—No mutagenic activity.

Skin sensitization (guinea pig)—No sensitization potential.

Exposure. The importer states that 24 workers may experience exposure during compounding.

Environmental Release/Disposal. The importer states that release will be to land and water only from accidental spill. Disposal is by incineration.

PMN 82–133

Close of Review Period. May 18, 1982.

Manufacturer's Identity. Claimed confidential business information.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Substituted cyclopentadiene.

Use. The manufacturer states that the PMN substance will be used as a monomer for binder/adhesive products.

Production Estimates. Claimed confidential business information.

Physical/Chemical Properties. Claimed confidential business information.

Toxicity Data

Acute oral toxicity LD_{50} (rat)—>10.0 g/kg.

Acute dermal toxicity LD_{50} (rabbit)—>4.64 g/kg.

Primary skin irritation (rabbit)—Not an irritant.

Primary eye irritation (rabbit)—Not an irritant.

Exposure. Claimed confidential business information.

Environmental Release/Disposal. Claimed confidential business information.

PMN 82–134

Close of Review Period. May 18, 1982.

Exporter's Identity. Claimed confidential business information. Organization information provided:

Annual sales—Over $500,000,000.

Manufacturing site—East North Central region.

Standard Industrial Classification Code—28.

Specific Chemical Identity. Propenoic acid/methylenebutanedioic acid copolymer, sodium salt.

Use. Claimed confidential business information.

Export and/or Production Estimates. Claimed confidential business information.

Physical/Chemical Properties.

pH—10.

Specific gravity @25° C—1.34.

Percent non-volatiles—45.

Toxicity Data. No data were submitted.

Exposure. The exporter states that during manufacture 2 workers may experience dermal exposure 2 hrs/day, 100 days/yr.

Environmental Release/Disposal. The exporter states that less than 10 kg/yr will be released to air and land with 100–1,000 kg/yr released to water. Disposal is to a POTW.

PMN 82–135

Close of Review Period. May 18, 1982.

Exporter's Identity. Claimed confidential business information. Organization information provided:

Annual sales—Over $500,000,000.

Manufacturing site—East North Central region.

Standard Industrial Classification Code—28.

Specific Chemical Identity. Polymer of 2-propenoic acid and methylenebutanedioic acid.

Use. The exporter states that the PMN substance will be used as a site limited intermediate.

Export and/or Production Estimates. Claimed confidential business information.

Physical/Chemical Properties.

pH—1.0.

Specific gravity @25° 1.220.

Percent solids—50.

Toxicity Data

Acute oral toxicity LD_{50} (rat)—>5 gm/kg.

Skin irritation (rabbit)—0.2.

Eye irritation (rabbit)—0.0.

Ames Salmonella—Non-mutagenic.

Environmental Test Data

LC_{50} 96 hr. (bluegill sunfish)—460 mg/l.

LC_{50} 98 hr. (rainbow trout)—280 mg/l.

Exposure. The exporter states that during manufacture 3 workers may experience dermal exposure 3 hrs/day, 70 days/yr.

Environmental Release/Disposal. The exporter states that less than 10 kg/yr will be released to air and land with 100–1,000 kg/yr released to water. Disposal is to a POTW.

Dated: February 22, 1982.

Woodson W. Bercaw,

Acting Director, Management Support Division.

[FR Doc. 82-5398 Filed 2-26-82; 8:45 am]

BILLING CODE 6560-31-M

[OPTS-51400; TSH-FRL-2060-3]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA)

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requiremens for section 5(a)(1) premanufacture notices are discussed in EPA statements of interim policy published in the **Federal Register** of May 15, 1979 (44 FR 28558) and November 7, 1980 (45FR 74378). This notice announces receipt of two PMNs and provides a summary of each.

DATE: Written comments by: PMN 82–89 and 82–90—April 12, 1982.

ADDRESS: Written comments, identified by the document control number "[OPTS–51400]" and the specific PMN number should be sent to: Document Control Officer (TS–793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E–409, 401 M St., SW., Washington, DC 20460, (202–382–3532).

FOR FURTHER INFORMATION CONTACT: David Dull, Acting Chief, Notice Review Branch, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–216, 401 M St., SW., Washington, D.C.20460, (202–382–3729).

SUPPLEMENTARY INFORMATION: The following are summaries of information provided by the manufacturer on the PMNs received by EPA:

PMN 82–89

Close of Review Period. May 12, 1982.

Manufacturer's Identity. American Color and Chemical Corporation, Mt. Vernon Street, Lock Haven, PA 17745.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: (Dialkylaminophenylazo) azobenzene sulfonic acid.

Use. The manufacturer states that the PMN substance will be used in nylon carpet and upholstery.

PRODUCTION ESTIMATES

	Kilograms per year	
	Minimum	Maximum
1st year	200	500
2d year	500	1,000
3d year	1,000	2,000

Physical/Chemal Properties

Appearance—Dash red solution.

pH—9.0–9.5.

Toxicity Data. No data were submitted.

Exposure. The manufacturer states that during manufacture and use 2 workers may experience dermal exposure 2 hrs/day, 2 days/yr.

Environmental Release/Disposal. The manufacturer states that less than 10 kg/yr will be released to air, land and water. Disposal is to a publicly owned treatment works (POTW).

PMN 82–90

Close of Review Period. May 12, 1982.

Manufacturer's Identity. Dow Corning Corporation, P.O. Box 1592, S. Saginaw Road, Midland, MI 48640.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Siloxanes and silicones, aminoalkyl me, di—me.

Use. Claimed confidential business information. Generic use information provided: The manufacturer states that the PMN substance will be used as a textile fiber treatment.

Production Estimates. Claimed confidential business information.

Physical/Chemical Properties. Claimed confidential business information.

Toxicity Data

Acute oral toxicity LD_{50} (rat)—>5,000 mg/kg.

Dermal toxicity LD_{50} (rat)—>2,000 mg/kg.

Skin irritation (rabbit)—Moderately irritating.

Eye irritation (rabbit)—Moderately irritating.

Ames salmonella—No mutagenic activity.

Environmental Test Data

LC_{50} 96 hr. (rainbow trout)—6.1 parts per million (ppm).

LC_{50} 48 hr. (daphnia magna)—1.0 ppm.

Exposure. The manufacturer states that during manufacture 1 worker may experience inhalation exposure during drumming.

Environmental Release/Disposal. The manufacturer states that no release to the environment is anticipated.

Dated: February 18, 1982.

Woodson W. Bercaw,

Acting Director Management Support Division.

[FR Doc. 82-5396 Filed 2-26-82; 8:45 am]

BILLING CODE 6560-31-M

[OPTS-59081; TSH-FRL-2060-4]

Substituted Heteromonocycle; Premanufacture Exemption Application

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA may upon application exempt any person from the premanufacturing notification requirements of section 5(a) or (b) of the Toxic Substances Control Act (TSCA) to permit the person to manufacture or process a chemical for test marketing purposes under section 5(h)(1) of TSCA. Requirements for test marketing exemption (TME) applications, which must either be approved or denied within 45 days of receipt, are discussed in EPA's revised statement of interim policy published in the **Federal Register** of November 7, 1980 (45 FR 74378). This notice, issued under section 5(h)(6) of TSCA, announces receipt of one application for an exemption, provides a summary, and requests comments on the appropriateness of granting the exemption.

DATE: Written comments by March 16, 1982.

ADDRESS: Written comments, identified by the document control number "[OPTS–59081]" and the specific TME number should be sent to: Document Control Officer (TS–793), Office of Pesticides and Toxic Substances, Management Support Division, Environmental Protection Agency, Rm. E–401, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: David Dull, Acting Chief, Notice Review Branch, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–216, 401 M Street, SW., Washington, DC 20460.

SUPPLEMENTARY INFORMATIOAN: The following is a summary of information provided by the manufacturer on the TME received by the EPA:

TME 82–4

Close of Review Period. April 3, 1982.

Manufacturer's Identity. Claimed confidential business information. Organization information provided:

Annual sales—$500,000,000.

Manufacturing site—Northeast region.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Disubstituted heteromonocycle.

Use. Claimed confidential business information. Generic use information provided: The manufacturer states that the PMN substance will be used in a way that will release less than 1.0 kg of the substance to the environment per year.

Production Estimates

One kg/yr—Maximum.

Physical/Chemical Properties

Melting point—>200° C.

Solubility: water—>1.0 g/l @ 96° C.

Toxicity Data. No data were available.

Exposure. The manufacturer states that a maximum of 150 workers (total all shifts) may have dermal exposure 24 hrs/day, 355 days/yr during processing at one site, a maximum of 40 workers (total all shifts) may have dermal and inhalation exposure 24 hrs/day, 250 days/yr during manufacturing and processing at other sites, and a maximum of 4 workers (total all shifts) may have dermal exposure 24 hrs/day, 355 days/yr during disposal.

Environmental Release/Disposal. The manufacturer states that less than 10 kg/yr will be released to air, land or water at any site.

Dated: February 18, 1982.

Woodson W. Bercaw,

Acting Director, Management Support Division.

[FR Doc. 82-5399 Filed 2-26-82; 8:45 am]

BILLING CODE 6560-31-M

FEDERAL RESERVE SYSTEM

Bank of Boston International South; Establishment of U.S. Branch of a Corporation

Bank of Boston International South, 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 a branch in Houston, Texas. Bank of Boston International South operates as a subsidiary of The First National Bank of Boston, Boston, Massachusetts.

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 Boston. 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 March 17, 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, February 22, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-5341 Filed 2-26-82; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than March 17, 1982.

A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Citicorp*, New York, New York (credit-related single interest insurance activities; Virginia): To expand the activities of an existing office of its subsidiary, Citicorp Person-to-Person Financial Center, Inc., located in Richmond, Virginia. The new activity in which the office proposed to engage *de novo* is the sale of credit-related single interest insurance protecting real and personal property subject to a security agreement with Citicorp Person-to-Person Financial Center, Inc. to the extent permissible under applicable state insurance laws and regulations. The proposed service area for this activity is the entire state of Virginia.

2. *Manufacturers Hanover Corporation*, New York, New York (consumer finance and insurance activities; Colorado and Utah): to expand the service area of its subsidiary, Finance One of Colorado, Inc., to include the states of Colorado and Utah. The subsidiary engages in the activities of arranging, making, or acquiring for its own account or the account of others extensions of credit such as would be made by a consumer finance company, and the sale as agent or broker of credit life and credit accident and health insurance directly related to extensions of credit by the subsidiary. These activities would be conducted at an office located in Denver, Colorado, serving the states of Colorado and Utah.

3. *Barclays Bank Limited* and its subsidiary, *Barclays Bank International Limited*, each a bank holding company whose principal office is in London, England (secured business lending, primarily real estate Louisville, Kentucky): to engage through their subsidiary, BarclaysAmerican/Mortgage, Inc., ("BAM"), in making business loans to small businesses or individuals borrowing for business purposes, primarily secured by first and second mortgages on real estate. This activity would be conducted from BAM's existing mortgage finance office located at 1950 Bishop Lane, Waterson Towers, Suite 720, Louisville, Kentucky 40218, serving customers in Louisville and surrounding areas in Kentucky.

B. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75222:

Mercantile Texas Corporation, Dallas, Texas (investment advisory services, direct lending and servicing activities, leasing personal and real property, and performing real estate appraisals; United States): to engage *de novo*, through a subsidiary known as MERCANTILE ENERGY CORPORATION, in the following activities: (A) Acting as investment or financial adviser, with respect to oil, gas, and other mineral real property interests and securities, to the extent of serving as the advisory company for a mortgage or a real estate investment trust; serving as an investment adviser, as defined in section 2(a)(20) of the Investment Company Act of 1940, to an investment company registered under that Act (within the limits of § 225.125 of Regulation Y): And providing portfolio investment advice to any person except with respect to real property to be used in the trade or business of the person being advised. The services will be provided as to all types of oil, gas and mineral interests and oil, gas and mineral securities for non-affiliated customers and for banking and nonbanking affiliates of the Applicant. (B) Making and acquiring for its own account and for the account of others, secured and unsecured loans and other extensions of credit primarily to energy

development and exploration companies and individuals, and servicing such loans and other extensions of credit. In addition to direct lending and loan servicing activities, MEC will make equity investments in unaffiliated energy development and exploration companies subject to the limitations of section 4(c)(6) of the Bank Holding Company Act. (C) Leasing personal and real property and acting as agent, broker or adviser in leasing such property where the lease serves as the functional equivalent of an extention of credit to the lessee of the property. Such leases will relate primarily to energy development ane exploration projects. (D) Performing real estate appraisals for any person or entity.

Such activities are to be conducted from offices in Dallas, Texas, serving the entire United States.

C. **Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

BankAmerica Corporation, San Francisco, California (financing, servicing, and insurance activities; expansion of geographic scope; Florida): to continue to engage, through its indirect subsidiaries, FinanceAmerica Corporation and FinanceAmerica Industrial Plan Inc., both Florida corporations, in the activities of making or acquiring for their own account loans and other extensions of credit such as would be made or acquired by a finance company, servicing loans and other extensions of credit, and offering credit-related life insurance and credit-related accident and health insurance. Credit-related property insurance will not be offered by either corporation in the state of Florida. Such activities will include, but not be limited to, making consumer installment loans; purchasing installment sales finance contracts; making loans and other extensions of credit to small business; making loans and other extensions of credit secured by real and personal property; and offering credit-related life and credit-related accident and health insurance directly related to extensions of credit made or acquired by FinanceAmerica Corporation and FinanceAmerica Industrial Plan Inc.

These activities will be conducted from an existing office located in Panama City, Florida. The service area for this office will be expanded to include the entire state of Florida.

D. Other Federal Reserve Banks: None.

Board of Governors of the Federal Reserve System, February 23, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-5344 Filed 2-26-82; 8:45 am]

BILLING CODE 6210-01-M

Bushnell Bancorp; Formation of Bank Holding Company

Bushnell Bancorp, Bushnell, Nebraska, 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 82 per cent or more of the voting shares of Kimball County Bank, Bushnell, Nebraska. 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)).

Bushnell Bancorp, Bushnell, Nebraska, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire Bushnell Insurance Agency, Bushnell, Nebraska.

Applicant states that the proposed subsidiary would engage in the activity of acting as agent in the sale of general insurance in a community with a population not exceeding 5,000. These activities would be performed from offices of Applicant's subsidiary in Bushnell, Nebraska, and the geographic areas to be served are Kimball County and the southern half of Banner County, Nebraska; the eastern third of Laramie County, Wyoming; and the northern half of Weld County, Colorado. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Reserve Bank not later than March 22, 1982.

Board of Governors of the Federal Reserve System, February 22, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-5342 Filed 2-26-82; 8:45 am]

BILLING CODE 6210-01-M

Universal Bancorp; Formation of Bank Holding Company

Universal Bancorp, Bloomfield, Indiana, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 per cent or more of the voting shares of Bloomfield State Bank, Bloomfield, Indiana. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than March 22, 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, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, February 22, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-5343 Filed 2-26-82; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

[F-82-2]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent, in conjunction with the Administrator of General Services, the consumer interests of the executive agencies of the Federal Government in proceedings before the

Iowa State Commerce Commission involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly Sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the Federal executive agencies before the Iowa State Commerce Commission involving the application of the Northwestern Bell Telephone and Telegraph Company for an increase in rates for telecommunications services. The authority delegated to the Secretary of Defense shall be exercised concurrently with the Administrator of General Services.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

d. The Department of Defense shall add the General Services Administration to its service list in this case so that GSA will receive copies of testimony, briefs and other Department of Defense filings.

Dated: February 19, 1982.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 82-5300 Filed 2-26-82; 8:45 am]

BILLING CODE 6820-25-M

[F-82-3]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in proceedings before the Arizona State Corporation Commission involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly Sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the Federal executive agencies before the Arizona State Corporation Commission involving the application of the Mountain States Telephone and Telegraph Company for an increase in rates for telecommunications services.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsibile, officers, and employees thereof.

d. The Department of Defense shall add the General Services Administration to its service list in this case so that GSA will receive copies of testimony, briefs and other Department of Defense filings.

Dated: February 19, 1982.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 82-5299 Filed 2-26-82; 8:45 am]

BILLING CODE 6820-25-M

[F-82-4]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in proceedings before the Nebraska Public Service Commission involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly Sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the Federal executive agencies before the Nebraska Public Service Commission involving the application of the Northwestern Bell Telephone Company in Application No. C-191 for a change in its telephone service offerings.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

d. The Department of Defense shall add the General Services Administration to its service list in this case so that GSA will receive copies of testimony, briefs and other Department of Defense filings.

Dated: February 19, 1982.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 82-5298 Filed 2-26-82; 8:45 am]

BILLING CODE 6820-25-M

[F-82-6]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in proceedings before the Missouri Public Service Commission involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly Sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the Federal executive agencies before the Missouri Public Service Commission involving the application of the Southwestern Bell Telephone Company in Case No. TO-82-17 for a change in its telephone service offerings.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

d. The Department of Defense shall add the General Services Administration to its service list in this case so that GSA will receive copies of testimony, briefs and other Department of Defense filings.

Dated: February 19, 1982.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 82-5301 Filed 2-26-82; 8:45 am]

BILLING CODE 6820-25-M

[F-82-5]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent, in conjunction with the Administrator of General Services, the consumer interest of the executive agencies of the Federal Government in proceedings before the Hawaiian Telephone Company involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly Sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the Federal executive agencies before the Hawaii Public Utilities Commission involving the application of the Hawaiian Telephone Company for an increase in rates for telecommunications services. The authority delegated to the Secretary of Defense shall be exercised concurrently with the Administrator of General Services.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

d. The Department of Defense shall add the General Services Administration to its service list in this case so that GSA will receive copies of testimony, briefs and other Department of Defense filings.

Dated: February 19, 1982.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 82-5302 Filed 2-26-82; 8:45 am]

BILLING CODE 6820-25-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Allergy and Clinical Immunology Subcommittee of the Allergy, Immunology, and Transplantation Research Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Allergy and Clinical Immunology Subcommittee of the Allergy, Immunology, and Transplantation Research Committee, National Institutes of Allergy and Infectious Diseases, on March 24-27, 1982, at the National Institutes of Health, Building 31A, Conference Room 4, Bethesda, Maryland 20205 and, for some closed sessions, at the Holiday Inn, Chevy Chase, Maryland 20815. The meeting will be open to the public on March 25 from approximately 8:30 a.m. until 9:30 a.m. in Conference Room 4, Building 31A, National Institutes of Health, to discuss program policies and issues. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code, and section 10(d) of Pub. L. 92-463, the meeting of the AITRC Allergy and Clinical Immunology Subcommittee will be closed to the public for review, evaluation, and discussion of individual grant applications from 8:00 p.m. to approximately 10:00 p.m. on March 24, from 9:30 a.m. until approximately 6:15 p.m. on March 25, from 8:00 a.m. until approximately 7:00 p.m. on March 26 and from 8:00 a.m. until approximately 4:00 p.m. on March 27. The sessions on March 24 and 27 will be held at the Holiday Inn, Chevy Chase. The balance of the sessions will be in Conference Room 4, Building 31A, National Institutes of Health.

These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Robert L. Schreiber, Chief, Office of Research Reporting and Public Response, National Institute of Allergy and Infectious Diseases, Building 31, Room 7A-32, National Institutes of Health, Bethesda, Maryland 20205, telephone (301) 496-5717, will provide summaries of the meetings and rosters of the Committee members as requested.

Dr. Nirmal K. Das, Executive Secretary, Allergy, Immunology and Transplantation Research Committee, NIAID, NIH, Westwood Building, Room 706, telephone (301) 496-7966, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.855, Pharmacological Sciences; 13.856, Microbiology and Infectious Diseases Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in sections 8(b) (4) and (5) of that Circular.

Dated: February 22, 1982.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 82-5294 Filed 2-26-82; 8:45 am]

BILLING CODE 4140-01-M

Clinical Applications and Prevention Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Clinical Applications and Prevention Advisory Committee, Division of Heart and Vascular Diseases, National Heart, Lung, and Blood Institute, National Institutes of Health, May 13-14, 1982. The meeting will be held at the Federal Building, 7550 Wisconsin Avenue, Conference Room B119, Bethesda, Maryland 20205.

This meeting will be open to the public on May 13-14, from 10:00 a.m. to adjournment, when the Committee will discuss 1982 Initiatives and the Ten Year Plan. Attendance by the public will be limited to space available.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-4236, will provide summaries of meetings and rosters of committee members. Dr. William Friedewald, Executive Secretary of the Committee, Federal Building, Room 212, Bethesda, Maryland 20205, phone (301) 496-2533, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.837, Heart and Vascular Diseases Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in Section 8(b) (4) and (5) of that Circular.

Dated: February 18, 1982.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 82-5295 Filed 2-26-82; 8:45 am]

BILLING CODE 4140-01-M

Microbiology and Infectious Diseases Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Microbiology and Infectious Diseases Advisory Committee, National Institute of Allergy and Infectious Diseases, March 25-26, 1982, at the National Institutes of Health, Building 31C, Conference Room 8, Bethesda, Maryland 20205.

The meeting will be open to the public on March 25 from approximately 9:00 to 9:40 a.m. to discuss program policies and issues. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code, and section 10(d) of Pub. L. 92-463, the meeting of the Committee will be closed to the public for the review, evaluation, and discussion of individual grant applications and contract proposals. It is anticipated that this will occur from 9:40 a.m. until approximately 6:30 p.m. on March 25, 1982 and from 8:30 a.m. until approximately 4:30 p.m. on March 26, 1982.

These applications, proposals, and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications and proposals, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Robert L. Schreiber, Chief, Office of Rearch Reporting and Public Response, National Institute of Allergy and Infectious Diseases, Building 31, Room 7A-32, National Institutes of Health, Bethesda, Maryland 20205, telephone (301) 496-5717, will provide summaries of the meetings and rosters of the Committee members as required.

Dr. Susan B. Spring, Executive Secretary, Microbiology and Infectious Diseases Advisory Committee, NIAID, NIH, Westwood Building, Room 706, telephone (301) 496-7465, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.855, Pharmacological Sciences; 13.856, Microbiology and Infectious Diseases Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in sections 8(b) (4) and (5) of that Circular.

Dated: February 18, 1982.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 82-5296 Filed 2-26-82; 8:45 am]

BILLING CODE 4140-01-M

Pulmonary Diseases Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given to the meeting of the Pulmonary Diseases Advisory Committee, National Heart, Lung, and Blood Institute, on May 13 and 14, 1982 at the Bonaventure Hotel, Los Angeles, California.

The entire meeting, from 8:30 a.m. to 5:00 p.m., will be open to the public. The Committee will discuss the current status of the Division of Lung Diseases' programs and Committee plans for the fiscal year 1983, and complete the "10-year retrospective evaluation and 5-year forward plan of the Division of Lung Diseases" in order to plan a course of action to meet a final deadline date of summer 1982. Attendance by the public will be limited to the space available.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-4236, will provide summaries of the meeting and rosters of the Committee members.

Dr. Suzanne Hurd, Acting Executive Secretary of the Committee, Westwood Building, Room 6A16, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-7208, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.838, Lung Diseases Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of the Circular.

Dated: February 18, 1982.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 82-5297 Filed 2-26-82; 8:45 am]

BILLING CODE 4140-01-M

Office of the Assistant Secretary for Health

Office of Adolescent Pregnancy Programs; Announcement of Competitive Grant Applications for Adolescent Family Life Demonstration Projects

AGENCY: Office of the Assistant Secretary for Health, HHS.

Subject

This is to announce the availability of grant funds, subject to the appropriation of funds, for the Adolescent Family Life Demonstration Projects Act. These grants are for the provision of care services, prevention services, or a combination of both as authorized by Title XX of the Public Health Service Act (42 U.S.C. 3002) (Catalog of Federal Domestic Assistance number 13.995). Regulations governing the Adolescent Family Life Demonstration Projects are being developed and are expected to be published before grants are awarded. Organizations receiving grants under this authority will be expected to comply with these regulations.

DATE: To be considered, competitive grant applications must be received in the Office of Adolescent Pregnancy Programs (OAPP) by 4:30 P.M. on April 30, 1982.

Scope of This Program Announcement

This program announcement covers only prevention and service demonstration projects authorized under Title XX of the Public Health Service Act. It does not include research and dissemination projects also authorized under Title XX; availability of funds for research projects will be announced in separate notices.

Program Purpose

The purposes of the demonstration projects covered in this announcement are: (1) "To find effective means, within the context of the family, of reaching adolescents before they become sexually active in order to maximize the guidance and support available to adolescents from parents and other family members, and to promote self discipline and other prudent approaches to the problem of adolescent premarital sexual relations, including adolescent pregnancy; (2) to promote adoption as an alternative for adolescent parents, and (3) to establish innovative, comprehensive, and integrated approaches in the delivery of care services for pregnant adolescents with primary emphasis on unmarried adolescents who are seventeen years of

age or under and for adolescent parents." (Sec. 2001(b))

Available Funds

A request for $11 million in supplemental funds for Fiscal Year 1982 is currently pending before Congress. In the event an appropriation is not enacted for Fiscal Year 1982, formal applications will either be retained and reviewed competitively for possible funding in Fiscal Year 1983 or returned to the applicant organizations if funds are not appropriated for Fiscal Year 1983. If the supplemental funds are appropriated, it is anticipated that $7.6 million will be available for demonstration grants. Of this, up to $1.6 million will be available for prevention grants, and up to $6.0 million for grants providing care services or a combination of prevention and care services. It is anticipated that between 25 and 40 new projects will be funded pursuant to this announcement with the average award being $190,000 while ranging between $25,000 and $600,000.

Generally grants are approved for five-year project periods but funded in annual increments (budget periods). Funding for all approved budget periods beyond the first year of the grant is contingent upon satisfactory performance, adequate stewardship of Federal funds, and availability of funds. A grant award may not exceed 70 percent of the costs of the project for the first and second years, 60 percent of the costs for the third year, 50 percent for the fourth year, and 40 percent for the fifth year. Non-Federal contributions may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

Program Requirements

A copy of the legislation governing this program will be sent to applicants as part of the application kit package. In the event that the program regulations are not available at that time, applicants should use the legislation to guide them in meeting all requirements, which are specifically described. Awards will be made to only those applicants who have met all requirements as specified in the legislation.

The following services are eligible for Federal support:

1. " 'Necessary services' means services which may be provided by grantees which are—

(A) Pregnancy testing and maternity counseling;

(B) Adoption counseling and referral services which present adoption as an option for pregnant adolescents, including referral to licensed adoption agencies in the community if the eligible grant recipient is not a licensed adoption agency;

(C) Primary and preventive health services including prenatal and postnatal care;

(D) Nutrition information and counseling;

(E) Referral for screening and treatment of venereal disease;

(F) Referral to appropriate pediatric care;

(G) Educational services relating to family life and problems associated with adolescent premarital sexual relations, including

(i) Information about adoption;

(ii) Education on the responsibilities of sexuality and parenting;

(iii) The development of material to support the role of parents as the provider of sex education; and

(iv) Assistance to parents, schools, youth agencies, and health providers to educate adolescents and preadolescents concerning self-discipline and responsibility in human sexuality;

(H) Appropriate educational and vocational services and referral to such services;

(I) Referral to licensed residential care or maternity home services;

(J) Mental health services and referral to mental health services and to other appropriate physical health services;

(K) Child care sufficient to enable the adolescent parent to continue education or to enter into employment;

(L) Consumer education and homemaking;

(M) Counseling for the immediate and extended family members of the eligible person;

(N) Transportation;

(O) Outreach services to families of adolescents to discourage sexual relations among unemancipated minors;

(P) Family planning services; and

(Q) Such other services consistent with the purposes of this title as the Secretary may approve in accordance with regulations promulgated by the secretary." (Sec. 2002(a)(4))

2. " 'Core services' means those services which shall be provided by a grantee, as determined by the Secretary by regulation." (Sec. 2002(a)(5)) Until regulations are promulgated for Title XX, the regulations promulgated under Title VI of the Health Services and Centers Amendments of 1978 will be used to determine which necessary services are core services for purposes of this title. Accordingly, the services described in subparagraphs (A), (B), (C), (D), (E), (F), (G), (H), (J), and (P) are core services.

3. " 'Supplemental services' means those services which may be provided by a grantee, as determined by the Secretary by regulation." (Sec. 2002(a)(6)) Until regulations are promulgated, all services above not designated core services are supplemental services.

4. " 'Care services' means necessary services for the provision of care to pregnant adolescents and adolescent parents and includes all core services with respect to the provision of such care prescribed by the Secretary by regulation." (Sec. 2002(a)(7))

5. "Prevention services" means services to prevent adolescent sexual relations, including the services described in (A), (D), (E), (G), (H), (M), (N), (O), and (Q) of the necessary services listed above.

The legislation authorizes the Office of Adolescent Pregnancy Programs to award grants for demonstration projects which provide:

1. Care services,

2. Prevention services, or

3. A combination of care and prevention services.

Following are specific requirements for each type of demonstration.

I. Care Services Demonstrations

Purposes: "(2) To promote adoption as an alternative for adolescent parents; and (3) to establish innovative, comprehensive and integrated approaches to the delivery of care services for pregnant adolescents, with primary emphasis on unmarried adolescents who are seventeen years of age or under, and for adolescent parents, which shall be based upon an assessment of existing programs and, where appropriate, upon efforts to establish better coordination, integration, and linkages among such existing programs." (Sec. 2001(b) (2) and (3))

Each applicant for a care service demonstration project shall describe how all core services will be provided using funds under this title or otherwise provided by the project in the area to be served, the population to which such services will be provided, and where appropriate how the services will be coordinated, integrated, and linked with other related programs and services and the source or sources of funding of such core services in the public and private sectors.

II. Prevention Services Demonstrations

Purpose: "To find effective means, within the context of the family, of reaching adolescents before they become sexually active in order to maximize the guidance and support available to adolescents from parents and other family members, and to

promote self-discipline and other prudent approaches to the problem of adolescent premarital sexual relations, including adolescent pregnancy." (Sec. 2001(b)(1))

Each applicant applying for a prevention services demonstration grant shall list and describe all prevention services to be provided and describe the various prevention service strategies and models to be used. In describing these strategies, applicants must give careful consideration where appropriate to how such services will be integrated with existing programs so that maximum utilization of such services will occur.

III. Combined Services Demonstrations

Applicants may submit proposals that provide for a combination of care and prevention services. Applicants combining services shall address all program requirements outlined in I and II above and shall indicate how prevention and care services will be integrated to achieve project objectives.

Applicants will need to present an evaluation design that will assess the expected results of both prevention and care services components. In addition, applicants will be required to submit budget requests that provide a clear delineation between funds allocated for prevention services and funds allocated for care services.

IV. All Demonstration Projects

The following requirements apply to care services demonstrations, prevention services demonstrations, and combined services demonstrations:

A. Applicants shall describe objectives, service strategies and delivery models to be implemented, and expected results.

B. Applicants shall include innovative approaches as appropriate for encouraging and supporting the involvement of families, religious and charitable organizations and voluntary associations in the provision of services.

C. Applicants shall describe target groups to be served, client recruitment methods, selection criteria, case management and follow-up procedures.

D. Applicants shall indicate numbers and types of clients expected to be served.

E. Applicants must address several evaluation requirements mandated in the legislation. Each grantee receiving funds for services demonstration projects is required to expend between one and five percent of the grant award on program evaluation. The program evaluation shall be conducted by an organization or entity which is independent of the grantee providing services. To assist in conducting the evaluation each grantee shall develop a working relationship with a college or university located in the grantee's State which will provide or assist in providing for the monitoring and evaluation of services. The Secretary may arrange for the provision of technical assistance through another alternative in the event that no college or university in the grantee's State is willing or has the capacity to provide monitoring and evaluation assistance. Applicants shall describe arrangements they plan to implement in meeting this requirement. Applicants shall include an evaluation plan that describes all methods of data collection to be used in assessing the results and impact of planned services within each program component.

V. Special Considerations

The Office of Adolescent Pregnancy Programs will allocate a significant portion of its prevention and pregnancy care service demonstration funding for projects that (1) emphasize variations in particular sets of program strategies, (2) emphasize variations in client populations designated to receive services, (3) utilize a variety of institutional settings, affiliations and other organizational characteristics in order to test the efficacy of innovative models of service delivery. Special attention will be paid to applications which propose such projects using field experiments, quasi-experimental designs, or other innovative field research methods in order to determine program effects, both short- and long-term, on specific client populations.

Generally, OAPP is interested in obtaining a broad mix of prevention and pregnancy care service strategies, coupled with variations in target groups, sites, and organizational arrangements in order to develop and test program models that can be replicated, re-evaluated, and disseminated in conjunction with increasing our applied research knowledge in these areas.

Eligible Applicants

Any public or nonprofit private domestic organization or agency which demonstrates "(A) in the case of an organization which will provide care services, the capability of providing all core services in a single setting or the capability of creating a network through which all core services would be provided; or (B) in the case of an organization which will provide prevention services, the capability of providing such services" is eligible to apply for a grant. (Sec. 2002(a)(3))

Availability of Application Forms

Applications must be submitted on the standard forms supplied and in the manner prescribed by the Office of Adolescent Pregnancy Program. Application kits, including all necessary forms, instructions and information, may be obtained from: Grants Management Office, Office of Adolescent Pregnancy Programs, Room 725H, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington D.C. 20201 (202–472–5588 or 202–245–7473).

Applicants are required to submit an original application, signed by an individual authorized to act for the applicant agency or organization and to assume for the organization the obligations imposed by the terms and conditions of the grant award. State and local government and federally recognized Indian tribal government applicants are required to submit the original application and two (2) copies; all other applicants are required to submit the original application and ten (10) copies.

Circular A–95 Notification Process

In order to comply with the Office of Management and Budget Circular No. A–95 Revised (interim procedures at 41 FR 316, July 29, 1976), applicants for grant support must, prior to submitting the application to the OAPP, notify both the State and Areawide A–95 Clearinghouses of their intent to apply for Federal assistance. If the application is for a Statewide project which does not affect areawide or local planning and programs, the notification need be sent only to the State Clearinghouse. Some State and Area Clearinghouses provide their own forms on which this information is to be submitted.

Applicants are advised to contact the appropriate State Clearinghouse (listed at 42 FR 210, Janaury 10, 1977) for detailed information on meeting the a–95 requirements.

It is strongly recommended that the Clearinghouse be notified at least 60 days before the submission deadline date for receipt of applications. The application can be submitted to the Clearinghouse concurrently with the submission to OAPP. Clearinghouse comments or verification that no comments were made within the period available can be submitted to OAPP no later than June 30, 1982.

Health Systems Agency (HSA) Review

In order to comply with the HSA review requirements under section 1513(e) of the Public Health Service Act, 42 U.S.C. 3001–2(e) as amended by Pub. L. 96–79 and Pub. L. 97–35 applicants

must contact the HSA responsible for the area to be served by the proposed project to determine whether or not the HSA desires to review the application. If so, a copy of the application must be submitted to the HSA for review no later than April 30, 1982. Applicants are advised to contact the local HSA as soon as a decision is made to apply for a grant for detailed information on meeting this review requirement. Applications will not receive a formal review without satisfying this requirement.

Application Consideration and Assessment

Applications which are judged to be late or which do not conform to the requirements of this program announcement will not be accepted for review. Applicants will be so notified, and the applications will be returned.

All other applications will be subjected to a competitive review and assessment by qualified persons. The results of this review will assist the Director of the Office of Adolescent Pregnancy Programs in considering competing applications and in making the final funding decisions.

Eligible competing grant applications will be reviewed and assessed against the following criteria:

1. The applicant organization is capable of carrying out the proposed project, including provision of adequate resources and facilities; qualifications of proposed staff are adequate to carry out proposed work plan. *(20 points).*

2. The applicant's presentation of the project's objectives, methods for achieving them, and results or benefits expected demonstrate a clear understanding of the purpose of the demonstration program. *(10 points)*

3. The applicant's project narrative describes a work plan which is comprehensive, clear, innovative, of high quality, feasible, has the potential for attaining the project's objectives, and appears worthy of replication. *(45 points)*

4. The applicant's budget contains estimated costs to the Government which are reasonable considering the anticipated benefits. *(10 points)*

5. The applicant's evaluation plan indicates an understanding of program assessment methods and reflects a practical, technically sound approach toward applying the evaluation methods proposed. *(15 points)*

In making grant award decisions the Director of OAPP will take into account such factors as the population to be served, evidence of broad-based community support, the capability of the applicant to make rapid and effective use of the Federal assistance, the applicant's capacity to continue services as Federal funds decrease and in the absence of Federal funds and the special considerations noted under Section V of the program requirements.

When final funding decisions have been made, all applicants will be notified by letter of the outcome of their applications. The official document notifying an applicant that a project application has been approved for funding is the Notice of Grant Awards, which specifies to the grantee the amount of money awarded, the purpose of the grant, the terms and conditions of the grant award, the budget period for which support is being given, and the amount of funding to be contributed by the grantee to project costs.

Closing Date for Receipt of Applications

The closing date for receipt of applications under this program announcement is April 30, 1982. Applications will be judged to be on time if:

(1) The application is received in the Grants Management Office, OAPP, Room 725H, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201 by 4:30 p.m. on April 30, Hand delivered packages will be accepted only between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday except for Federal holidays, or

(2) The application was mailed to the above address on or before April 30, 1982 as evidenced by a legible U.S. Postal Service dated postmark or a legible mail receipt with the date of mailing stamped by the U.S. Postal Service. Private metered postmarks will not be accepted without a legible date stamped by the U.S. Postal Service.

Note.—The U.S. Postal Service does not uniformly provide a dated postmark. Applicants should check with their local post office before relying on this method.

For additional information, write to OAPP at the office address above, or telephone at (202) 472–5588 or (202) 245–7473.

Dated: February 24, 1982.

Marjory Mecklenburg,

Director, Office of Adolescent Pregnancy Programs.

[FR Doc. 82-5441 Filed 2-26-82; 8:45 am]

BILLING CODE 4160-17-M

Request for Research Grant Applications (RFA); Adolescent Family Life

The Office of Adolescent Pregnancy Programs (OAPP) of the Public Health Service invites research grant applications for investigations of adolescent sexual behavior, adoption, and services to pregnant and parenting youth.

The OAPP is required, by law, to support research efforts that will not only further our understanding of adolescent sexuality, pregnancy, and parenting, but will help improve the quality of programs for prevention of pregnancy and care of pregnant and parenting youth. This RFA is the mechanism used to procure that portion of the research agenda appropriate to field-initiated research studies. The RFA identifies the scope of OAPP interest in these questions but does not require that proposals conform to narrowly specified research requirements.

This request for applications is for a single competition with a specified deadline (April 19, 1982) for receipt of applications. Proposals will be reviewed by a specially convened group of scientific peer reviewers under the auspices of the Division of Research Grants, National Institutes of Health. Proposal review and award decisions will take place during the Summer, 1982. The earliest start date for grants would be September 1, 1982, and proposals should be written with that date in mind.

Please be advised that the OAPP is issuing a Program Announcement for Demonstration Grants which is separate and distinct from this research RFA. While some organizations may wish to submit proposals in both competitions, the two competitions are separate and distinct. Applications for this RFA should be prepared in accordance with the aims and requirements described in the following sections.

I. Background

With the passage of the Adolesent Family Life Demonstration Projects Act (Title XX, Public Health Service Act), the Federal government has broadened its concern with adolescent pregnancy and parenting. This Act provides for demonstration projects and research aimed at identifying effective means of both preventing early pregnancy and caring for already pregnant adolescents and young parents. The demonstration projects will work with adolescents and young parents. The demonstration projects will work with adolescents and their families to discourage and seek alternatives to early sexual involvement and early parenting. Research will be conducted in areas where current knowledge is inadequate or where assessment of programs and policies can inform practice.

Several areas for research are identified in this RFA. Others will be considered in a series of directed studies to be commissioned in the near future through Requests for Proposals. The areas outlined in this RFA include: (1) Influences upon adolescent sexual behavior, (2) adoption, and (3) the service system for pregnant and parenting youth. Special attention is devoted to the issue of *parental involvement* which "cross cuts" all three areas for research described in this RFA. Research will examine the role of parents in the sexual learning of their children and seek ways of increasing the involvement of parents and families in services to pregnant and parenting adolescents.

The research commissioned through this RFA will be instrumental in efforts to improve the quality of programs and services for youth. By understanding the influences on adolescent sexual behavior and the nature of current prevention services we can develop new approaches to service and different institutions and mechanisms to deliver those programs and services. As we increase our understanding of the social milieu in which youth become parents we can develop policies to ameliorate or eliminate the problems of adolescent pregnancy. Adoption, for example, can only become a viable alternative to parenting when we understand how it evolved and why it has become a rarely exercised option. Supporting research that shows promise of aiding policy and service is the purpose of this RFA.

II. Research Areas

A. Adolescent Sexual Behavior

The best available evidence indicates that adolescent sexual activity occurs at younger ages than in the past. This sexual activity results in large numbers of unintended pregnancies. Little is known about the social influences on or causes of adolescent sexual behavior, or differences in influences by race, sex, age, socio-economic status or other variables. Nor do we understand how the sexual influences on youth today are different from influences in the past. Accordingly, the RFA seeks proposals for research on the following two questions:

1. *What messages do families, institutions, and environmental influences (such as media) convey about adolescent sexual behavior and how are those messages conveyed?*

Adolescents learn about sexuality from many sources. Parents are major influences on the sexual learning of their children, yet little systematic information is available on how parents communicate their values and beliefs to children or how children learn them. Institutions including schools, religious organizations, and voluntary associations attempt to shape adolescent attitudes and behavior as well. Media are likely mechanisms by which adolescents absorb sexual information, yet we have had little systematic study of media content or the process of programming by the media. Finally, children learn from significant others, most notably their peers. Studies should focus on the process by which families, institutions, media, and peers convey sexual information as well as on the actual messages they present.

2. *How important (or effective) is each potential influence on adolescent sexual attitudes and behavior, and how do influences interact?*

This question deals with the impact of potential influences on the sexual learning of adolescents. In particular, research should examine the effects of influences on adolescent decisions to delay or engage in sexual relations. For teenagers who have engaged in sexual activity, are there influences that are effective in postponing further sexual involvement? For sexually active youth, how effective are public, voluntary and private institutions and physicians in delivering contraceptive services, and what are the relative impacts of families and professionals in insuring effective contraceptive use? When faced with conflicting messages about sexual values and behavior (including conflicts in the areas above), what influences seem to be most persuasive to adolescents? Studies should focus on links among family, institutional, and environmental influences, adolescent cognitive development, attitudes, and relevant aspects of behavior. Formal and informal efforts at providing prevention services may be examined.

B. Adoption Studies

There is considerable evidence that the rate at which unmarried, pregnant adolescents, choose to make an adoption plan for their babies has declined. Many explanations have been offered including changes in rates of single parenting and abortion. While these changes have had an impact, there is evidence that the decline of adoption as the plan of pregnant adolescents is a more complex phenomenon. Recent research suggests that the availability of adoption-related services (such as maternity homes) was declining prior to the legalization of abortion. Further, study of school-based services for pregnant adolescents reveals that officials do not see it as their responsibility to offer adolescents counseling on adoption. Pregnant peers and other significant influences on her life may convince a young woman considering adoption that this option would have terrible consequences for her child and be a selfish act. And while adolescents have not been placing babies for adoption recently, we know little about the rate of adoption of children born to unmarried adolescents in the past. The lack of research on adoption and adolescents, and on differences in adoption practices by race, socio-economic status and the like, limit our ability to design effective adoption service.

In order to address adoption issues such as those discussed here, we have identified three broad questions to guide research:

1. *Have overall rates of adoption continued to decline? To what exent are changes in rates of adoption attributable to changes in the behavior of adolescents pregnant out of wedlock?*

The lack of basic information about adoption rates compounds the difficulty of evaluating the role of the adoption option for unmarried adolescent parents and their families. Little is known about the rates of adoption for the decade. We have a few studies of the characteristics of birth parents who choose this option. We know little about who is most likely to make an adoption plan and what influences a young woman's decision to choose adoption or try to parent. What assistance or barriers does the pregnant adolescent considering adoption face? What kinds of information guide her decision? What is the influence of the baby's father, either family, significant others, or the media on decision-making about adoption? What is the role of community institutions (religious, voluntary, etc.) in shaping decisions?

2. *What agencies currently serve pregnant adolescents considering adoption? What factors account for the decline of the adoption care system?*

Despite the public concern with expanding and improving adoption-related services, little is known about the nature, scope and adequacy of current adoption services for pregnant adolescents. We know, in very general terms, that the availability of maternity homes has decreased and that public schools and non-residential voluntary organizations are increasingly the providers of service to pregnant adolescents. What brought about these changes and what do they mean for the provision of counseling about adoption or the availability of direct adoption services? There have been virtually no studies or assessments of private, voluntary, or public provision of

adoption services, or of the legal and financial frameworks within which agencies and private individuals operate. Professionals involved in adoption serve many clients—birth parents, their babies, couples wanting to become parents. How professional counselors approach sensitive issues related to adoption, particularly when the birth parents are adolescents, has not been explored.

3. *Are there strategies that are effective in establishing adoption as a viable alternative to early parenting?*

Research may explore already existing programs, services, agencies, legal requirements, and Federal, State or local policies, but the emphasis must be on adoption in relation to adolescent birth parents. Research may assess existing programs or policies and make recommendations. In addition, small scale experimental demonstrations that provide research data will be considered (see III below).

C. Services to Pregnant and Parenting Youth

There is widespread concern with providing services to pregnant adolescents, yet we need to learn more about the programs already created to meet the needs of pregnant and parenting adolescents, or policies that provide the framework for services. Studies of adolescent childbearing and welfare dependency have begun to reveal the effects of public policies on adolescent behavior, but our knowledge is rudimentary. A recent critical examination of school-based services for pregnant adolescents has pointed up the gaps in our understanding of how programs operate and their effects on participants. Observers claim that poor pregnant young women must negotiate through a maze of public and voluntary programs to get basic assistance and subsidies, but we do not have detailed analyses of the range of services or the effects of multiple service providers on the delivery and outcome of services. We need to improve policies and develop programs that are more effective in producing healthy mothers and babies, economic self sufficiency, and fewer repeat pregnancies. Achieving those goals requires further basic information about the current system of care for pregnant and parenting youth.

In order to acquire that basic understanding, we have identified two major research questions:

1. *What is the scope of public and private sector services and policies to aid pregnant adolescents, adolescent families, their parents and their offspring?*

Some services take the form of programs—operated by school districts, hospitals, voluntary associations or other organizations. Others take the form of subsidies—direct subsidy through welfare or food stamps, indirect subsidy through medicaid, public housing or other Federal and State transfer payments. In addition, there are rules that govern the behavior of school, legal or medical authorities. We are interested in analyzing the historical development and current mix of services and sponsorships. How do programs and non-programmatic forms of assistance interact? Do the goals of programs and other policies coincide? What agencies and levels of government are shaping and implementing which policies and programs? What are the costs of different types of services? Studies should include policies that aim specifically at pregnant adolescents as well as those that serve pregnant and parenting adolescents as part of a larger population. Studies should analyze services and policies; descriptive catalogues or directories of programs will not be funded.

2. *Is the current array of programs and policies adequate? What are the effects on participants, their families, or their offspring?*

To what extent do current efforts to aid pregnant adolescents "pay off?" Do they reach youth most in need of service in an efficient and effective manner? How do public, voluntary and private efforts to provide service compare? What are the specific program elements responsible for successful efforts? What are the advantages and disadvantages associated with different programs goals and approaches for pregnant adolescents, their families and their offspring? For example, are some programs more successful in attracting families or partners and, if so, why? Are there aggregate effects associated with the multiplicity of programs, subsidies, and rules, on adolescents' ability to obtain services or on parent and child welfare? Are services delivered successfully and, in particular, do they result in "better" outcomes? Is program or service effectiveness related to program cost? Studies may observe effects at a single point or over time. As with adoption, the RFA will provide support for assessment of existing efforts and for small scale experimental demonstrations that provide research data (see III below).

III. Research Scope

This RFA encourages all applicable social science and other scholarly approaches to the study of the research questions it poses. *Research may be limited to a single aspect of the problem within any section of a research area within the RFA, or may consider broader questions posed across research areas in the RFA.* Applications should include a well-organized statement of the problem to be addressed, the research design, the conceptual framework within which the design has been developed, the methodology to be employed, the evidence upon which the analysis will rely, and the manner in which the evidence will be analyzed, experimental interventions, proposals should indicate how data and analysis from such activities will advance scientific understanding of the larger research questions. It is the goal of the program to develop a research base in all research areas and sub-areas described in the RFA. An attempt will be made to fund an array of proposals so that the program goal is achieved.

IV. Mechanism of Support

This program will award research grants under Title XX, Public Health Service Act (Adolescent Family Life Demonstration Project Act, 42 U.S.C. 3002, *Catalog of Federal Domestic Assistance*, 13.995). Because a variety of approaches would represent valid responses to this RFA, it is anticipated that direct costs will range from approximately $10,000 to $100,000 per award year. Under Title XX, no project may incur direct costs beyond $100,000 unless OAPP obtains a special waiver from the Secretary of Health and Human Services, and only if the Secretary determines that: "(A) Exceptional circumstances warrant such waiver and that the project will have national impact; or (B) additional amounts are necessary for the direct costs of conducting limited demonstration projects for the provision of necessary services in order to provide data for research carried out under this title." Sec. 2008(a)(3).

By statute, the total project period of the proposal must not exceed five years and no project will receive an initial award for more than a year. Applicants should specify whether cost sharing will be accomplished through Institutional Agreement or negotiated prior to award. Grant policies of the Public Health Service will prevail. Pending a Congressional vote on a appropriation for Title XX, as much as $1.2 million dollars may be available for grants in fiscal year 1982 under this announcement, and as many as 20–30 research grants may be awarded.

V. Eligibility

This competition is open to any corporation, public or private institution or agency, including corporations operated for profit. Salary information for all project personnel should be included in the original application but may be omitted from copies. Confidential business information in applications will be protected from disclosure under provisions of the Freedom of Information Act.

VI. Review Criteria

The review of applications is governed by Title 42, CFR, Parts 52 and 52h. Under those regulations, the following review criteria will be taken into consideration: "(a) The significance and originality from a scientific or technical standpoint of the goals of the proposed research; (b) the adequacy of the methodology proposed to carry out the research; (c) the qualifications and experience of the principal investigator and proposed staff; (d) the reasonable availability of resources necessary to the research; (e) the reasonableness of the proposed budget and duration in relation to the proposed research; (f) where an application involves activities which could have an adverse effect upon humans, animals or the environment, the adequacy of the proposed means for protecting against or minimizing such effects." (Title 42 CFR, 52h.8)

VII. Method of Applying

Applications should be submitted on Form PHS–398. This form may be obtained from university offices of sponsored research or from the Division of Research Grants, NIH (address below). The instructions in the application kit should be followed.

An original and twenty-five copies of the applications must be received before 4:30 p.m. Eastern time, on April 19, 1982. Applications should be sent or delivered to: Division of Research Grants, National Institutes of Health, Westwood Building, Room 240, 5333 Westbard Avenue, Bethesda, Maryland 20205.

Type across the top of the face page: THIS APPLICATION IS SUBMITTED IN RESPONSE TO THE RFA ENTITLED "ADOLESCENT FAMILY LIFE." A copy of the full proposal should be sent to Donald Underwood, Office of Adolescent Pregnancy Programs, Room 725H, Hubert H. Humphrey Building, 200 Independence Avenue, S.W., Washington, D.C. 20201. If you have questions regarding this RFA please contact Ms. Jacqueline M. Larry, OAPP, at (202) 472–7916.

Dated: February 24, 1982.

Marjory Mecklenburg,

Director, OAPP.

[FR Doc. 82–5440 Filed 2–26–82; 8:45 am]

BILLING CODE 4160–17–M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Irrigation Operation and Maintenance Charges

This notice of operation and maintenance rates and related information is published under the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs in 230 DM 1 and redelegated by the Assistant Secretary—Indian Affairs to the Area Directors in 10BIAM 3. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and Sections 463 and 465 of the revised Statutes (25 U.S.C. 2 and 9), and also under 25 CFR 191.1(e).

On January 7, 1982, in 47 FR 854, there was published a notice of proposed assessment rates and related provisions on the Wapato Irrigation Project for Calendar Year 1980 and subsequent years until further notice. These assessment rates were proposed pursuant to the authority contained in the Acts of August 1, 1914, (38 Stat. 583), and March 7, 1928, (45 Stat. 210).

Interested persons were given 30 days in which to submit written comments, views or arguments regarding the proposed rates and related provisions. During this period no comments, suggestions, or objections were submitted. Therefore, the assessment rates and related provisons as set forth below are adopted effective March 29, 1982.

Fort Hall Irrigation Project

Regulations and Charges

Administration

The Fort Hall Irrigation Project, which consists of the Fort Hall Unit including ceded area south of the Forth Hall Indian Reservation, the Michaud Unit and the Minor Units on the Fort Hall Indian Reservation, Idaho, is administered by the Bureau of Indian Affairs. The Superintendent of the Fort Hall Agency is the Officer-in-Charge and is fully authorized to carry out and enforce the regulations, either directly or through employees designated by him. The general regulations are contained in Part 191, Operations and Maintenance, Title 25—Indians, Code of Federal Regulations (42 FR 30362, June 14, 1977).

Irrigation Season

Water will be available for irrigation purposes from April 15 to September 30 of each year. These dates may be varied by 15 days depending on weather conditions and the necessity for doing maintenance work.

Methods of Irrigation

Where soil, topography, and other physical conditions are unfavorable for surface irrigation, and the project facilities are designed to deliver water to farm units for sprinkler irrigation, the Officer-in-Charge may limit deliveries to this type of irrigation.

Distribution and Apportionment of Water

(a) *Delivery:* Water for irrigation purposes will be delivered throughout the irrigation season by either the continuous flow or rotation method at the discretion of the Officer-in-Charge. If during a time when delivery is by the rotation method, a water user desires to loan his turn to another eligible water user, he shall notify either the watermaster or the ditch rider who may permit such exchange, if feasible.

(b) *Preparation and Submission of a Water Schedule:* If the decision of the Officer-in-Charge is to deliver water by the rotation method, the watermaster will assist the water users on each lateral in preparing a rotation schedule should they choose to get together and prepare the schedule. In cases where the water users fail to exercise this right before March 1, the watermaster will prepare the schedule which shall be final for the season. Owners of 120 acres or more in one farm unit may elect between the continuous flow and rotation method of delivery, provided such choice does not interfere with delivery to other lands served by the lateral.

(c) *Application for Deliveries of Irrigation Water:* Requests for water changes will be made at least 24 hours in advance. Not more than one change will be made per day. Changes will be made only during the ditch rider's regular tour. Pump shut-down, regardless of duration, without the required notice will result in the delivery being closed and locked. Repeated violations of this rule will result in strict enforcement of rotation schedules. Water users will change their sprinkler lines without shutting off more than one-half of their lines at one time. Sudden and unexpected changes in ditch flow results in operating difficulties and waste of water.

Duty of Water

Dependent upon available supplies of water for each unit of the Project, the duty of water is based on the delivery to the farm unit of 3.5 acre-feet of water per acre per irrigation season. This duty of water may be varied at the discretion of the Officer-in-Charge depending on supplies available, but each irrigable acre shall be entitled to its pro-rata share of the total water supply.

Charges

Bill covering irrigation charges will be issued to the owner of record taken from the Bannock, Bingham or Power County records as of December 31, preceding the due date. In the case of Indian-owned land leased to a non-Indian, when an approved lease contract is on file with the Superintendent of the Fort Hall Agency, operation and maintenance charges will be billed to the lessee of record.

Basic and Other Water Charges

(a) The annual basic water charges for the operation and maintenance of the Fort Hall Irrigation Project lands in non-Indian ownership, and assessable Indian-owned lands leased to a non-Indian or a non-member of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation, Idaho, are fixed for the Calendar Year 1982 and subsequent years until further notice as follows:

(1) Fort Hall Unit basic rate—$16.70 per acre.

(2) Michaud Unit basic rate—$20.00 per acre.

Additional rate for sprinkler when pressure is supplied by project—$8.50 per acre.

(3) Minor Units basic rate—$13.90 per acre.

(b) In addition to the foregoing charges there shall be collected a minimum charge of $5 for the first acre, or fraction thereof, on each tract of land for which operation and maintenance bills are prepared. The minimum bill issued for any area will, therefore, be the basic rate per acre plus $5.

Payments

The water charges become due on April 1 of each year and are payable on or before that date. To all assessments on lands in non-Indian ownership, and lands in Indian ownership which do not qualify for free water, remaining unpaid on or after July 1 following the due date, there shall be added a penalty of one and one-half percent per month, or fraction thereof, from the due date until paid. No water shall be delivered to any farm unit until all irrigation charges have been paid.

Assessments on Indian Owned Land

When land owned by members of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation is first leased to non-Indians or non-members of the tribe, and an approved lease is on file at the Fort Hall Agency, the leased land is not subject to operation and maintenance assessments for three years. The three years the land is not subject to assessment need not run consecutively. When land has been leased for a total of three years, the land, when under lease to non-Indians or non-members of the tribe, is subject to operation and maintenance assessments the same as lands on non-Indian ownership and lands owned by non-members of the tribe within the project. (See Solicitor's Opinion M 28701, approved September 24, 1936, and the instructions of September 19, 1938, approved September 24, 1938, and instructions of December 1, 1938, approved December 17, 1938).

Wilford G. Bowker,

Acting Area Director.

[FR Doc. 82-5283 Filed 2-25-82; 8:45 am]

BILLING CODE 4310-02-M

DEPARTMENT OF THE INTERIOR

Land Management Bureau

[AA-38302]

Alaska Native Claims Selection

The document entitled Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area was ratified by Public Law (Pub. L.) 94-204 (89 Stat. 1145, 1151) on January 2, 1976, and clarified on August 31, 1976. Section II of the Terms and Conditions authorized reconveyance by the United States to Cook Inlet Region, Inc., of lands conveyed by the State of Alaska to the United States. On November 15, 1977, Sec. 3(a) of Pub. L. 95-178 (91 Stat. 1369) authorized the Secretary of the Interior to identify and reserve within 2 years after initial conveyance of such lands to Cook Inlet Region, Inc., any easement he could have lawfully reserved prior to conveyance and to issue immediately thereafter a revised conveyance reflecting such reservation.

On February 25, 1980, Patent No. 50-80-0059 and Interim Conveyance No. 292 were issued to Cook Inlet Region, Inc., for 5,755.19 acres and approximately 13,574.20 acres, respectively, of the surface and subsurface estates of lands conveyed to the United States by the State of Alaska. The lands were conveyed pursuant to Secs. 14(e) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(e), 1621(j)) (ANCSA), and Sec. 12(c) of Pub. L. 94-204 (89 Stat. 1145, 1152), as amended by Sec. 3(a) of Pub. L. 95-178 (91 Stat. 1369) and are described as follows:

Patent No. 50-80-0059 of February 25, 1980

Seward Meridian, Alaska (Surveyed)

T. 21 N., R. 4 W.,
Sec. 12, lot 2.
Containing 35.19 acres.

T. 22 N., R. 4 W.,
Sec. 36, NE¼, E½NE¼NW¼, S½NW¼, S½.
Containing 580.00 acres.

T. 23 N., R. 4 W.,
Sec. 11, E½, E½SW¼, E½W½SW¼;
Secs. 12 and 13, all;
Sec. 14, E½, E½W½, E½W½W½;
Sec. 16, SE¼;
Sec. 21, N½;
Sec. 22, N½, E½SW¼, SW¼SW¼, SE¼;
Secs. 23 and 24, all;
Sec. 26, NW¼;
Sec. 27, E½, E½NE¼NW¼.
Containing 5,140.00 acres.
Aggregating 5,755.19 acres.

Interim Conveyance No. 292 of February 25, 1980

Seward Meridian, Alaska (Surveyed)

T. 22 N., R. 3 W.,
Those portions of the surveyed township more particularly described as (protracted):
Sec. 20, W½NE¼ excuding Kashwitna River, NE¼NW¼, S½NW¼, S½ excluding Kashwitna River;
Sec. 29, all, excluding Kashwitna River;
Secs. 30, 31, and 32, all.
Containing approximately 3,024.00 acres.

T. 23 N., R. 3 W.,
Those portions of the surveyed township more particularly described as (protracted):
Secs. 7 and 8, all;
Secs. 17 to 20, inclusive, all.
Containing approximately 3,756.00 acres.

T. 24 N., R. 3 W.,
Those portions of the surveyed township more particularly described as (protracted):
Sec. 5, N½NW¼, N½SW¼NW¼;
Secs. 6 and 7, all;
Sec. 8, S½;
Sec. 17, N½N½;
Sec. 18, N½.
Containing approximately 2,076.50 acres.

T. 25 N., R. 3 W.,
Those portions of the surveyed township more particularly described as (protracted):
Sec. 30, S½;
Sec. 31, all.
Containing approximately 957.50 acres.

T. 24 N., R. 4 W.,
Those portions of Tract A more particularly described as (protracted):

Sec. 1, all;
Sec. 2, E½E½, S½NW¼NE¼, SW¼NE¼, SE¼NW¼, E½SW¼ excluding Tract 30 of ASLS 79–109, E½NW¼SW¼, SW¼NW¼SW¼, W½SE¼;
Sec. 11, NE¼ excluding U.S. Survey No. 4863, N½SE¼ excluding Tract 30 of ASLS 79–109;
Sec. 12, N½, N½SW¼, E½SW¼SW¼ north of Yoder Road right-of-way, NW¼SW¼SW¼ north of Yoder Road right-of-way, SE¼SW¼, SE¼ north of Yoder Road right-of-way.

Containing approximately 1,929.20 acres.

T. 25 N., R. 4 W.,
Those portions of Tract A more particularly described as (protracted):
Sec. 24, S½S½NE¼ excluding Tract 17 of ASLS 79–109, N½SW¼ excluding Tract 17 of ASLS 79–109, SW¼SW¼, NE¼SE¼SW¼ excluding Baldy Lake, W½SE¼SW¼, SE¼ excluding Baldy Lake;
Sec. 25, all;
Sec. 26, E½NE¼ excluding Tract 33 of ASLS 79–109, E½SW¼ excluding Tract 23 of ASLS 79–109, E½SW¼SW¼ excluding Tract 23 of ASLS 79–109, SW¼SW¼SW¼ excluding Tract 23 of ASLS 79–109, SE¼ excluding Tract 23 of ASLS 79–109;
Sec. 36, all.

Containing approximately 1,831.00 acres.

Aggregating approximately 13,574.20 acres.

There are no easements to be reserved pursuant to Sec. 17(b) of ANCSA. When this decision becomes final, revised conveyance documents will be issued to Cook Inlet Region, Inc., for the above-described lands with no Sec. 17(b) easements reserved. The revised conveyance documents will remain subject to all other rights, terms, conditions, and covenants contained in Patent No. 50–80–0059 and Interim Conveyance No. 292.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks, in the *Anchorage Times*. Any party claiming property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until March 31, 1982, to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the party to be served with a copy of the notice of appeal is: Cook Inlet Region, Inc., P.O. Drawer 4–N, Anchorage, Alaska 99509.

Sandra C. Thomas,

Chief, Branch of ANCSA Adjudication.

[FR Doc. 82–5381 Filed 2–26–82; 8:45 am]

BILLING CODE 4310–84–M

Minerals Management Service

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Transco Exploration Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 2892, Block 10, Eugene Island Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Minerals Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: February 22, 1982.

Lowell G. Hammons,

Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 82–5345 Filed 2–26–82; 8:45 am]

BILLING CODE 4310–31–M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that ODECO Oil & Gas Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 3164, Block 135, Ship Shoal Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Minerals Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: February 22, 1982.

Lowell G. Hammons,

Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-5346 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-31-M

National Park Service

Pelto Oil Co., Padre Island National Seashore, Texas; Availability of Plan of Operations for the Purpose of Drilling an Exploratory Gas Well

Notice is hereby given in accordance with § 9.52(b) of Title 36 of the Code of Federal Regulations that the National Park Service has received from Pelto Oil Company a plan of operations for the purpose of drilling an exploratory gas well within Padre Island National Seashore, Kleberg County, Texas.

The Plan of Operations is available for public review and comment for a period of 30 days from the publication date of this notice (until March 31, 1982) in the Office of the Superintendent, Padre Island National Seashore, 9405 South Padre Island Drive, Corpus Christi, Texas 78418. Copies of the document are available from Padre Island National Seashore and will be sent, upon request, to individuals or groups at a charge of $5.00 per copy, pursuant to the Freedom of Information Act. The document is 50 pages in length.

Dated: February 19, 1982.

Robert Kerr,

Regional Director, Southwest Region.

[FR Doc. 82-5420 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-70-M

National Park System Advisory Board; Meeting

Notice is hereby given that the meetings of the National Park System Advisory Board previously announced for March 12 and 13, 1982, will convene in general business sessions starting at 8:00 AM, on March 12 and 13, Meeting Room, Homestead Holiday Inn, U.S. #1, Homestead, FL. All agenda items remain the same as published on February 17, 1982 (47 FR 7002).

Dated: February 22, 1982.

Shirley Luikens,

Program Specialist, Advisory Boards and Commissions, National Park Service.

[FR Doc. 82-5421 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-70-M

Office of Surface Mining Reclamation and Enforcement

Shell Oil Co. Mining; Intent To Prepare Environmental Impact Statement on Mining and Reclamation Plan for Proposed Surface Coal Mine; North Rochelle Coal Mine, Campbell County, Wyoming

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of intent to prepare a draft environmental impact statement on a coal mining and reclamation plan.

SUMMARY: The Office of Surface Mining (OSM) has received an application from Shell Oil Company Mining for a mining and reclamation plan approval and permit pursuant to the Surface Mining Control and Reclamation Act of 1977 (SMCRA), for the proposed North Rochelle Coal Mine. OSM has determined that the approval or disapproval of this proposed mine is a significant Federal action affecting the human environment, thus requiring an environmental impact statement (EIS).

The proposed surface coal mine would be located approximately 45 miles south of Gillette, 70 miles north of Douglas, and 60 miles west of Newcastle, Wyoming. The mine would cover approximately 4,586 acres of state and private surface, and Federal surface within the Thunder Basin National Grasslands. The mine would be in operation for approximately 30 years, with a maximum annual production of 8 million tons of coal.

OSM and the U.S. Geological Survey will prepare the EIS with assistance from the Wyoming Department of Environmental Quality (DEQ) and the U.S. Forest Service. The EIS will present alternative actions that the Department of Interior and the State of Wyoming could take on the mining and reclamation plan and the environmental impacts of these alternatives. The major alternatives thus far identified for Departmental consideration are:

a. Approval of the Mining and Reclamation Plan with design modifications and/or necessary stipulations to meet the requirements of SMCRA and the Wyoming Environmental Quality Act, and regulations pursuant to these Acts.

b. Approval of the Mining and Reclamation Plan with additional mitigating measures.

c. Disapproval of the Mining and Reclamation Plan.

The EIS would be limited to a site-specific analysis of the North Rochelle Coal Mine within the permit area, adjacent areas, and regional areas. Since there are other energy developments, such as the North Antelope and Antelope Coal mines, proposed for the same regional area as the proposed North Rochelle Mine, the cumulative impacts from all known developments will be evaluated using available information.

A public scoping meeting on the EIS will be held at the Campbell County Community Recreation Center, Gillette, Wyoming, on Thursday, March 11, 1982. The meeting will be conducted from 7:30 p.m. to 9:00 p.m. Anyone interested is invited to attend and give his or her comments on the proposed EIS.

The mining and reclamation plan submitted by Shell Oil Company Mining, is available for public review during normal working hours at the Office of Surface Mining, Western Technical Center, second floor, Brooks Towers, 1020 15th Street, Denver, Colorado; the Office of Surface Mining, Wyoming State Office, Mills, Wyoming; the State of Wyoming Department of Environmental Quality, 401 West 19th Street, Cheyenne, Wyoming; and at the County Clerk's Office, Campbell County, Gillette, Wyoming. Comments on the proposed plan and/or significant issues may be submitted to the Acting Administrator, Western Technical Center, Office of Surface Mining, at the Denver address for a 30-day period after publication of this notice.

FOR FURTHER INFORMATION CONTACT: Jerry D. Gavette or William J. Kovacic, Office of Surface Mining, Western Technical Center, Brooks Towers, 1020 15th Street, Denver, Colorado 80202, telephone: (303) 837-5656.

Dated: February 24, 1982.

Thomas M. Butler,

Acting Director, Office of Surface Mining.

[FR Doc. 82-5435 Filed 2-26-82; 8:45 am]

BILLING CODE 4310-05-M

INTERSTATE COMMERCE COMMISSION

Long-and-Short-Haul Application for Relief (Formerly Fourth Section Application)

February 23, 1982.

This application for long-and-short-haul relief has been filed with the ICC.

Protests are due at the ICC within 15 days from the date of publication of the notice.

MC 43959, Southwestern Freight Bureau, Agent (No. B-152), reduced rates on anhydrous ammonia from Machovec, TX to stations in IL, Southwestern and Western Trunk Line Territories, in

Supplement 135 to its tariff ICC SWFD 4619–A, effective March 18, 1982. Grounds for relief: Market Competition.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-5375 Filed 2-26-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; 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.**

The original and one copy of opposing verified statements must be filed with the Commission within 45 days after the date of this **Federal Register** notice. Applicant may file a verified statement in rebuttal within 60 days. Such pleadings shall comply with 49 CFR 1100.247 (renumbered 1100.251) addressing specifically the issue(s) indicated as the purpose for republication. Special Rule 247 (renumbered 251) was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

MC 157195 (Sub-1) (republication), filed August 14, 1981, published previously in the **Federal Register** issue of September 1, 1981, and January 13, 1982. Applicant: DANIEL E. GAGAIN, d.b.a. D & L TRUCKING, 5715 Angola Road, P.O. Box 7490, Toledo, OH 43615. Representative: Keith D. Warner, 5732 West Rowland Road, Toledo, OH 43613. A Decision of the Commission, Review Board 2, decided November 30, 1981, and served December 7, 1981, finds that the performance by applicant of the serivce described herein to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting, *general commodities,* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in Michigan and Ohio, on the one hand, and, on the other, points in the United States; that the applicant is fit, willing, and able to properly to perform the granted service and to conform to statutory and administrative requirements. The purpose of this republication is to reflect applicant's actual grant of authority.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc.82-5377 Filed 2-26-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register.** One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. F–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 160573 (Sub-1–1TA), filed February 11, 1982. Applicant: RONALD L. ABARE, East Hill, Barre, VT 05641. Representative: John P. Monte, P.O. Box 686, Barre, VT 05641. *Motorcycles* from Lewistown, NY to Newport, VT; *Motorcycles and outboard motors* from Gloucester City, NJ to East Montpelier, VT and Clarement, NH; *Motorcycles, generators, outboard motors and roto-tillers* from Port Newark, NJ to Derby, VT; *Motorcycles and snowmobiles* from points in NJ, Boston, MA and Manchester, NH to Barre, VT; *Snowmobiles, outboard boats, motors and trailers and lawn and garden equipment* from Portland, ME, Manchester, NH, Lancaster, NH and Troy Hills, NJ to Barre, VT; *Building Materials* between Montpelier, VT, North Haverhill, NH and Plattsburg, NY; *Materials relating to salvage yard business and materials relating to upholstery business* between East Montpelier, VT, on the one hand, and, on the other, points in NH, ME, CT and NY. Supporting shipper(s): There are 7 statements in support of this application which may be examined at the Regional Office of the I.C.C. in Boston, MA.

MC 134806 (Sub-1–26TA), filed February 19, 1982. Applicant: B–D–R TRANSPORT, INC., P.O. Box 1277, Vernon Drive, Brattleboro, VT 05301. Representative: Edward T. Love, 4401 East-West Highway, Suite 404, Bethesda, MC 20814. *Contract carrier:* irregular routes: *Woodburning stoves and accessories,* from Claremont, NH to Sacramento, CA, Denver, CO, Boise, ID, and Portland, OR under continuing contract(s) with Garrison Stove Works, Inc., Claremont, NH. Supporting shipper: Garrison Stove Works, Inc., Box 837, Airport Road, Claremont, NH 03743.

MC 111625 (Sub-1–8TA), filed February 19, 1982. Applicant: BERMAN'S MOTOR EXPRESS, INC., P.O. Box 1566, Binghamton, NY 13902. Representative: J. Edward Derrick (same as applicant). *Building materials* from Bergen County, NJ to points in NY and PA. Supporting shipper: Tri States Products Company, 51 Winter Place, E. Rutherford, NJ 07073.

MC 116092 (Sub-1–2TA), filed February 18, 1982. Applicant: CHAMPLAIN EXPRESS TRANSPORT (INTERNATIONAL) INC., 411 Riviere, Cowansville, Quebec, CD J2K 1N4. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Pulp and paper and related products* between ports of entry on the U.S./CD International Boundary Line at or near Champlain and Rouses Point, NY, and Highgate Springs, Richford and Troy, VT, on the one hand, and, on the other, New York, NY Commercial Zone. Supporting shipper(s): Domtar Inc., P.O. Box 7211, Montreal, Quebec, CD H3C 3M2; Kruger, Inc., 600 Dorchester Blvd. W, Montreal, Quebec, CD H3B 1N4.

MC 154049 (Sub-1–2TA), filed February 16, 1982. Applicant: CONTRANS, INC., Rustic Acres Drive, Box 252 K, Chepachet, RI 02814. Representative: Frank M. Cushman, 36 South Main Street, Sharon, MA 02067. *Contract carrier:* irregular routes: *Office furniture, parts of office furniture,*

equipment and supplies used in the manufacture, merchandising and shipping of office furniture in all of the 48 contiguous U.S., under continuing contract(s) with Office Furniture Centers, Waltham, MA. Supporting shipper: Office Furniture Centers, 411 Waverly Oaks Road, Waltham, MA 02154.

MC 158989 (Sub-1–1TA), filed February 16, 1982. Applicant: EASTERN GILLETTE INC., 20 Paulina Street, Somerville, MA 02144. Representative: Ronald I. Shapss, 450 Seventh Avenue, New York, NY 10123. *Contract carrier:* irregular routes: *Printed matter* between points in ME, NH, VT, CT, NY, MA, RI, PA, and NJ, under continuing contract(s) with C.B.S. Publications, New York, NY and Random House, Inc., Westminster, MD. Supporting shipper(s): C.B.S. Publications, 1515 Broadway, New York, NY 10036; Random House, Inc., 400 Hahn Road, Westminster, MD 21157.

MC 138701 (Sub-1–3TA), filed February 19, 1982. Applicant: G. D. & K. INC., 500 West Main Street, Wyckoff, NJ 07481. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Contract carrier:* irregular routes: *Rubber and plastic articles, chemicals (except hazardous waste), and foodstuffs,* between points in the U.S. (except AK and HI), under continuing contract(s) with Ross Laboratories of Columbus, OH. Supporting shipper: Ross Laboratories, 6480 Bush Boulevard, Columbus, OH 43229.

MC 160430 (Sub-1–1TA), filed February 19, 1982. Applicant: HORAN TRUCKING CO., 72 Anderson Street, Hackensack, NJ 07601. Representative: J. David Grizzel, 45 Rockefeller Plaza, Tenth Floor, New York, 10111. *Contract carrier:* irregular routes: *Data processing supplies and business forms,* from Hauppauge, NY and Newtown, CT to New York City and its Commercial Zone and points in NJ, under continuing contract(s) with City Data Products, Inc., New York, NY; Ready Data Inc., New York, NY. Supporting shipper(s): City Data Products, Inc., 135 Williams Street, New York, NY 10038; Ready Data, Inc., 255 West End Avenue, New York, NY.

MC 146239 (Sub-1–2TA), filed February 16, 1982. Applicant: INTERNATIONAL FOODS, TRANSPORT, INC., Clinton Street, P.O. Box 150, Delaware, NJ 07833. Representative: Ronald I. Shapss, 450 Seventh Avenue, New York, NY 10123. *Food and related products* between the points in NY, NJ, PA, OH, MI, IL, MD, IN, MA, and CT. Supporting shipper(s): There are 12 statements in support of this application which may be examined at the Regional Office of the ICC in Boston, MA.

MC 158639 (Sub-1–2TA), filed February 12, 1982. Applicant: J. & A. TRANSPORT, LTD., 272 St. George Street, Moncton, New Brunswick, CD E1C 8P9. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, ME 04101. *Peat products* from points on the International Boundary Line between the U.S. and CD at points in ME to points in ME to points in AL, AK, CT, DE, DC, FL, GA, IL, IN, IA, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, WI. Supporting shipper: JPA, 1400 Harvester Road, West Chicago, IL 60185.

MC 151193 (Sub-1–28TA), filed February 18, 1982. Applicant: PAULS TRUCKING CORPORATION, 286 Homestead Avenue, Avenel, NJ 07001. Representative: Michael A. Beam (same as applicant). *Contract carrier:* irregular routes: *Ice cream and equipment, materials and supplies used in the manufacture, sale and distribution of ice cream (except bulk),* between points in MD, MA and NJ, under continuing contract(s) with Woodbridge Sweets, Inc., Woodbridge, NJ. Supporting shipper: Woodbridge Sweets, Inc., 1 Amboy Ave., Woodbridge, NJ 07095.

MC 160158 (Sub-1–1TA), filed February 16, 1982. Applicant: EDWIN J. PINA, SR. & SON, INC., 227 Bumps River Road, Osterville, MA 02655. Representative: Arthur M. White, Bikofsky, Walker & Tuttle, 281 Pleasant Street, P.O. 2547, Framingham, MA 01701. *Passengers and their baggage, in the same vehicle, in charter and special operations,* beginning and ending at points in Barnstable County, MA, and extending to all points in the U.S. (except AK and HI). Supporting shipper(s): There are 9 statements in support of this application which may be examined at the Regional Office of the ICC in Boston, MA.

MC 145059 (Sub-1–2TA), filed February 18, 1982. Applicant: SPINELLI BROS. TRUCKING, INC., 55 South Wade Boulevard, Millville, NJ 08332. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Foodstuffs* from the facilities of Anderson Clayton Foods Co., at Jacksonville, IL to points in CT, MD, MA, NJ, NY and PA. Supporting shipper: Anderson Clayton Foods, Co., 7389 Churchill Way, Dallas, TX 72251.

MC 144008 (Sub-1–1TA), filed February 16, 1982. Applicant: STORE TRANSFER & DELIVERY SERVICE INC., 12 Ferris Lane, Poughkeepsie, NY 12601. Representative: Ronald I. Shapss, 450 Seventh Avenue, New York, NY 10123. *Contract carrier:* irregular routes: *Retail department store merchandise* between Greenville, SC, and the New York, NY Commercial Zone, under continuing contract(s) with Palmetto Freight Association, New York, NY. Supporting shipper: Palmetto Freight Association, 602 Airport Road, Greenville, SC 29607.

The following applications were filed in Region 2. Send protests to: ICC, Fed. Res. Bank Bldg., 101 North 7th St., Rm. 620, Philadelphia, PA 19106.

MC 160201 (Sub-II–1TA), filed January 21, 1982. This application was originally published in the **Federal Register**, February 1, 1982. Applicant: MOUNTAIN EXPIRE SERVICES, INC., d.b.a. MOUNTAIN EMPIRE DELIVERY SERVICES, P.O. Box 516, 100 N. Ridge Rd., Pound, VA 24279. Representative: Dan Mullins (same address as applicant). Contract, irregular: *Replacement parts,* from Wise, VA to points in WV, PA, TN, KY, under continuing contract(s) with Lee-Norse Co. An underlying ETA seeks 120 days authority. Supporting shipper(s): Lee-Norse Co., 6600 Steubenville Pike, POB 2863, Pittsburgh, PA 15230. The purpose of this re-publication is to show the states of TN and KY which were omitted in the first publication.

MC 160017 (Sub-II–1TA), filed January 11, 1982. Originally published in the **Federal Register** of January 25, 1982. Applicant: QUALITY SUPPLIER TRUCKING, INC., Keyser Industrial Park, Keyser, WV 26726. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. Contract, irregular: *Recyclable materials, paper and paper products, including materials, equipment and supplies,* between points in ME, MD, DE, NY, PA, OH, VA, WV, NC, MA and DC, under a continuing contract(s) with Allied Energy Business Systems and Quality Supplier. An underlying ETA seeks 120 days authority. Supporting shipper(s): Allied Energy Business Systems, P.O.B. 606, Petersburg, WV 26849; Quality Supplier, Keyser, WV 26726. The purpose of this re-publication is to show the state of ME which was omitted in the first publication.

MC 157720 (Sub-II–2TA), filed February 18, 1982. Applicant: B.E.I. TRANSPORT, INC., 799 Garver Road, Monroe, OH 45050. Representative: H. Neil Garson, 3251 Old Lee Highway, Fairfax, VA 22030. (1) *Pancake Mix* from Chattanooga, TN to Dayton, OH; (2) *Frozen orange juice* from Dunedin, FL to Dayton, OH; (3) *Frozen breaded chicken cutlets and nuggets* from Nashville, TN

to Dayton, OH; (4) *Processed cheese* from Green Bay, WI to Dayton, OH; (5) *Foam carton packages* from Chippewa Falls, WI to Dayton, OH; and (6) *Paper, plastic, and foam cups and plates, and paper and plastic and foam carton packages* from Fort Madison, IA to Dayton, OH for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Bill Krafts Distribution Center, 3581 Dayton Park Drive, Dayton, OH 45414.

MC 160567 (Sub-II–1TA), filed February 16, 1982. Applicant: BARNES TRUCKING, INC., 13609 Colony Lane, Burton, OH 44021. Representative: Lewis S. Witherspoon, 2455 North Star Road, Columbus, OH 43221. *Contract; Irregular: Spent hydrochloric and sulphuric acid, ferrous sulphate, and ferrous chloride* between points in IL, IN, OH, NY, PA, and WI, under continuing contract(s) with By-Products Management of Ohio, Inc. of Cleveland, OH for 270 days. Supporting shipper: By-Products Management of Ohio, Inc., 17877 St. Clair Ave., Cleveland, OH 44110.

MC 150776 (Sub-II–5TA), filed February 16, 1982. Applicant: ALFRED DANIELS, INC., P.O. Box 869, Jackson, OH 45640. Representative: Stephen J. Habash, 100 E. Broad St., Columbus, OH 43215. *Contract: Irregular: Food and related products* between the facilities of Jeno's Inc., at or near Wellston, OH, on the one hand, and, on the other, points in the U.S. for 270 days, under continuing contract(s) with Jeno's, Inc., Duluth, MN. Supporting shipper: Jeno's Inc., 525 Lake Ave. South, Duluth, MN 55802.

MC 160627 (Sub-II–1TA), filed February 18, 1982. Applicant: DEK TRANSPORTATION, INC., 7607 Bishop Court, Mentor, OH 44060. Representative: Lewis S. Witherspoon, 2455 North Star Road, Columbus, OH 43221. *Contract; Irregular: Spent hydrochloric and sulphuric acid, ferrous sulphate, and ferrous chloride* between points in IL, IN, MI, OH, NY, PA, and WI, under continuing contract(s) with By-Products Management of Ohio, Inc. of Cleveland, OH for 270 days. Supporting shipper: By-Products Management of Ohio, Inc., 17877 St. Clair Ave., Cleveland, OH 44110.

MC 155694 (Sub-II–1TA), filed February 16, 1982. Applicant: DYNASTY CORPORATION, RD 1, Box 1097, Nescopeck, PA 18635. Representative: Peter Wolff, 722 Pittston Ave., Scranton, PA 18505. *Contract; Irregular: Furniture, Lamps and Lighting Fixtures, Plastic Articles* between Berwick, PA on the one hand, and, on the other, points in DC, IL, IN, MD, MA, MI, MN, MO, NJ, NY and TX under continuing contract with Berwick Lighting Co., Berwick, PA for 270 days. Supporting shipper(s): Berwick Lighting Co., 335 South Poplar St., Berwick, PA 18603.

MC 147723 (Sub-II–4TA), filed February 16, 1982. Applicant: E. B. CO., INC., 667 Front St., Berea, OH 44017. Reprsentative: Susan J. Radwan (same as applicant). *Hardware; aluminum and aluminum articles; automobile parts; plastic and plastic articles; iron and steel products; electrical components; scrap metals and scrap plastics, glass and glass products and equipment, materials and supplies used in the manufacture and distribution of the above commodities,* between points in OH, IN, IL, MI, CA, TX, NJ, NYU, MA, GA, and WV, on the one hand, and, on the other, points in the U.S. for 270 days. Supporting shipper: Big Rig Components, Inc., 8000 Baker Ave., Cleveland, OH 44102.

MC 138000 (Sub-II–40TA), filed February 8, 1982. Applicant: ARTHUR H. FULTON, INC., P.O. Box 99, Stephens City, VA 22655. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. Irregular: Contract: *Dust collector cages, filter bags and synthetic yarn on cones, including materials, equipment and supplies,* between Winchester, VA, including its commercial zone, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, KS, OK, and TX, for 270 days under a continuing contract(s) with Filter Media Products, a Subsidiary of Kennecott Corporation. An underlying ETA seeks 30 days' authority. Supporting shipper: Filter Media Products, a Subsidiary of Kennecott Corp., 400 Battaile Dr., Winchester, VA 22601.

MC 149351 (Sub-II–3TA), filed February 9, 1982. Applicant: HEYMAN TRUCKING, INC., Box 97, 212 Mulberry St., Stephens City, VA 22655. Representative: Edward N. Button, 635 Oak Hill Ave., Hagerstown, MD 21740. *Vending machines, materials, equipment, and supplies, used in the manufacture and sale thereof* between Jefferson and Berkley Counties, WV, and Washington County, MD, on the one hand, and, on the other, points in the U.S., restricted to traffic originating at or destined to the facilities of Dixie Narco, for 270 days. Supporting shipper: Dixie Narco, P.O. Box 460, Ranson, WV 25438.

MC 160390 (Sub-II–1TA), filed February 17, 1982. Applicant: JOHN J. MULDOON, d.b.a. J. & P. TRANSPORTATION, R.D. 1 Box 123–A, Tower City, PA 17980. Representative: John J. Muldoon (same as above). *Foodstuffs requiring mechanical refrigeration,* between points in NY, NJ, DE, MD, PA, OH, and DC, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Island Poultry Farm, Inc., R.D. 1 Box 192, Mill Hall, PA 17751.

MC 148275 (Sub-II–2TA), filed February 8, 1982. Applicant: J. L. McCOY, INC., Box 525, Ravenswood, WV 26164. Representative: John M. Friedman, 2930 Putnam Ave., P.O. Box 426, Hurricane, WV 25526. *Contract, Irregular: Paper and paper products, containers and supplies and equipment* used in the manufacture and distribution thereof, between points in the U.S. Supporting shipper(s): Stone Container Corporation, 360 North Michigan Ave., Chicago, IL 60601.

MC 148275 (Sub-II–3TA), filed February 8, 1982. Applicant: J. L. McCOY, INC., Box 525, Ravenwood, WV 26164. Representative: John M. Friedman, 2930 Putnam Ave., P.O. Box 426, Hurricane, WV 25526. Contract, Irregular: Mine roof bolts and plates and materials and supplies used in their manufacture, production and sale thereof, between Cambridge, OH, on the one hand, and, on the other, points in AL, AR, CO, IL, IN, KY, MO, OK, OH, PA, VA, WV, WY and UT. Supporting shipper(s): Met-Tech Industries, Inc., Star Route 209, P.O. Box 68, Cambridge Industrial Park, Cambridge, OH 43725.

MC 135364 (Sub-II–5TA), filed February 16, 1982. Applicant: MORWALL TRUCKING, INC., R.D. #3, Box 76C Moscow, PA 18444. Representative: Joseph A. Keating, Jr., 121 South Main St., Taylor, PA 18517. *Contact; Irregular: Perlite,* between Lake Zurick, IL on the one hand, and, on the other, Boston, MA; Groton, CT; Newark, NJ; Newark, NY; New Johnsonville, TN; New York, NY; Philadelphia, PA; Willmington, DE under continuing contract(s) with Filter Products Corp., Lake Zurick, IL 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Filter Products Corp., Lake Zurick, IL 60047

MC 144987 (Sub-II–6TA), filed February 16, 1982. Applicant: STAHLER TRUCKING & LEASING, INC., 208 E. Harrison St., Wapakoneta, OH 45895. Representative: John L. Alden, 1396 W. Fifth Ave., Columbus, OH 43212. *General commodities, (except Class A & B explosives),* between Auglaize, Shelby, Allen and Van Wert Counties, OH, on the one hand, and, on the other, points in the U.S. for 270 days. Supporting shipper(s): There are 9 supporting shippers. Their statements may be examined at the ICC Regional Office, Philadelphia, PA.

MC 160060 (Sub-II–1TA), filed February 8, 1982. Applicant: W. R. TRUCKING, INC., 4781 Austin Road, Geneva on the Lake, OH 44047. Representative: Lewis S. Witherspoon, 2455 North Star Road, Columbus, OH 43221. *Contract;* Irregular: *Spent hydrochloric and sulphuric acid, ferrous sulphate, and ferrous chloride* between points in IL, IN, MI, OH, NY, PA, and WI, under continuing contract(s) with By-Products Management of Ohio, Inc. of Cleveland, Ohio for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: By-Products Management of Ohio, Inc., 17877 St. Clair Ave., Cleveland, OH 44110.

MC 160566 (Sub-II-1TA), filed February 16, 1982. Applicant: LESLIE L. WHITAKER & SON, P.O. Box 306, Windber, PA 15963. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. *Contract; Irregular;* (1) *Liquid asphalt and liquid paving materials,* from Baltimore, MD and Rayland, OH, including their respective commercial zones, to Windber, PA, including its commercial zone and (2) *bituminous or asphalt emulsion* from Windber, PA, including its commercial zone, to points in MD and WV, for 270 days, under a continuing contract(s) with Bituminous Emulsion of Windber, PA. Supporting shipper: Bituminous Emulsion of Windber, PA, P.O. Box 8, Windber, PA 15963.

MC 146890 (Sub-II–10TA), filed February 16, 1982. Applicant: C. & E. TRANSPORT, INC., d.b.a. C. E. Zumstein Co., P.O. Box 27, Lewisburg, OH 45338. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. *Contract: irregular; metal products and chemicals and related products,* between points in the U.S. (except AK and HI), under continuing contract(s) with Dayton Superior Corp of Miamisburg, OH, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Dayton Superior Corp., 721 Richard St., Miamisburg, OH 45342.

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 157406 (Sub–3–2TA), filed February 17, 1982. Applicant: AUTAUGA TRANSPORT, INC., 1410 South Memorial Drive, Prattville, AL 36067. Representative: Terry P. Wilson, 428 South Lawrence St., Montgomery, AL 36104. *Scrap paper and waste paper,* from Lakeland and Miami, FL, to the facilities utilized by MacMillan Bloedel in Dothan and Pine Hill, AL. Supporting shipper: MacMillan Bloedel, Pine Hill, AL 36769.

MC 146451 (Sub–3–34TA), filed February 12, 1982. Applicant: WHATLEY-WHITE, INC., 211 Murray Road, Dothan, Alabama 36302. Representative: W. Larry White (same as above). *Chromium Dioxide Powder, except in bulk, in tank vehicles,* from Newport, DE to Dothan, AL for the account of Sony Magnetic Corporation of America. Supporting shipper, Sony Magnetic Corporation of America, Highway 84 West, Dothan, AL 36301.

MC 160276 (Sub–3–2TA), filed February 12, 1982. Applicant: BIGELOW TRANSPORTATION CO., INC., P.O. Box 3089, Greenville, SC 29602. Representative: William H. Borghesani, Jr., 1150 17th St. NW., Suite 1000, Washington, D.C. 20036. *Contract:* Irregular: *commodities dealt in and used by retail department stores and trading stamp redemption stores* from Jasper, AL; Antioch, Chicago, Polo, Rockford, Springfield, IL; Columbus, Peru, Seymour, IN; Arlington, KY; Chicopee, Everett, MA: Traverse City, MI; Neosho, MO; Hattiesburg, MS; Asbury Park, Bergenfield, Edgewater, Jersey City, Passaic, NJ; Brooklyn, Hicksville, Jamaica, M. Vernon, New York, NY; Cherokee, Eden, Kannapolis, NC; Canton, Toledo, OH; Aston, Easton, Hanover, Kingston, Philadelphia, Sinking Springs, PA; Greenville, Memphis, Murfreesboro, TN; Richmond, VA; Cudahy, WI to Norcross, GA; under continuing contract(s) with The Sperry and Hutchinson Company, Inc., New York, NY 10017. Supporting shipper: The Sperry and Hutchinson Company, Inc., Sperry and Hutchinson Bldg., 330 Madison Ave., New York, NY 10017.

MC 129712 (Sub–3–17TA), filed February 12, 1982. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA 30253. Representative: Guy H. Postell, Attorney-at-Law, Suite 713, 3384 Peachtree Rd. NE., Atlanta, GA 30326. *Contract,* irregular, *Iron and steel articles, including, but not limited to, coil steel and partially finished steel items,* between the plantsite and warehouse facilities of Steelabrade Corp., at Granite City, IL, on the one hand, and, on the other, points in OH, PA, WV, VA, NC, SC, GA, AL, MS, LA, TX & NM, under continuing contract(s) with Steelabrade Corp. Supporting shipper: Steelabrade Corp., 1067 Mason Road, Suite 2, St. Louis, MO 63141.

MC 148202 (Sub–3–8TA), filed Feburary 12, 1982. Applicant: K & W ENTERPRISES, INC., P.O. Box 19133, Greensboro, NC 27419. Representative: Kim G. Meyer, 235 Peachtree Street NE., Suite 1200, Atlanta, GA 30303. *Contract,* irregular: *Such commodities as are dealt in or used by manufacturers, distributors, and wholesalers of health and beauty aids,* between points in the U.S. on and east of the Mississippi River *under a continuing contract(s) with Helene Curtis Industries, Inc.* Supporting shipper: Helene Curtis Industries, Inc., 4401 W. North Ave., Chicago, IL 60639.

MC 145154 (Sub–3–8TA), filed February 12, 1982. Applicant: YOUNG'S TRANSPORTATION CO., 3401 Norman Berry Drive, Suite 246, East Point, GA 30344. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Avenue NW., Washington, DC 20005. *(1) pulp, paper, and related products; and (2) chemicals and related products,* between the facilities of National Cellulose Corporation at or near Butler County, OH, and Harris County, TX, on the one hand, and, on the other, points in the U.S. Supporting Shipper(s): National Cellulose Corporation, 12315 Robin Boulevard, Houston, TX 77045.

MC 31389 (Sub–3–13TA), filed February 16, 1982. Applicant: McLEAN TRUCKING COMPANY, P.O. Box 213, Winston-Salem, NC 27154. Representative: Daniel R. Simmons, P.O. Box 213, Winston-Salem, NC 27154. *Contract Carrier:* Irregular: *Such commodities as are dealt in by wholesale and retail chain department stores, and equipment, materials and supplies used in the conduct of such businesses,* between points in the U.S., under continuing contract or contracts with Kmart Corporation of Troy, MI, and its subsidiaries and/or divisions. Supporting Shipper: Kmart Corporation, 3100 West Big Beaver Road, Troy, MI 48084.

MC 160461 (Sub–3–1TA), filed February 16, 1982. Applicant: LLOYD HOOD, d.b.a. HOOD ENTERPRISES, Rt. 1, Jasper, TN 37347. Representative: D. R. Beller, P.O. Box 482, Franklin, TN 37064. *Metal products* (1) between Marion County, TN, Hamilton County, TN, and Jackson County, AL on the one hand and on the other, points in IN, PA, OH, IL, and MI; and (2) from points in KY, AL, MO, and VA to points in TN. Supporting shippers: U.S. Stove Company, P.O. Box 151, South Pittsburg, TN 37380; Consolidated Coal Company, P.O. Box 878, Jasper, TN 37347.

MC 145349 (Sub–3–3TA), filed February 16, 1982. Applicant: PROFESSIONAL DRIVER SERVICES, INC., 1631 Lebanon Road, Nahville, Tenn. 37210. Representative: James Martin (same address as applicant).

Transportation Equipment: From Newark, CA and Denton, TX to Casper and Riverton, WY and return. From Nashville, TN to Casper, WY and return. Supporting shipper: Wyoming Peterbilt, Inc.—185 Curtis St., P.O. Box 2580, Casper, Wyoming.

MC 151407 (Sub-3–2TA), filed February 16, 1982. Applicant: T & T TRUCKING, INC., 274 NW. 37th Street, Miami, FL 33127. Representative: Edwin M. Snyder, P.O. Box 45538, Dallas, TX 75245. *Recreational equipment* between Dade County, FL on the one hand, and on the other, points in the U.S. on and east of the Mississippi River. Supporting shipper(s): Ebonite Corporation, 14000 N.W. 57th Court, Miami Lakes, Florida 33014.

MC 160565 (Sub-3–1TA), filed February 16, 1982. Applicant: HILLSBORO TOURS, LTD., 1822 W. Hillsboro Boulevard, Deerfield Beach, FL 33441. Representative: Frank J. Hathaway, 7615 Biscayne Boulevard, Miami, FL 33138. *Passengers in vehicles limited to twenty (20) passengers, providing customized special charter-tour operations, including baggage,* on a round-trip basis between points in Broward County, FL and points in TN. Supporting witnesses: there are seven (7) supporting witness statements attached to this Application which can be examined at the Interstate Commerce Commission Regional Authority Center in Atlanta, GA.

MC 146869 (Sub-3–5TA), filed February 16, 1982. Applicant: CARRIER FREIGHT LINES, INC., P.O. Box 813, Hickory, NC 28601. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. *Contract:* irregular: *air compressor parts,* from Mossville, IL; Richmond, IN; Dubuque, ID; Dearborn, MI; Dallas, TX; and Hartford, WI to the facility of Ingersoll-Rand Company in Davie County, NC, under continuing contract with Ingersoll-Rand Company. Supporting shipper: Ingersoll-Rand Company, P.O. Box 868, Mocksville, NC 27028.

MC 139207 (Sub-3–6TA), filed February 16, 1982. Applicant: MCNABB–WADSWORTH TRUCKING CO., INC., 305 S. Wilcox Dr., Kingsport, TN 37665. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street NW., Washington, DC 20004. *Such articles as are dealt in or used by manufacturers and distributors of printed matter,* between Hawkins and Sullivan Counties, TN, on the one hand, and, on the other, points in and east of TX, OK, MO, IL and WI. Supporting shipper(s): Kingsport Press, P.O. Box 711, Kingsport, TN 37662.

MC 119917 (Sub-3–7TA), filed February 16, 1982. Applicant: DUDLEY TRUCKING CO., INC., 724 Memorial Dr., Atlanta, GA. Representative: Thomas Gramling (same as above). *Rubber and Plastic Products* from Peachtree City, GA, Arlington, TN to MI, TX, FL, IL, NJ, WI, MS, AR, PA, AL, NY, LA. Supporting shipper: M.A. Industries, Inc., 303 Dividend Dr., Peachtree City, GA 30269.

MC 147494 (Sub-3–5TA), filed February 17, 1982. Applicant: BOBBY KITCHENS, INC., P.O. Drawer 5690, Jackson, MS 39208. Representative: Fred W. Johnson, Jr., P.O. Box 1291, Jackson, MS 39205. *Fertilizer and fertilizer ingredients* from Hinds County, MS to points in LA and TX. Supporting shipper: Southeastern Chemical, Incorporated, Jackson, MS.

MC 129063 (Sub-3–7TA), filed February 17, 1982. Applicant: JIMMY T. WOOD, P.O. Box 248, Ripley, TN 38063. Representative: Thomas A. Stroud, 109 Madison Avenue, Memphis, TN 38103. *Flyash and flybottom,* between Redfield, AR, on the one hand, and, on the other, points in LA. Supporting shipper: Chem-Ash, Inc., P.O. Box 87, Redfield, AR 72132.

MC 158441 (Sub-3–2TA), filed February 17, 1982. Applicant: BOBBY FRYAR TRUCKING, 418 S. Seminole Drive, Chattanooga, TN 37411. Representative: Bobby Fryar (same address as applicant). *Contract:* Irregular: *Lime Stone Rock* in dump vehicles. Under a continuing contract or contracts with TAC Industries, Inc. between points in TN and GA. Supporting shipper: TAC Industries, Inc., 821 Tilton Bridge Road, Dalton, GA 30720.

MC 159932 (Sub-3–2TA), filed February 19, 1982. Applicant: CLARENCE KENNEDY, JR., d.b.a. KENNEDY & SON TRUCKING, Route 1, Box 81, Tryon, NC 28782. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Avenue NW., Washington, DC 20005. *Plastic products and pigments,* between the facilities of Color Chip Corp. of NC, at or near Asheboro, NC, and Garwood, NJ, on the one hand, and, on the other, points in CA, TX, AZ, OK, LA, and DE. Supporting shipper: Color Chip Corp. of NC, P.O. Box 1717, Asheboro, NC 27203.

MC 128117 (Sub-3–12TA), filed February 19, 1982. Applicant: NORTON-RAMSEY MOTOR LINES, INC., P.O. Box 896, Hickory, NC 28601. Representative: Edward T. Love, 4401 East West Highway, Suite 404, Bethesda, MD 20814. *New furniture and furniture parts,* from Nichols, SC to points in AR, LA, OK, TX, CO, NM, AZ and CA. Supporting shipper: Pilliod Cabinet Co., Inc., 105 Woodland Avenue, Swanton, OH 43558.

MC 134572 (Sub-3–1TA), filed February 19, 1982. Applicant: LAWRENCE MASSENGILL, P.O. Box 36, Hickory Flat, MS 38633. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909, Memphis, TN 38103. *Silica sand, in pneumatic trailers,* from Pulaski County, AR, to New Albany, MS. Supporting shipper: Mesker Steel Co., P.O. Box 728, New Albany, MS 38652.

MC 146402 (Sub-3–25TA), filed February 19, 1982. Applicant: CONALCO CONTRACT CARRIER, INC., P.O. Box 968, Jackson, TN 38301. Representative: Charles W. Teske (address same as applicant). *Paper and plastic products and equipment, materials and supplies used in the manufacture, installation and distribution thereof,* between the facilities of Continental Bondware located at or near Chicago, IL on the one hand, and, on the other, points in the U.S. Supporting shipper: Continental Bondware, 1701 Golf Road, Rolling Meadows, IL 60008.

MC 151173 (Sub-3–17TA), filed February 19, 1982. Applicant: HAR-BET, INC., 7209 Tara Boulevard, P.O. Box 855, Jonesboro, GA 30236. Representative: O. L. Godfrey, Jr. (Same address as applicant). Contract: Irregular: *General Commodities (except commodities in bulk, and classes A and B explosives)* between points in the U.S. (except AK and HI). Under contrct or continuing contract(s) with Warren/Sherer Division of Kysor Industrial Corporation, of Conyers, GA. Supporting shipper: Warren/Sherer Division of Kysor Industrial Corporation, 1600 Rockdale Industrial Blvd., Conyers, GA 30207.

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 61396 (Sub-5–21TA), filed February 26, 1982. Applicant: HERMAN BROS., INC., P.O. Box 189, Omaha, NE 68101. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln NE 68501. *General commodities, in vans, (except Classes A and B explosives and household goods),* between Alpha, IL, on the one hand, and, on the other, points in IA. Supporting shippers: Growmark, Inc., 1701 Towanda Avenue, Bloomington, IL 61701.

MC 67234 (Sub-5–20TA), filed February 16, 1982. Applicant: UNITED VAN LINES, INC., One United Drive, Fenton, MO 63026. Representative: B. W.

LaTourette, Jr., 11 South Meramec, Suite 1400, St. Louis, MO 63105. Contract, Irregular; *Household Goods* between points in the US under continuing contract(s) with General Electric Company and its subsidiaries, Calma Company of Milpitas, CA and Intersil, Inc. of Cupertino, CA. Supporting shipper: General Electric Company, 175 Curtner Avenue, San Jose, CA 95125.

MC 67234 (Sub-5–21TA), filed February 16, 1982. Applicant: UNITED VAN LINES, INC., One United Drive, Fenton, MO 63026. Representative: B. W. LaTourette, Jr., 11 South Meramec, Suite 1400, St. Louis, MO 63105. Contract, Irregular; (1) *Machines and Parts and Accessories therefor and (2) Exhibits and Displays* between points and places in the U.S. under continuing contract(s) with Eastman Kodak Company. Supporting shipper: Eastman Kodak Company, 2400 Mount Read Boulevard, Rochester, NY 14650.

MC 115730 (Sub-5–7TA), filed February 16, 1982. Applicant: THE MICKOW CORP., 531 S.W. Sixth Street, Des Moines, IA 50306. Representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, IA 50307. *Commodities as are dealt in or used by manufacturers and dealers of (a) agricultural equipment, (b) industrial equipment, and (c) lawn care and leisure products (except commodities in bulk)* between Jackson County, MO and pts in OK and IA. Supporting shipper: John Deere Company, 3210 East 85th Street, Kansas City, MO 64132.

MC 117954 (Sub-5–4TA), filed February 16, 1982. Applicant: H. L. HERRIN, JR., P.O. Box 1106, Metairie, LA 70004. Representative: Lester C. Arvin, 814 Century Plaza Building, Wichita, KS 67202. *Cheese and dairy products,* between Brown County, WI, and the states of AL, AR, LA, MS, OK, TN & TX. Supporting shipper: Pauly Cheese Co., P.O. Box 1467, Green Bay, WI 54305.

MC 117954 (Sub-5–5TA), filed February 16, 1982. Applicant: H. L. HERRIN, JR., P.O. Box 1106, Metairie, LA 70004. Representative: Lester C. Arvin, 814 Century Plaza Building, Wichita, KS 67202. *Meats, meat products and meat byproducts, dairy products, and articles distributed by meat packing houses,* as described in *Report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766* (except hides and commodities in bulk), from Brown County, WI, to points and places in the states of AL, AR, LA, MS & TX. Supporting shipper: Packerland Packing, Inc., P.O. Box 1184, Green Bay, WI 54305.

MC 139382 (Sub-5–2TA), filed February 16, 1982. Applicant: DWIGHT PARKER TRUCKING CO., INC., P.O. Box 149, Hugo, OK 74743. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. Contract, Irregular; *General commodities (except commodities in bulk, class A & B explosives)* between points in the U.S. under continuing contract with Goodluck Glove Co. Supporting shipper: The Goodluck Glove Co., Hugo, OK.

MC 139923 (Sub-5–11TA), filed February 16, 1982. Applicant: MILLER TRUCKING CO., INC., P.O. Drawer D, Stroud, OK 74079. Representative: Daniel O. Hands, Suite 200–A, 205 West Touhy Avenue, Park Ridge, IL 60068. *Electrical wire* from the facilities of Allwire, Inc., at or near Fresno, CA to Denver, CO and Salt Lake City, UT and points in their commercial zones. Supporting shipper: Allwire, Inc., 220 M Street, Fresno, CA 93778.

MC 141010 (Sub-5–2TA), filed February 16, 1982. Applicant: CONTRACT TRANSPORT, INC., P.O. Box 1575, Des Moines, IA 50306. Representative: James M. Hodge, 3730 Ingersoll Avenue, Des Moines, IA 50312. Contract, irregular; *Finished custom cabinetry and millwork items* from Des Moines, IA to New Orleans, LA, under continuing contract(s) with Neuman Bros., Inc. Supporting shipper(s): Neuman Bros., Inc., Custom Millwork Division, 2424 Ruan Center, Des Moines, IA 50309.

MC 146616 (Sub-5–13TA), filed February 16, 1982. Applicant: B & H MOTOR FREIGHT, INC., 4724 West 21st Street, Tulsa. OK 74107. Representative: Fred Rahal, Jr., Suite 305 Reunion Center, 9 East Fourth Street, Tulsa, OK 74103. *Metal products, building materials, machinery,* and *chemicals and related products,* between points in OK, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shippers: 8.

MC 146729 (Sub-5–4TA), filed February 16, 1982. Applicant: JAMES S. HELWIG & ALLEN L. GRIMLAND, d.b.a. H & G LEASING, 4525 Irving Blvd., Dallas, TX 75247. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. *Cosmetics, perfumes or other toilet preparations* between points in Dallas County, TX on the one hand, and, on the other, Salt Lake City, UT, Portland, OR, Los Angeles and San Francisco, CA, Fredericksburg, VA, Baltimore, MD and McKeesport, PA. Supporting shipper(s): Superior Products Company, 13525 Denton Drive, Dallas, TX 75234.

MC 149235 (Sub-5–11TA), filed February 16, 1982. Applicant: C. MAXWELL TRUCKING CO., INC., 9108 Reeds Drive, Overland Park, KS 66207. Representative: Alex M. Lewandowski, 1221 Baltimore Ave., Ste. 600, Kansas City, MO 64105. Contract, irregular; *Food and related products* between Wyandotte County, KS, on the one hand, and, on the other, points in Denver and El Paso Counties, CO. Supporting shipper: Sunshine Biscuits, Inc., P.O. Box #7, Sayreville, NJ 08872.

MC 149462 (Sub-5–2TA), filed February 16, 1982. Applicant: BERNARD PAVELKA TRUCKING, INC., 1215 East "J" St., Hastings, NE 68901. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. (a) *Malt beverages,* from Longview, TX, to points in NE; and (b) *Wall accessories and clocks,* from Grand Island, NE to Dallas, TX. There are six supporting shippers.

MC 153723 (Sub-5–8TA), filed February 16, 1982. Applicant: A&M ENTERPRISES, INC., Post Office Box 884, Springdale, AR 72764. Representative: Don Garrison, Esq., Post Office Box 1065, Fayetteville, AR 72702. *Wire, Plastic and Metal Products* between Benton and Washington Counties, AR, on the one hand, and, on the other, points in the U.S. Supporting shippers: Clayton-Mark, Inc., 1203 North Sixth Street, Rogers, AR 72756; Performed Line Products, Post Office Box 808, Rogers, AR 72756.

MC 154586 (Sub-5–2TA), filed February 16, 1982. Applicant: MOO TRUCK LINES, INC., 1175 St. Patrice, Florissant, MO 63031. Representative: Roger R. Morris, P.O. Box 11134, St. Louis, MO 63135. Contract, Irregular; *general commodities (Except commodities in bulk, in tank vehicles)* from the facilities of Purex Corp to all points in the U.S. (except AK and HI). Supporting shipper: Purex Corporation, St. Louis, MO.

MC 155796 (Sub-5–5TA), filed February 16, 1982. Applicant: TRANSPORTATION SPECIALISTS, LTD., 440 Commercial Federal Tower, 2120 South 72nd Street, Omaha, Nebraska 68124. Representative: Arthur J. Cerra, P.O. Box 19251, Kansas City, Missouri 64141. *Such commodities as are dealt in and sold by household furniture and appliance stores* between Omaha, NE, on the one hand, and, on the other, points in AL, AR, AZ, CA, CO, FL, GA, IA, ID, IL, IN, KS, KY, LA, MA, MD, MI, MN, MO, MS, NC, NJ, NY, OH, OR, PA, SC, SD, TN, TX, VA, VT, WA and WI. Supporting shipper: Nebraska Furniture Mart, Inc., 700 South 72nd Street, Omaha, NE.

MC 156499 (Sub-5–6TA), filed February 2, 1982. Applicant: CIRCLE C TRUCKING, INC., P.O. Box 865, Grand Island, NE 68802. Representative: Robert D. Eklund, 175 W. Apple Avenue, Muskegon, MI 49443–0786. Contract, irregular; *Steel furniture for use in bank teller stations and safety deposit vaults* between all points in the U.S. Restricted to traffic under continuing contract with Security-Steelcraft Corporation. Supporting shipper: Security-Steelcraft Corporation; Muskegon Hts, MI.

MC 156499 (Sub-5–7TA), filed February 16, 1982. Applicant: CIRCLE C TRUCKING, INC., P.O. Box 865, Grand Island, NE 68802. Representative: Robert D. Eklund, 175 W. Apple Avenue, Muskegon, MI 49443–0786. Contract, irregular; *Dog food* between all points in the U.S. Restricted to traffic under continuing contract with Hi-Life Packing Company. Supporting shipper: Hi-Life Packing Company; Hamilton, MI.

MC 159638 (Sub-5–1TA), filed February 16, 1982. Applicant: EAGLE CREEK FARMS, INC., 3200 Brown St., Little Rock, AR 72204. Representative: Richard L. Smith, Suite 305, 300 Spring Bldg., Little Rock, AR 72201. *Meat, meat products, meat by-products and articles distributed by meat packing houses (except animal feed and animal feed ingredients and commodites in bulk),* from Crete, NE and Dennison, Carroll and Iowa Falls, IA; Polk, Carrol, Crawford, Woodbury and Cherokee, IA, to points in AR, LA, MO, TN, AL, KS, MO, TX, and OK. Supporting shipper: Farmland Foods, Inc., Dennison, IA.

MC 160331 (Sub-5–1TA), filed February 16, 1982. Applicant: SHELTON BROTHERS TRANSPORTATION, 877 Elmdale Street, Shreveport, LA 71108. Representative: Terry C. Shelton (same as applicant). *Petroleum products in tank vehicles* between Caddo Parish, LA, on the one hand, and on the other, all points in LA, TX, AR, MS, and OK. Supporting shipper: Atlas Refinery, Shreveport, LA.

MC 160557 (Sub-5–1TA), filed February 16, 1982. Applicant: PATTERSON FARMS TRUCKING, INC., RR #2, Garnett, KS 66032. Representative: William B. Barker, 641 Harrison Street, Topeka, KS 66601. *Food and related products, (except in bulk),* from Ford County, KS to points in the U.S. (except AK and HI). Supporting shipper: Hyplains Dressed Beef, Inc., P.O. Box 539, Dodge City, KS 67801.

MC 160571 (Sub-5–1TA), filed February 16, 1982. Applicant: DON FLEMING, d.b.a. FLEMING TRUCKING, P.O. Box 398, Loop, TX 79342. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. *(1) Chemicals and related products, and clay products (except commodities in bulk) and (2) oil field commodities* (1) between points in WY, SD, TX, and NM and (2) between Ector County, TX and points in MT, WY, and UT. Supporting shippers: Drilling Mud, Inc., Oklahoma City, OK; Mapp Tank Company, Inc., Odessa, TX.

MC 160572 (Sub-5–1TA), filed February 16, 1982. Applicant: APEX SERVICES, INC., P.O. Box 22757, St. Louis, MO 63147. Representative: Joseph E. Rebman, 314 N. Broadway, Suite 1300, St. Louis, MO 63102. Contract, irregular; *such commodities as are dealt in by chair grocery stores and food business houses* between St. Louis, MO, on the one hand, and, on the other, Chicago, IL and Hammond, IN under a continuing contract or contracts with Lever Brothers Co. Supporting shipper: Lever Brothers Co., NY, NY.

MC 109064 (Sub-5–1TA), filed February 17, 1982. Applicant: TEX-O-KAN TRANSPORTATION CO., INC., 3301 E. Loop 820 South, Fort Worth, TX 76119. Representative: Paul F. Healy, P.O. Box 8367, Fort Worth, TX 76112. Common, Irregular, *Cooling towers and parts, equipment, material and supplies used in the manufacturing, construction, fabrication, and installation of cooling towers. (No transportation of commodities in bulk tank vehicles.)* Between all points in the continental U.S. restricted to serving the facilities and points of manufacture, installation, and fabrication of Ceramic Cooling Tower Comapny and its contractors and erectors. Supporting shipper: Ceramic Cooling Tower Company, P.O. Box 8367, Fort Worth, TX 76101.

MC 125535 (Sub-5–20TA), filed February 19, 1982. Applicant: NATIONAL SERVICE LINES, INC., of New Jersey 2275 Schuetz Road, St. Louis, MO 63141. Representative: Donald S. Helm (same as applicant). Contract: Irregular (1) *Ferrous and non-ferrous metals and (2) products used in the manufacture and distribution of products in one above (except commodities in bulk in tank vehicles).* Between the facilities of Jackson Iron and Metal, Inc. and its divisions and points in the U.S. Supporting shipper: Jackson Iron and Metal, Inc., 120 Beaty, Jackson, MS 39205.

MC 145271 (Sub-5–1TA), filed February 18, 1982. Applicant: SCHULTZ CARRIERS, INC., 6038 Linden Lane, Dallas, TX 75230. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. *Building and Construction Materials* between Centerville, IN on the one hand, and, on the other, points in TX. Supporting shipper: Builders & Contractors Materials, Inc., 3111 Oak Lane, Dallas, TX.

MC 147348 (Sub-5–10TA) filed, February 18, 1982. Applicant: SOUTHWEST FREIGHT DISTRIBUTORS, INC., 1320 Henderson, North Little Rock, AR 72114. Representative: James M. Duckett, 221 W. 2nd, Suite 411, Little Rock, AR 72201. *Such commodities as are dealt in or used by wholesale, retail, discount, variety and department stores,* from the facilities of K-Mart Corporation, at Corsicana, TX, to the facilities of K-Mart Corporation, at points in AR and Memphis, TN. Supporting shipper: K-Mart Corporation, 3100 West Big Beaver Road, Troy, MI 48084.

MC 148152 (Sub-5–15TA), filed February 18, 1982. Applicant: K & H TRUCKING, INC., 3301 South Lamar Street, Dallas, TX 75215. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. Contract: Irregular, *General Commodities (except classes A and B explosives or hazardous materials)* between points in the U.S. Under continuous contract(s) with Intex Plastics Corporation of Corinth, MS; Pratt & Lambert, Inc. of Wichita, KS; Davies Can Company of Houston, TX; and Dixico, Inc. of Dallas, TX.

MC 152407 (Sub-5–2TA), filed February 17, 1982. Applicant: ABLE TRUCK LINES, INC., 409 Forrest Gate, Garland, TX 75042. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. Contract: Irregular, *Machinery or Metal Products and Materials, Equipment or Supplies used in the manufacture, sale and distribution of Machinery and Metal Products* between points in the U.S. Restricted to shipments originating at or destined to the facilities of The Arwood Corporation and its subsidiaries: J & E Die Casting; Southern Die Casting, Castomatic; and W. L. Chapman Co., Inc. Supporting shipper: Arwood Corporation, P.O. Box 40820, Garland, TX 75040.

MC 155796 (Sub-5–6TA), filed February 19, 1982. Applicant: TRANSPORTATION SPECIALISTS, LTD., 440 Commercial Federal Tower, 2120 South 72nd Street, Omaha, NE 68124. Representative: Arthur J. Cerra, P.O. Box 19251, Kansas City, MO 64141. Contract, Irregular; transporting *batteries and battery related equipment, flashlights and lanterns; lamps to include but not limited to electric, incandescent, sealed beams and fluorescent; and materials, equipment and supplies used in the sale, manufacture and distribution thereof,*

between points in WI and points in CA, restricted to movements having a prior or subsequent movement by rail, under continuing contract(s) with Rayovac Corporation of Madison, WI.

MC 159579 (Sub-5–2TA), filed February 17, 1982. Applicant: SIMPSON'S CARRIER, INC., Box 72, Rural Route, Plainview, NE 68769. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Metal buildings, and parts and accessories for metal buildings,* from the Oklahoma City, OK commercial zone to pts. in MN, IA, MO, KS, NE, SD, ND, MT, WY and CO. Supporting shipper: Star Manufacturing Company, 8600 South Interstate Hwy 35, Oklahoma City, OK 73109.

MC 160401 (Sub-5–1TA), filed February 18, 1982. Applicant: GLIDEWELL TRUCKING, INC. Rt. 1, Box 171, Ozark, MO 65721. Representative: Don Gildewell (same address as applicant). Contract, irregular; *Paper and paper products and plastic and plastic products (except hazardous materials)* between points in the U.S. under continuing contract(s) with Lily-Tulip, Inc. of Toledo, OH. Supporting shipper: Lily-Tulip, Inc., P.O. Box 1040, Toledo, OH 43697.

MC 160594 (Sub-5–1TA), filed February 17, 1982. Applicant: JAMES YARBROUGH, Rt. 1, Box 34, Iowa Park, TX 76367. Representative: James Yarbrouygh (same address as above). *Clay, concrete, glass or stone products,* between Wichita County, TX on the one hand, and Comanche, Caddo and Cotton Counties, OK, on the other. Supporting shippers: Wichita Ready-Mix, 3510 Keith, Wichita Falls, TX 76301; and Iowa Park Ready Mix, 700 West Chestnut, Iowa Park, TX 76367.

MC 160620 (Sub-5–1TA), filed February 18, 1982. Applicant: DERREL M. SNOW AND ANNE M. SNOW, d.b.a. DERREL SNOW TRUCKING, 504 Highland Avenue, Maryville, MO 64468. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, Iowa 50309. *Iron and steel articles,* from St. Joseph, MO, to points in CO, IL, KS, OK, TX, and WY. Supporting shipper: Mid America Forming, Inc., P.O. Box 162, St. Joseph, MO 64501.

MC 144616 (Sub-5–8TA), filed February 18, 1982. Applicant: SOUTHWESTERN CARRIERS, INC., P.O. Box 79495, Saginaw, TX 76179. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Rd., Fort Worth, TX 76112. (1) *Slate,* from Washington County, NY and Rutland County, VT to points in U.S., (2) *Food and related products,* between points in WI, on the one hand, and, on the other, points in AR, IA, IL, KS, LA, MO, NE, OK and TX, and (3) *Tractor parts,* between points in U.S. in and east of ND, SD, NE, KS, OK and TX. Supporting shippers: Hilltop Slate Co., 8 Main St., Middle Granville, NY, 12849; Armour Food Co., 1720–14th Ave., Monroe, WI 53566; and Bergman Supply Co., P.O. Box 40865, Jacksonville, FL 32203.

MC 148832 (Sub-5–9TA), filed February 19, 1982. Applicant: DELTA MOTOR FREIGHT, INC., 1616 Rowe Boulevard, Poplar Bluff, MO. 63901. Representative: Ronald D. Dodds (same as applicant). Common, Regular; *General Commodities (except Classes A and B explosives and harzardous wastes)* between Poplar Bluff, MO (and its commercial zone) on the one hand, and on the other Owensboro, KY serving all intermediate points and off route points of Calvert City, KY and the Plant Site of Pinkerton Tobacco, near Owensboro, KY (and their commercial zones): From Poplar Bluff, MO over US Hwy 60 to Ownesboro, KY serving all intermediate points and off route points of Calvert City, KY and Plant Site of Pinkerton Tobacco Co, near Owensboro, KY and return over same routes. Between Cairo, IL (and its commercial zone) on the one hand, and on the other Chicago, IL (and its commercial zone): From Cairo, IL over Interstate Hwy 57 to Chicago, IL and return over same route. Between Mt Vernon, IL (and its commercial zone) on the one hand, and on the other Evansville, IN (and its commercial zone) serving the intermediate point of Mt Vernon, IN: From Mt Vernon, IL over US Hwy 142 to its junction with ILL Hwy Rt 14, then over ILL Hwy Rt 69,then over ILL Hwy Rt 69 to its junction with US Hwy 62 to Evansville, IN and return over same route serving the intermediate point of Mt Vernon, IN. Between Haytf, MO (and its commercial zone) on the one hand, and on the other hand Dyersburg, TN (and its commercial zone) on the other: From Hayti, MO over Interstate Hwy 55 to Dyersburg, TN and return over same route serving all intermediate points. Applicant proposes to interline and serve all points in Alexander, Pulaski, Massac, Union, Johnson, Opoe, Hardin Shawnee, Williamson, Saline, Gallatin, White, Hamilton, Franklin, Perry, Jackson, Randolph, Jefferson, Wayne, Edwards Counties, ILL. and Stoddard, Bollinger, Madison, Dunklin, Pemiscott, New Madrid, Mississippi, Scott and Cape Girardeau Counties, MO as off route points in connection with regular routes. Tacking and interlining is intended. There are 50 supporting shippers.

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 159921 (Sub-6–1TA), filed February 10, 1982. Applicant: ALASKA PACIFIC EXPRESS, INC., POB 950, Soldotna, AK 99669. Representative: David L. Hutchings, POB 895, Soldotna, AK 99669. *General commodities* (excluding class A & B explosives and hazardous waste) to and from points on Kenai Peninsula south of Girdwood AK (in the Third Judicial District) under contract with Sea-Land Service, Inc. for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Sea-Land Service, Inc., 10 Parsonage Rd. Edison, NJ 08817.

MC 134534 (Sub-6–2TA), filed February 11, 1982. Applicant: BASTERRECHEA DISTRIBUTING, INC., 812 8th Ave. East, Gooding, ID 83330. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. *Meats, meat products, meat by-products and articles distributed by meat packinghouses as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carier Certificates,* 61 MCC 209 and 766, from the facilities of Blincoe's Magic Valley Pcaking Co., located at or near Goooding, ID to points in AZ and CO, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Bllincoe's Magic Valley Packing Co., P.O.B. 89, Gooding, ID 83330.

MC 159558 (Sub-6–3TA), filed February 8, 1982. Applicant: EIGHTEEN WHEEL TRANSPORTATION, INC., 355 South Santa Fe Ave., Los Angeles, CA 90013. Representative: Frederick J. Coffman, P.O.B. 1455, Upland, CA 91786. *Contract carrier,* irregular routes. *General Commodities* (except classes A & B explosives, household goods as defined by the Commission and hazardous waste material), between points in the U.S., on the one hand, and, on the other, all ports of entry in the U.S. for the account of Trade and Marketing International, Ltd., for 270 days. An underlying ETA seeks 120 day authority. Supporting shipper: Trade and Marketing International, Ltd, 3579 East Cliff Dr., Salt Lake City, UT 84117.

MC 154433 (Sub-6–2TA), filed February 11, 1982. Applicant: INDUSTRY ENTERPRISES, INC., 18465 Railroad Ave., City of Industry, CA 91748. Representative: Donald R. Hedrick, POB 4334, Santa Ana, CA 92702. *New furniture and related products,* from Los Angeles County, CA to points in OR, WA, ID, NV, MT, WY,

UT, AZ, CO, NM and TX, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Ed Pauly and Associates, Inc., 2936 E. 46th St., Vernon CA, 90058; Commercial Chair, 16000 Phoenix Dr., City of Industry, CA, 91748; and, Universal Furniture Industries, Inc., 2690 Pellissier Pl., Whittier, CA., 90601.

MC 70903 (Sub-6–2TA), filed February 10, 1982. Applicant: OKANOGAN-SEATTLE TRANSPORT CO., INC., PO Box 722, Ellensburg, WA 98926. Representative: Jack R. Davis, 1100 IBM Building, Seattle, WA 98101. *Silva fiber ground cover and silva cell filter material,* between King County, WA on the one hand, and, on the other, points on the international boundary line between the US and CN located in WA for 270 days. Supporting shipper: David Oppenheimer and Associates, 3462 Cornett Road, Vancouver, BC, CN, V5M 2Hl.

MC 160534 (Sub-6–1TA), filed February 10, 1982. Applicant: VANDOLF PARISH, DBA PARISH CHARTER LINES, 148 Hedge Rd., Menlo Park, CA 94025. Representative: Vandolf Parish (same as applicant). *Passengers and their baggage in charter and special operations,* from San Francisco, San Mateo, Santa Clara, Marin, Alameda and Contra Costa Counties, CA to points in Clark, Douglas, Wahoe Counties, NV and Carson City, NV and return for 180 days. An underlying ETA seeks 90 day authority. Supporting shipper(s): There are ten supporting shippers, their statements may be examined at the Regional Office listed.

MC 160543 (Sub-6–1TA), filed February 11, 1982. Applicant: PICKETT TRUCKING, R.R. Box 50, Tijeras, N.M. 87059. Representative: Lawrence Pickett (same as applicant). *Contract Carrier,* Irregular routes (1) *Tires, shocks, wheels* and *batteries,* from Memphis, TN. to points in N.M. (2) *Petroleum products* and *related items,* from Ponca City, OK. to Albuquoque N.M. and Los Angeles, CA, (3) *Animal, pet feeds,* from CO, AZ, NM to Albuquerque, NM., for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: N.M. Tire and Battery, 102 Lomas N.E. Alb. N.M. 87102 Duke City Dist, Co. Inc., 3203 Broadway S.E., Alb. N.M. 87102 Millers Feed and Supply, 8998 4th N.W., Alb. N.M. 87114.

MC 154409 (Sub-6–2TA), filed February 9, 1982. Applicant: SABRE TRANSPORTATION, INC., 2800 Standard St., Bakersfield, CA 93308. Representative: Earl N. Miles, 3704 Candlewood Dr., Bakersfield, CA 93306. *Petroleum Fuel Oil in bulk in tank vehicles* from the facility of Nevada Refining Co., approximately six miles east of Tonopah, NV, to the facility of Union Carbide Corporation, at or near Upper Scheelite, CA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Union Carbide Corporation, One California St., San Francisco, CA 94111.

MC 160195 (Sub-6–1TA), filed February 8, 1982. Applicant: SAN RAFAEL TRUCK LINE, P.O. Box 3916, Phoenix, AZ 85030. Representative: Kinley T. Gleave (same as applicant). *Evaporative Coolers, related parts and supplies,* between Phoenix, AZ on the one hand, and, on the other, points in CA, CO, ID, NV, OR, UT and WA for 270 days. Supporting shippers: McGraw-Edison Co., International Metal Products Division, 500 South 15th Street, Phoenix, AZ 85036.

MC 160559 (Sub-6–1TA), filed February 12, 1982. Applicant: SUMMITT TRANSPORT, INC., 2955 South 300 West, Salt Lake City, UT 84115. Representative: John F. Huisman (same as above). *Alcoholic beverages,* between all points in the U.S., except AK and HI, for 270 days. An underlying ETA seeks 120 day authority. Supporting shipper: NMPC Recreational Services Division, San Francisco, Contracting Officer, Bldg. 1, Rm 182, Treasure Island, San Francisco, CA 94130.

MC 139723 (Sub-6–1TA), filed January 28, 1982. Applicant: FARISH THOMPSON, d.b.a. THOMPSON TRUCKING, RR. Rte. 1, Afton, WY 83110. Representative: Timothy R. Stivers, P.O.B. 1576, Boise, ID 83701. *Contract Carrier,* irregular routes: *Aircraft fuel,* between points in CO, ID, MT, NV, UT and WY, for the account of High Life, Inc., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: High Life, Inc., 167–15 S. Meridian, Puyallup, WA 98373.

MC 160403 (Sub-6–2TA), filed February 12, 1982. Applicant: TRANS WEST SYSTEMS, INC., P.O. Box 2618, Pocatello, ID 83201. Representative: Timothy R. Strivers, P.O. Box 1576, Boise, ID 83701. *Contract Carrier,* Irregular routes: *Insulation, materials and supplies used in the distribution thereof,* from the facilities of Empro, Inc. at or near Emmett, ID to points in CA, ID, OR, MT, NV, UT, WA and WY, for the account of Empro, Inc., for 270 days. Supporting shipper: Empro, Inc., P.O. Box 38, Emmett, ID 83617.

MC 160403 (Sub-6–3TA), filed February 12, 1982. Applicant: TRANS WEST SYSTEMS, INC., P.O. Box 2618, Pocatello, ID 83201. Representative: Timothy R. Stivers, Registered Practitioner, P.O. Box 1576, Boise, ID 83701. *Contract Carrier,* Irregular routes: Commodities dealt in by grocery food business houses, from La Palma, CA to points in ID and MT, for the account of Shaklee Corporation, for 270 days. Supporting shipper: Shaklee Corporation, 456 22nd Street, Oakland, CA 94612.

MC 148692 (Sub-6–4TA), filed February 10, 1982. Applicant: ZABEN TRANSIT INC., 5320 Wadsworth Blvd., Arvade, Co. 80002. Representative: Jerry L. Mutchie (same address as applicant). *Food or kindred products and related items used in the manufacture sale or distribution of the above* between points AR, CO, IL, IN, IA, KS, MI, MN, MO, MT, NE, NM, OH, OK, PA, SD, TX, WI, WY, for 270 days. Supporting shipper: The Great Western Sugar Company, P.O. Box 5308, Denver, CO 80217.

MC 160585 (Sub-6–1TA), filed February 11, 1982. Applicant: DONALD ALBIN d.b.a. CHEMICAL TRANSPORTATION, 21119 Wilmington, Long Beach, CA 90810. Representative: Donald Albin (same address as applicant). *Water treatment compounds and related products* in bulk in tank trucks and trailers, from Bakersfield and Compton, CA to points in the U.S. for 270 days. Supporting shipper: Betz Laboratories, Inc., 5400 Harcourt, Compton, CA.

MC 160583 (Sub-6–1TA), filed February 11, 1982. Applicant: CHUCK COX d.b.a. CHUCK COX TRUCKING, P.O. Box 1546, Evanston, WY 82930. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. *Oil drilling mud compounds.* (1) Between points in ID, MT, NV, UT and WY; (2) from points in UT to points in CO; (3) between points in MT, ND, UT and WY, for 270 days. Supporting shippers: There are 5 shippers. Their statements may be examined at the Regional Office listed above.

MC 160582 (Sub-6–1TA), filed February 11, 1982. Applicant: TRANSPORTES MEXICANOS DE MUEBLES Y MUDANZAS, 901–C Greenwood Ave., Montebello, CA 90640. Representative: Julian Quintero (same as applicant). *Common carrier,* regular route; *Used household goods,* between Los Angeles, Ventura and Orange Counties, CA, on the one hand, and, on the other, ports of entry of the U.S. and Mexico border located in CA. North and South on Highway 5 or alternate 805 between San Ysidro, CA and Montebello, CA (location of company depot). Residential city streets to nearest highway from Oxnard on North and West to Claremont on East and

Anaheim on South. Movement from company depot to U.S.-Mexico border, for 270 days. Supporting shipper: Transporters Mexicanos de Muebles Y Mudanzas, 901–C Greenwood Ave., Montebello, CA, 90640.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-5379 filed 2-26-82; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29812]

Rail Carriers; Illinois Central Gulf Railroad Co.—Exemption—Trackage Rights—Southern Railway Co.; Correction

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption; correction.

SUMMARY: A notice was published and served on February 11, 1982 (47 FR 6394), with certain incorrect dates. The exemption notice stated the effective date as March 12, 1982. The correct date appears below.

DATES: Exemption effective on March 13, 1982. Petitions to stay the effective date must be filed by February 22, 1982 and the petitions for reconsideration of this action must be filed by March 4, 1982.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-5378 Filed 2-26-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** 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 become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

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. OP2–34

Decided: February 22, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Chandler not participating.)

MC 160442, filed February 8, 1982. Applicant: GELCO RAIL SERVICES, a division of GELCO CORPORATION, 50 California St., Suite 2800, San Francisco, CA 94111. Representative: David M. Schwartz, 1025 Connecticut Ave. NW., Washington, D.C. 20036, 202–775–8190. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 120472 (Sub-7), filed February 3, 1982. Applicant: GOLLOTT & SONS TRANSFER & STORAGE, INC., 1255 Caillavet St., P.O. Box 468, Biloxi, MS 39533. Representative: David Earl Tinker, 1000 Connecticut Ave. N.W., Suite 1112, Washington, DC 20036–5391, 202–887–5868. (1) 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., (2) 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., (3) 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., (4) As a *broker of general commodities* (except household goods), between points in the U.S., and (5) Transporting *used household goods* for the account of the United States Government incident to the performances of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S.

MC 160473, filed February 8, 1982. Applicant: J. C. ENWRIGHT, 7709 Kona Ave., Jacksonville, FL 32211. Representative: James C. Enwright, P.O. Box 8171, Jacksonville, FL 32239, 904–724–1443. (1) 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., (2) 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. and (3) 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.

MC 160493, filed February 8, 1982. Applicant: NEW MENASHA, INC., P.O. Box 367, Neenah, WI 54956.

Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956, 414–722–2848. As a *broker of general commodities* (except household goods), between points in the U.S.

Volume No. OP3–033

Decided: February 23, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 158054 (Sub-1), filed February 11, 1982. Applicant: JUSTAK BROTHERS AND COMPANY, INC., P.O. Box 389, Whiting, IN 46394. Representative: Robert W. Loser II, 1101 Chamber of Commerce Bldg., 320 N. Meridian St., Indianapolis, IN 46204, (317) 635–2339. Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 160474, filed February 8, 1982. Applicant: ROBERT CHARD, 247 20th Ave., Coos Bay, OR 97420. Representative: (Same as applicant) (503) 233–5766. 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.

MC 160515, filed February 10, 1982. Applicant: C. D. P., INC., 3340 Oxbow Way, Eugene, OR 97401. Representative: Rodney Potts (same address as applicant), (503) 485–1389. 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.

MC 160564, filed February 16, 1982. Applicant: J. R. SPECIAL DELIVERY, INC., P.O. Box 375, Versailles, KY 40383. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602, (502) 227–2254. Transporting (1) for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), and (2) *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.

MC 160584, filed February 16, 1982. Applicant: KENNETH J. THOMSEN, d.b.a THOMSEN LIVESTOCK, 3829 Meridian Road, S.E., Olympia, WA 98503. Representative: Kenneth J. Thomsen (same address as applicant), (206) 491–0265. 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.

Volume No. OP4–62

Decided: February 17, 1982.

By the Commission, Review Board No 2, Members Carleton, Fisher, and Williams.

MC 149267 (Sub-3), filed February 9, 1982. Applicant: SUPER TRUCK LINES, INC., 801 W. Pershing Rd., Chicago, IL 60609. Representative: William Shipley, P.O. Box 1585, Hot Springs, AR 71901, (501) 262–3600. 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., (2) 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., and (3) transporting *general commodities* (except classes A and B explosives), between Weston and Parriott, GA; Alexandria, Kahoka, Wayland, Memphis, Downing and Lancaster, MO; Arm, Oakville, Hathorn, Columbia, Michigan City, Lamar, Hudsonville, Waterford, Abbeville, Oxford, Taylor, Water Valley, Velma, and Coffeeville, MS; Garwin and Toledo, IA; Equality and Shawneetown, IL; Nelson, NE; Benton, Tompsonville, Masonville, Edgoten, KY; Kenwood, Hickory Point, Doddsville, Fox Bluff, Chapmansboro, Malesus, Medon, Toone, Bolivor, Hickory Valley and Lexington, TN; Hamilton, Helmer, Wolcottsville and Wakarusa, IN; Edgefield, SC; Brisbin, MT and International, UT, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of part (3) of this application is to substitute motor common carrier for abandoned rail service.

Condition: Issuance of a certificate in this proceeding is conditioned upon applicant certifying to the Commission, prior to commencing operations, that all rail service has actually terminated at specified points. The certification should be sent to the Deputy Director, Section of Operating Rights, Interstate Commerce Commission, Washington, D.C. 20423.

Volume No. OP4–64

Decided: February 17, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 160437, filed February 5, 1982. Applicant: BERNARD D. WINTERS, RD #1, Box 448, Willow Street, PA 17584. Representative: George E. Campbell, 985 Old Eagle School, Suite 501, Wayne, PA 19087, (215) 293–9220. 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.

MC 160447, filed February 8, 1982. Applicant: COLUMBIA TRANSPORT, P.O. Box 400, Royal City, WA 99357. Representative: Bryan Phillips, P.O. Box 400, Royal City, WA 99357, (509) 346–2258. As a *broker of general commodities* (except household goods), between points in the U.S.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–5376 Filed 2–26–82; 8:45 am]

BILLING CODE 7035–01–M

MINORITY BUSINESS DEVELOPMENT AGENCY

Financial Assistance Application Announcement

Summary: The Minority Business Development Agency (MBDA) announces that it is soliciting applications under its Technology Commercialization Center (TCC) Program to operate a Technology Commercialization Center for a period of 12 months beginning May 1, 1982 in the Baltimore/Washington area. Federal funds are estimated at $150,000. The project number is 98–10–82000–01. Catalog of Federal Domestic Assistance—11.800 Minority Business Development.

Closing Date: March 15, 1982.

Funding Instrument: It is anticipated that the funding instrument will be a grant, as defined by the Federal Grant and Cooperative Agreement Act of 1977.

Program Description: Provide and/or broker those services necessary to move technology-based projects from the initial evaluation stage through the product development phase into commercialization. These services shall benefit those minorities capable in engaging in technology-based and growth oriented businesses, inventors, innovators and sources of financial assistance.

Eligibility Requirements: There are no restrictions. Any profit or non-profit institution is eligible to submit an application.

Application Materials: An application kit for this project may be requested by writing to the following address: U.S. Department of Commerce. Minority Business Development Agency, Industry & Technology Division, Washington, D.C. 20230

In requesting an application kit, the applicant must specify its profit status; i.e., State or local government, Federally recognized Indian tribal units, education institutions, or other type of profit or non-profit institution. This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Dated: February 16, 1982.

Harold Jones,

Assistant Director for Enterprise Development.

[FR Doc. 82-5352 Filed 2-26-82; 8:45 am]

BILLING CODE 3510-21-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Dance Panel (Grants to Dance Companies); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Dance Panel (Grants to Dance Companies) to the National Council on the Arts will be held on March 22-26, 1982, from 9:00 a.m.-5:30 p.m., in room 1422 of the Columbia Plaza Office Complex, 2401 E Street, NW., Washington, D.C. 20506.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the **Federal Register** of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts.

February 19, 1982.

[FR Doc. 82-5404 Filed 2-26-82; 8:45 am]

BILLING CODE 7537-01-M

Design Arts Panel (Design Exploration); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Design Arts Panel (Design Exploration) to the National Council on the Arts will be held on March 23, 1982, from 9:00 a.m.-5:30 p.m. in room 1340 of the Columbia Plaza Office Complex, 2401 E Street, NW., Washington, D.C. 20506.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the **Federal Register** of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts.

February 19, 1982.

[FR Doc. 82-5405 Filed 2-26-82; 8:45 am]

BILLING CODE 7537-01-M

Inter-Arts Panel (Services to the Field); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Inter-Arts Panel (Services to the Field) to the National Council on the Arts will be held on March 23, 1982, from 9:00 a.m.-5:30 p.m. and on March 24, 1982, from 9:00 a.m.-4:30 p.m. in room 1426 of the Columbia Plaza Office Complex, 2401 E Street, NW., Washington, D.C. 20506.

A portion of this meeting will be open to the public on March 24, from 2:30 p.m. -4:30 p.m. to discuss policy.

The remaining sessions of this meeting on March 23 from 9:00 a.m.-5:30 p.m. and March 24, from 9:00 a.m.-2:30 p.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the **Federal Register** of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts.

February 19, 1982.

[FR Doc. 82-5406 Filed 2-26-82; 8:45 am]

BILLING CODE 7537-01-M

Visual Arts (Video Fellowships); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Visual Arts (Video Fellowships) to the National Council on the Arts will be held on March 23-26, 1982, from 9:00 a.m.-5:30 p.m. in the 12th floor screening room of the Columbia Plaza Office Complex, 2401 E Street, NW., Washington, D.C. 20506.

The meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applications. In accordance with the determination of the Chairman published in the **Federal Register** of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts.

February 19, 1982.

[FR Doc. 82-5407 Filed 2-26-82; 8:45 am]

BILLING CODE 7537-01-M

NATIONAL SECURITY AGENCY

Invitation for Submission to NSA of Papers on Cryptography

AGENCY: National Security Agency (NSA).

ACTION: Notice.

SUMMARY: NSA has initiated a voluntary program of review of papers concerning cryptography based on the recommendations of the American Council on Education's Public Cryptography Study Group. NSA will receive and review papers on cryptography submitted by researchers and authors to determine if any national security concerns are raised by such papers. Procedures are being established to permit a submitter to appeal a determination by NSA that certain information should not be publicly disclosed. Researchers and authors are invited to submit their papers to NSA.

EFFECTIVE DATE: February 23, 1982.

ADDRESS: Papers should be mailed to: National Security Agency, Director of Policy, Fort George G. Meade, MD 20755.

FOR FURTHER INFORMATION CONTACT: Lt. Col. David Tisdale, Office of Policy, National Security Agency, Ft. George G. Meade, MD 20755, (301) 688–6527.

SUPPLEMENTARY INFORMATION: Two years ago at the suggestion of the Director, NSA, the American Council on Education sponsored, under a grant from the National Science Foundation, a Public Cryptography Study Group (PCSG) to address the concerns of the National Security Agency (NSA) that some information contained in published articles and mongraphs on cryptography could endanger the mission of NSA and the national security. The PCSG released a report in April 1981 that presents a detailed description of the concerns held by the involved parties. These concerns fall into two major categories—protection of national security and the issues that may affect private-sector research. The study-group report contained recommended guidelines for a voluntary prepublication review program designed to assist authors and researchers and NSA in protecting against the inadvertent disclosure of cryptologic information that would be damaging to national security. NSA has accepted the PCSG guidelines and is moving toward their full implementation.

Within this framework, NSA has developed internal procedures to facilitate timely review of research papers and provide a rapid response to submitters.

A central point has been established for receipt, staffing and response to authors submitting papers. As NSA has already received approximately 25 papers, it has been able to test the system. These papers have been reviewed and commented upon within 30 days of receipt. To date no national security concerns have been raised concerning the papers NSA has reviewed.

If a paper does raise a national security concern, NSA will communicate directly with the author to make arrangements for a personal discussion of how the paper might be made acceptable to all concerned. NSA fully expects that we will be able to reach an accord with the author in such a case. However, if not, the author will have an appeal mechanism. Although not yet fully staffed, a five-member Public Cryptography Advisory Committee (PCAC) is being established to serve as the appeal mechanism for authors who choose to use it. It will be composed of two members nominated by the Director, NSA, and three members nominated by the Science Advisor to the President. All members will be appropriately cleared for access to classified information. The PCAC will hear both sides of the issue and make a non-binding recommendation to both the Director, NSA, and the submitter. NSA anticipates, based on its experience to date, that papers will rarely prompt involvement by the PCAC.

Based on the recommendations of the Public Cryptography Study Group, NSA is working with various technical societies to reach agreement on a precise definition of areas which would be appropriate for submission. The following definition has been provided to the societies for their comments:

> We are especially interested in reviewing papers that discuss or present the analysis and evaluation of cryptography (mechanical, manual or computer based systems, general or specific, whether intended for public or private use); specific cryptographic techniques or applications (for example, data encryption standard or techniques involving digital signature, authentication, etc.); and theoretical or actual evaluation methods (such as proofs of security or standards for cryptosystems).

NSA anticipates that it will take some time to reach agreement on the precise wording of this definition. In the interim, authors and researchers may currently have materials that they believe come within the scope of this program and which are appropriate for NSA review. In that event, NSA would welcome the opportunity to review and comment on papers, manuscripts or related items of any individual who is performing research in or related to the field of cryptology and who believes such research may have national security implications. In making this interim proposal, NSA recognizes that the entire prepublication review procedure is voluntary.

Since most researchers cannot be expected to know what information related to cryptology the government considers sensitive, NSA wishes to work together with researchers and authors on the assumption that it can be of assistance. NSA does not desire to suppress all research in cryptology and fully appreciates the need for good cryptography in the private sector and is interested in working with industry toward that end, commensurate with the protection of national security. Individuals or firms that have programs that deal with cryptology which are not related to a government contract or involve classified information made available to them by the government such may wish to submit such papers to NSA.

NSA supports this program and invites authors, researchers, and publishers in the academic and commercial communities to voluntarily forward their papers addressing subjects related to cryptology to NSA for this review.

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

February 24, 1982.

[FR Doc. 82-5355 Filed 2-26-82; 8:45 am]

BILLING CODE 3810-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Subcommittee on Decay Heat Removal Systems; Meeting

The ACRS Subcommittee on Decay Heat Removal Systems will hold a meeting on March 16, 1982 in Room 1046, 1717 H Street, NW., Washington, DC. The Subcommittee will review the status of task Action Plan A–45, "Shutdown Decay Heat Removal Requirements" and the effectiveness of PWR Decay Heat Removal Systems with the emphasis on the CESSAR System 80 standard design. Notice of this meeting was published February 17.

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 except for those sessions which will be closed to protect proprietary information (Sunshine Act Exemption 4). One or more closed sessions may be necessary to discuss such information. 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:

Tuesday, March 16, 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, Dr. Richard Savio (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EST.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close portions of this meeting to public attendance to protect proprietary information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: February 24, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-5416 Filed 2-26-82; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards; Subcommittee on Reactor Operations and R. E. Ginna; Meeting

The ACRS Subcommittee on Reactor Operations and R. E. Ginna will hold a meeting on March 18 and 19, 1982, at the SHERATON INN, 1100 Brooks Avenue, Rochester, NY. The Subcommittee will discuss the January 25, 1982 steam generator tube failure and site emergency incident and the Systematic Evaluation Program (SEP) as applied at Ginna. Notice of this meeting was published February 17.

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 except for those sessions during which the Subcommittee finds it necessary to discuss proprietary and Industrial Security information. One or more closed sessions may be necessary to discuss such information. (Sunshine Act Exemption 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:

Thursday, March 18, 1982—8:30 a.m. until the conclusion of business.

Friday, March 19, 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 maybe 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 Rochester Gas and Electric Corporation, 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., E.S.T.

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 and Industrial Security information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: February 24, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-5417 Filed 2-26-82; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards; Subcommittee on Regulatory Activities; Change of Time

The March 3, 1982 meeting of the ACRS Subcommittee on Regulatory Activities has been rescheduled to start at 1:00 p.m. instead of 8:45 a.m. on March 3, 1982. All other items remain the same as published on Tuesday, Feb. 16, 1982, 31 FR 6741.

Dated: February 23, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-5418 Filed 2-25-82; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards; Subcommittee on Waterford Steam Electric Station Unit No. 3; Change of Time

The March 3, 1982 meeting of the ACRS Subcommittee on Waterford Steam Electric Station Unit No. 3 has been rescheduled to start at 8:30 a.m. instead of 1:00 p.m. on March 3, 1982. All other items remain the same as published on Wednesday, February 17, 1982, 32 FR 7029.

Dated: February 23, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-5419 Filed 2-26-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-400/401-OL]

Carolina Power & Light Co. and North Carolina Municipal Power Agency No. 3; Establishment of Atomic Safety and Licensing Board To Preside in Proceedng

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.

Carolina Power & Light Company and North Carolina Municipal Power Agency Number 3

Shearon Harris Nuclear Power Plant, Units 1 and 2

Construction Permit Nos. CPPR-158 and CPPR-159

This Board is being constituted pursuant to a notice published by the Commission on January 27, 1982 in the **Federal Register** (47 FR 3898-3900) entitled, "Notice of 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 L. Kelly, 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. James H. Carpenter, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Bethesda, Md., this 23d day of February 1982.

B. Paul Cotter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 82-5411 Filed 2-26-82; 8:45 am]

BILLING CODE 7590-01-M

[Perkins, Units 1, 2 and 3; Docket Nos. STN-50-488/489/490-CP]

Duke Power Co.; Reconstitution of Board

Pursuant to the authority contained in 10 CFR 2.721 (1980), the Atomic Safety and Licensing Board for the *Duke Power Company*, Perkins, Units 1, 2, and 3, Docket Nos. STN-50-488/489/490-CP, is hereby reconstituted by appointing the following Administrative Judge to the Board: Ivan W. Smith. Elizabeth Bowers, former chairman of this Board, has retired.

As reconstituted, the Board is comprised of the following Administrative Judges:

Ivan W. Smith, Chairman

Dr. Walter H. Jordan

Dr. Donald P. deSylva

All correspondence, documents and other materials shall be filed with the Board in accordance with 10 CFR 2.701 (1980). The address of the new Board Chairman is: Judge Ivan W. Smith, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Bethesda, Md., this 22d day of February 1982.

B. Paul Cotter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 82-5412 Filed 2-26-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-302]

Florida Power Corp., et al., Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 51 to Facility Operating License No. DPR-72, issued to the Florida Power Corporation, City of Alachua, City of Bushnell, City of Gainesville, City of Kissimmee, City of Leesburg, City of New Smyrna Beach and Utilities Commission, City of New Smyrna Beach, City of Ocala, Orlando Utilities Commission and City of Orlando, Sebring Utilities Commission, Seminole Electric Cooperative, Inc., and the City of Tallahassee (the licensees) which revised the Technical Specifications (TSs) for operation for the Crystal River Unit No. 3 Nuclear Generating Plant (the facility) located in Citrus County, Florida. The amendment is effective as of the date of issuance.

The amendment allows a one time only bypassing of the reactor coolant pump power monitor trip function at less than 40% full power in order to conduct tests. The tests involve switchover between the startup and the unit auxiliary transformers while monitoring the reactor coolant flow and the 6900 volt bus current and voltage.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated February 8, 1982, (2) Amendment No. 51 to License No. DPR-72, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and at the Crystal River Public Library, 668 N.W. First Avenue, Crystal River, Florida. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, MD., this 12th day of February 1982.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 82-5413 Filed 2-26-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-94]

Rockwell International; Order Terminating Facility License

By application dated January 28, 1976, as supplemented March 26, 1976 and January 6, 1982, Rockwell International (the licensee) requested authorization to dismantle the L-77 Reactor (the facility), a research reactor located in Canoga Park, California, to dispose of the component parts in accordance with the plan submitted as part of the application, and to terminate Facility License No. R-40. A "Notice of Proposed Issuance of Orders Authorizing Dismantling of Facility, Disposition of Component Parts, and Termination of Facility License" was published in the **Federal Register** on April 8, 1976 (41 FR 14955). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has found that the facility has been dismantled and decontaminated, and that satisfactory disposition has been made of the component parts and fuel in accordance with the Commission's regulations in 10 CFR Chapter I, and in a manner not inimical to the common defense and security or to the health and safety of the public. The facility was dismantled pursuant to the Commission's Order dated September 29, 1976.

The facility area has been inspected by the Commission's Office of Inspection and Enforcement and radiation surveys confirm that radiation levels meet the values defined in the dismantling plan, and the area is available for unrestricted access.

Therefore, pursuant to the application by the Rockwell International Facility

License No. R–40 is hereby terminated as of the date of this Order.

For further details with respect to this action, see (1) application for authorization to dismantle facility and dispose of component parts and for termination of facility license dated January 28, 1976, as supplemented March 26, 1976 and January 6, 1982, (2) the Commission's Order Authorizing Dismantling of Facility and Disposition of Component Parts dated September 29, 1976, and (3) the Commission's related Safety Evaluation. Each of these items is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 11th day of February 1982.

For the Nuclear Regulatory Commission.

Darrell G. Eisenhut,

Director, Division of Licensing.

[FR Doc. 82–5414 Filed 2–26–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–339]

Virginia Electric & Power Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 18 to Facility Operating License No. NPF–7 issued to the Virginia Electric and Power Company (the licensee) for operation of the North Anna Power Station, Unit No. 2 (the facility) located in Louisa County, Virginia. The amendment is effective as of its date of issuance.

The amendment consists of a one-time two week extension to surveillance frequency requirements specified in Technical Specification 4.0.2.a for Specification 4.7.10.c regarding the 18-month hydraulic snubber testing requirement.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since 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 5, 1982; (2) Amendment No. 18 to Facility Operating License No. NPF–4; and (3) the Commission's related Safety Evaluation. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and at the Board of Supervisors Office, Louisa County Courthouse, Louisa, Virginia 23093 and at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22901. A copy of items (2) and (3) may be obtained upon request to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 18th day of February 1982.

For the Nuclear Regulatory Commission.

Robert A. Clark,

Chief, Operating Reactors Branch No. 3, Division of Licensing.

[FR Doc. 82–5415 Filed 2–26–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–329A and 50–330A]

Consumers Power Co.; Notice of Receipt of Antitrust Information

The Consumers Power Company as owner of the Midland Plant, Units 1 and 2, has submitted antitrust information in connection with its plans to operate two pressurized water reactors located in Midland County, Michigan. The data submitted contain antitrust information for review pursuant to NRC Regulatory Guide 9.3 necessary to determine whether there have been any significant changes since the completion of the antitrust review at the construction permit stage.

On completion of staff antitrust review of the above-named application, the Director of Nuclear Reactor Regulation will issue an initial finding as to whether there have been "significant changes" under section 105c(2) of the Act. A copy of this finding will be published in the **Federal Register** and will be sent to the Washington and local public document rooms and to those persons providing comments or information in response to this notice. If the initial finding concludes that there have not been any significant changes, request for reevaluation may be submitted for a period of 60 days after the date of the **Federal Register** notice. The results of any reevaluation that is requested will also be published in the **Federal Register** and copies sent to the Washington and local public document rooms.

A copy of the general information portion of the application for operating licenses and the antitrust information submitted is available for public examination and copying for a fee at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the local public document room at the Grace Dow Memorial Library, 1710 W. St. Andrews Road, Midland, Michigan 48640.

Any person who desires additional information regarding the matter covered by this notice or who wishes to have his views considered with respect to significant changes related to antitrust matters which have occurred in the licensee's activities since the construction permit antitrust review for the above-named plant should submit such requests for information or views of the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Antitrust and Economic Analysis Branch, Nuclear Reactor Regulation, on or before April 5, 1982.

Dated at Bethesda, Maryland, this 25th day of January 1982.

For the Nuclear Regulatory Commission.

Calvin W. Moon,

Acting Chief, Licensing Branch No. 4, Division of Licensing.

[FR Doc. 82–5410 Filed 2–26–82; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

February 22, 1982.

Background

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Paperwork Reduction Act (44 U.S.C. Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the act also considers comments on the forms and

recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available).

The office of the agency issuing this form.

The title of the form.

The agency form number, if applicable.

How often the form must be filled out.

Who will be required or asked to report.

The standard industrial classification (SIC) codes, referring to specific respondent groups that are affected.

Whether small businesses or organizations are affected.

A description of the Federal budget functional category that covers the information collection.

An estimate of the number of responses.

An estimate of the total number of hours needed to fill out the form.

An estimate of the cost to the Federal Government.

An estimate of the cost to the public.

The number of forms in the request for approval.

An indication of whether section 3504(h) of Pub. L. 96–511 applies.

The name and telephone number of the person or office responsible for OMB review, and

An abstract describing the need for and uses of the information collection.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the **Federal Register**, but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of face entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Deputy Administrator, Office of Information and Regultory Affairs, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202–447–6201

Revisions

• Agricultural Marketing Service
California Olives—Marketing Order No. 932
On occasion, monthly
Businesses or other institutions
California olive handlers under marketing order 932
SIC: 515
Small businesses or organizations
Agricultural research and services: 5,387 responses; 1,263 hours; $625 Federal cost; 16 forms; $5,162 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

The Olive Administrative Committee forms are used to obtain information from handlers relating to the olives received, packed, processed, canned, stored, sold and shipped by them, and are needed to determine the composition and utilization of the supply, and to verify that all disposition are in accordance with requirements under the order.

• Agricultural Marketing Service
Washington Apricots—Marketing Order No. 922
On occasion
Businesses or other institutions
Washington apricot handlers under marketing order 921
SIC: 017
Small businesses or organizations
Agricultural research and services: 80 responses; 4 hours; $500 Federal cost; 2 forms; $25 Public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

The Washington Apricot Marketing Committee forms are used by the committee to ascertain if a handler's apricot shipments should be exempted from inspection requirements and if such shipments meet the other requirements specified under the order.

• Agricultural Marketing Service
California-Arizona Navel Oranges—Marketing Order No. 907
On occasion, annually
Farms/businesses or other institutions
Calif.-Ariz. navel orange growers, handlers, processor, etc.
SIC: 017, 515, 203
Small businesses or organizations
Agricultural research and services: 99,622 responses; 20,001 hours; $610 Federal cost; 15 forms; $104,693 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

The Navel Orange Administrative Committee forms are used to obtain information from handlers relating to the quantities of navel oranges shipped and utilized in various outlets during specified time periods, and by growers, handlers, processors, and exporters to apply for permission to ship navel oranges to certain non-regulated outlets.

• Agricultural Marketing Service
California-Arizona Valencia Oranges—Marketing Order No. 908
On occasion, annually
Farms/businesses or other institutions/growers, handlers, etc.
SIC: 017, 515, 203
Small businesses or organizations
Agricultural research and services: 106,957 responses; 21,607; $610 Federal cost; 18 forms; $113,037 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

The Valencia Orange Administrative Committee forms are used to obtain information from handlers relating to the quantities of Valencia oranges shipped and utilized in various outlets during specified time periods, and by growers, handlers, processors, and exporters to apply for permission to ship Valencia oranges to certain non-regulated outlets.

• Agricultural Marketing Service
Irish Potatoes grown in Colorado (Marketing Order No. 948)
On occasion
Farms/businesses or other institutions
Potato handlers in the production area
SIC: 515

Small businesses or organizations
Agricultural research and services: 426 responses; 13 hours; $435 Federal cost; 2 forms; $179 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

The Colorado Potato Committees forms are used as a safeguard for handlers who wish to be exempted from grade, size, quality, or maturity requirements of the order.

• Agricultural Marketing Service
Florida Oranges, Grapefruit, Tangerines & Tangelos
Marketing Order No. 905
On occasion
Businesses or other institutions
Florida fresh citrus handlers & rec. under marketing ord. 905
SIC: 017, 515
Small businesses or organizations
Agricultural research and services: 1,152 responses; 50 hours; $500 Federal cost; 3 forms; $653 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

The Citrus Administrative Committee forms are used to obtain information from handlers relating to their tangerine shipments, and from handlers and receivers relating to shipments of "organically produced" citrus to natural food outlets.

• Agricultural Marketing Service
California Desert Grapefruit—Marketing Order No. 904
On occasion, weekly
Businesses or other institutions
Calif. desert grapefruit handlers and processors, etc.
SIC: 515, 203
Small businesses or organizations
Agricultural research and services: 1,904 responses; 198 hours; $532 Federal cost; 5 forms; $1,353 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

California grapefruit administrative committee forms are used to obtain information from desert grapefruit handlers and processors relating to the grapefruit disposes of by them, as will as make application for special handling permits to make certain types of shipments as provided for in the marketing order.

• Agricultural Marketing Service
Oregon-Washington Bartlett Pears—Marketing Order No. 931
Weekly, other—see SF83
Businesses or other institutions
Wash-Oregon fresh bartlett pear han. under Mark. Ord. 931
SIC: 515, 017
Small businesses or organizations
Agricultural research and services: 245 responses; 261 hours; $500 Federal cost; 2 forms; $1,607 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

The fresh bartlett pear marketing committee forms are used to obtain information from handlers relating to their fresh bartlett pear shipments semi-monthly by date of shipment, quantity (by type of container), and destination, and weekly packout, including number of containers sold and unsold by variety.

• Agricultural Marketing Service
Red Tart Cherries—Marketing Order No. 930
Annually
Farms/Businesses or other institutions
Red tart cherry growers and handlers under Marketing Ord. 930
SIC: 017, 515, 203
Small businesses or organizations
Agricultural research and services: 3,336 responses; 548 hours; $570 Federal cost; 13 forms; $2,346 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

Cherry administrative board forms are used to obtain information from red tart cherry growers and handlers relating to the cherries received, processed, packed, placed in a reserve pool, and diverted by them, as well as make application for a permit to divert cherries by leaving them on the trees, as provided for in the marketing order.

• Agricultural Marketing Service
Marketing Order 929—Cranberries Grown in States of MA, RI, CT, NJ, WI, MI, MN, OR, WA, and Long Island in the State of New York
On occasion, semiannually, annually
Farms/businesses or other institutions
Cranberry growers and handlers under Marketing Order 929
SIC: 017, 515, 203
Small businesses or organizations
Agricultural research and services: 24 responses; 205 hours; $555 Federal cost; 11 forms; $1,179 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

Cranberry marketing committee forms are used to obtain information from cranberry handlers relating to the cranberries handled, acquired, in inventory, sold, and otherwise disposed of by them, and from cranberry growers relating to their cranberry businesses, and their base quantities and allotment transactions.

• Agricultural Marketing Service
Hawaiian Papayas—Marketing Order 928
Monthly, annually
Businesses or other institutions
Hawaiian papaya producers, handlers, and processors
SIC: 017, 515, 203
Small businesses or organizations
Agricultural research and services: 965 responses; 539 hours; $532 Federal cost; 3 forms; $3,016 public cost; not applicable under 3504(h)
Charles A. Ellett, 202–395–7340

Papaya administrative committee forms are used to obtain information from papaya producers, handlers, and processors relating to the papayas disposed of by them, as well as make application for benefits, including obtaining special handling permits to make certain types of shipments exempt from regulation, as provided for in the marketing order.

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202–377–3627

New

• Bureau of the Census
1982 Census of Governments Survey of Government Employment
E–2, E–6
Nonrecurring
State or local governments
State institutions of higher education
SIC: 821, 822, 824, 829
Other advancement and regulation of commerce: 14,000 responses; 17,770 hours; $9,400,000 Federal cost; 2 forms; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

Part of the 1982 census of governments. Requests data on State and local government employment and payrolls (for one pay period), employer costs for selected employee benefits, and labor-management relations. Results are used by Federal, State and local government officials, agencies and programs, as well as by public interest groups, academic instructors and researchers, and the general public.

• Bureau of the Census
1982 Census of Governments Survey of Government Employment
E–1, E–3, E–4, E–5, E–7, E–9
Nonrecurring
State or local governments
State agencies and Noneducational Institutions
Sic: Multiple
Other advancement and regulation of commerce: 36,525 responses; 34,195 hours; $9,400,000 Federal cost; 6 forms not applicable under 3504(h)
Statistical Policy Branch, 202–395–7313

Part of 1982 census of governments. Requests for data on State and local government employment and payrolls (for one pay period) by governmental

function, employer costs for selected employee benefits, and labor-management relations. Results are used by Federal, State and local government officials, agencies and programs, as well as by public interest groups, academic instructors and researchers, and the general public.

DEPARTMENT OF DEFENSE

Agency Clearance Officer—John V. Wenderoth—703–697–1195

Extensions (No Change)

• Departmental and Others
DD 1650Ammunition Data Card
On occasion
Businesses or other institutions
Ordnance manufacturers
SIC: 348
Department of Defense-military: 9,375 responses; 18,750 hours; $99,000 Federal cost; 1 form; not applicable under 3504 (h)
Kenneth B. Allen, 202–395–3785.

This information is necessary for the ordnance officer to manage procurement and distribution of ammunition. A life cycle record is made on ammunition beginning with acceptance from the ordnance manufacturer, issue for field use, malfunction investigations, future procurements, and finally as historical data.

• Department of the Army
Prequalification Statement for Prime Construction Contracts
FNG 3627
On occasion
Businesses or other institutions
Construction contractors
SIC: Multiple
Small Businesses or organizations
Water resources: 400 responses; 8,000 hours; $3,280 Federal costs; 1 form; not applicable under 3504(h)
Andy Uscher, 202–395–4814.

These applications forms are used to determine competence to perform in the required manner. Application is kept on file as part of contractor's credentials.

DEPARTMENT OF ENERGY

Agency Clearance Officer—John Gross—202–633–9770

New

• Energy Information Administration
Weekly Crude Watch Report
FIA–739
Weekly
Businesses or other institutions
Petroleum refiners
SIC: 291
Energy information, policy, and regulation: 1,560 responses; 1,560 hours; $41,400 Federal cost; 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

Data are used to support market analysis for strategic petroleum reserve purchases and to support U.S. participation in the international energy agency programs.

Reinstatements

• Federal Energy Regulatory Commission
Gas Producer Certificate Abandonment/ Termination
FERC–530
Other-See SF83
Businesses or other institutions
Independent producers of natural gas
SIC: 131
Energy information, policy, and regulation: 270 responses; 1,350 hours; $533,350 Federal cost; 1 form; not applicable under 3504 (h)
Anita T. Ducca, 202–395–7340

Producers must file this information to secure abandonment authorization. No sale subject to the NGA may be abandoned or terminated unless the commission finds that the available supply of natural gas is depleted to the extent that continuance of service is unwarranted, or that the present or future public convenience or necessity permit such abandonment.

• Energy Information Administration
Energy Company Financial Reporting System
FIA–28
Annually
Businesses or other institutions
Major energy producing companies
SIC: 131, 111, 121
Energy information, policy, and regulation: 26 responses; 52,000 hours; $1,200,000 Federal cost; 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

Data are required pursuant to public law no. 95–91. The financial reporting system (FRS) provides data to evaluate the competitive environment within which energy products are supplied and developed and to analyze the nature of institutional arrangements as they relate to energy resource development, supply and distribution.

• Federal Energy Regulatory Commission
Gas Pipeline Certificate Import/Export Related
FERC–539
Weekly
Individuals or households/businesses or other institutions. Natural gas pipeline companies or individuals
SIC: 492
Small businesses or organizations
Energy information, policy, and regulation: 55 responses; 105,600 hours; $472,000 Federal cost; 1 form; not applicable under 3504 (h)
Anita T. Ducca, 202–395–7340.

Section 3 of the Natural Gas Act requires importers or exporters of natural gas to receive authorization for such. Under the DOE act this authority rests with the Secretary of Energy with delegation in part to the commission.

• Federal Energy Regulatory Commission
Gas Producer Certificate: New Service.
FERC–531
Other–See SF83
Businesses or other institutions
Independent producers of natural gas
SIC: 131
Small businesses or organizations
Energy information, policy, and regulation: 600 responses; 1,800 hours; $671,500 Federal cost; 1 form; not applicable under 3504 (h)
Anita T. Ducca, 202–395–7340.

Producers who engage in the interstate transportation of sale of natural gas pursuant to sections 4, 5, and 7 of the NGA must file this information for certificates of public convenience and necessity.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202–245–7488

New

• Centers for Disease Control
Health Risk Appraisal Study of a Hispanic Population
Nonrecurring
Individuals or households
Hispanics in a low-income neighborhood
Health: 4,800 responses; 840 hours; $236,000 Federal cost; 5 forms; $8,400 public cost; not applicable under 3504(h)
Fay S. Iudicello, 202–395–3090

This study will enable investigation of the strength of the association in change of health behavior and the degree of intervention following a health risk appraisal for a Hispanic population.

• Alcohol, Drug Abuse, and Mental Health Administration Validity/ Reliability Study of Self-Reported Drinking
Nonrecurring
Individuals or households
Individual 18 years and older living in households in 3 SMSA'S
Health: 2,050 responses; 890 hours; $124,555 Federal cost; 6 forms; $8,900 public cost; not applicable under 3504(h)
Fay S. Iudicello, 202–395–3090

NIAAA has a working relationship with the national center for health statistics to develop and field measures for an alcohol use supplement to the 1983 national health information survey (NHIS). The proposed study tests the reliability and validity of alcohol use measures and identifies the best set to be used.

Revisions

• Social Security Administration
Supplement to Claim of Person Outside the U.S.
SSA–21
On occasion
Individiuals or households
Applicants or benef. who are currently, have been res., etc.
General retirement and disability insurance: 90,000 responses; 15,000 hours; $500,000 Federal cost; 1 form; not applicable under 3504(h)
Richard Eisinger, 202–395–6880

Section 202 of the Social Security Act provides that no payment will be made to any alien beneficiary for any month after 6 months during all of which he/she has been outside the United States. This form is used as a supplement to applications for benefits filed by persons who are or have been residing outside the U.S. during the retroactive life of their applications. It is also used by beneficiaries who are planning to go outside the United States.

Reinstatements

• Office of Assistant Secretary for Health
1982 National Master Facility Inventory Survey and Complement Survey
PHS–6093, A, C, D
Nonrecurring
Businesses or other institutions
Nursing and related care facilities in 9 States
SIC: 805, 806, 808, 836
Small businesses or organizations
Health: 5,000 responses; 1,650 hours; $922,000 Federal cost; 4 forms; $16,500 public cost; not applicable under 3504(h)
Fay S. Iudicello, 202–395–3090

The 1982 survey of the national master facility inventory will be conducted among nursing and related care homes from June–December 1982. The collected information will provide stratification criteria for the next national nursing home survey and will be published in the biennial edition of health, United States.

• Social Security Administration
Report on Claims of Good Cause for Refusing to Cooperate in Establishing Paternity and Securing Child Support and Case Report
SSA–4680 & SSA–4681–U4
On occasion, semiannually
State or local governments
State agencies administering AFDC programs
SIC: 944
Public assistance and other income supplements; 40,068 responses; 7,210 hours; $390 Federal cost; 2 forms; not applicable under 3504(h)
Richard Eisinger, 202–395–6880

Section 402(a) (26)(b) and 545(4) (a) and (b) of the Social Security Act provide for information required to maintain records of activities that will make it possible to submit to HHS delineated information on good cause claims in administering the aid to families with dependent children (AFDC) program. This form elicits the required information from States.

DEPARTMENT OF JUSTICE

Agency Clearance Officer—Larry E. Miesse—202–633–4312

Reinstatements

• Immigration and Naturalization Service
Application for Permission to Reapply for Admission into the United States After Deportation or Removal
I–212
Nonrecurring
Individuals or households
Applicants seeking readmission into the United States
Federal law enforcement activities: 5,000 responses; 1,666 hours; $187,000 Federal cost; 1 form; $16,660 public cost; not applicable under 3504(h)
Andy Uscher, 202–395–4814

Section 212(D)(3)(A) of the I&N Act provides that an alien applying for a nonimmigrant visa may at the discretion of the Attorney General be issued such a visa even though inadmissible because of previous deportation or removal from the United States. Information is uesd to determine eligibility.

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John Windsor—202–426–1887

New

• Federal Railroad Administration
Application for Participation and Funding of the Federal Railroad Safety Program
Nonrecurring
State or local governments
State transportation departments
SIC: 401
Ground transportation: 30 responses; 150 hours; $6,000 Federal cost; 1 form; not applicable under 3504(h)
Donald Arbuckle, 202–395–7340

Information received is used to determine eligibility for participation in the Grant-in-aid State participation program—has legal authority and capability to conduct investigative and surveillance activities prescribed by the administrator, certification that States will provide program funding in excess of Federal payments and comply with OMB circular A–102.

• Federal Railroad Administration
Renewal of Certification and Annual Report
Annually
State or local governments
State transportation departments—State public commissions
SIC: 401
Ground transportation: 30 responses; 150 hours; $6,000 Federal cost; 1 form; not applicable under 3504(h)
Donald Arbuckle, 202–395–7340

Section 206(B) of the Railroad Safety Act of 1970 (PL–9–458) requires renewal of certification.

Reinstatements

• Federal Railroad Administration
Monthly Work Schedule
FRA F–74
Monthly
State or local governments
State transportation departments—State Utility Commissions
SIC: 401
Ground transportation: 360 responses; 120 hours; $7,200 Federal cost; 1 form; not applicable under 3504(h)
Donald Arbuckle, 202–395–7340

This information becomes the basis for the joint Federal/State surveillance tasks for the projected 30 days period. This avoids duplication of inspection function between the Federal and State inspectors, which would result in a doubling effect on travel and man-hour costs.

DEPARTMENT OF THE TREASURY

Agency Clearance Officer—Ms. Joy Tucker—202–634–5394

Revisions

• Internal Revenue Service
Statement for Receipts of Interest on All-Savers Certificates
1099–ASC/1087–ASC
Annually
Individuals or households/businesses or other institutions
Financial institutions (including credit unions)
SIC: 602, 603, 605, 612, 614, 672
Small businesses or organizations
Central fiscal operations: 5,017,367 responses; 427,251 hours; $72,414

Federal cost; 2 forms; not applicable under 3504(h)
Karen P. Sagett, 202–395–680

Form 1099–ASC is to be filed by financial institutions paying interest on all-savers certificates. Form 1087–ASC will be filed by persons receiving form 1099–ASC when some or all of the income belongs to another person. The data is used to verify that the correct amount of interest income was reported on tax returns.

COMMODITY FUTURES TRADING COMMISSION

Agency Clearance Officer—Joseph G. Salazar—202–254–9735

Extensions (Burden Change)

- Futures Commission Merchant Report on Dealer Options

CFTC–145
Monthly
Businesses or other institutions
Futures commission merchants selling dealer options
SIC: 622
Other advancement and regulation of commerce: 144 responses; 432 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Reports are required to determine volume, open contracts and commercial use in dealer options by FCMS.

ENVIRONMENTAL PROTECTION AGENCY

Agency Clearance Officer—Christine Scoby—202–382–2742

New

- Preliminary Assessment Information—Manufacturer's Reporting

586
Nonrecurring
Businesses or other institutions
Manufacturers of about 250 chemicals listed on rule
SIC: 286, 281, 282, MUL
Small businesses or organizations
Pollution control and abatement: 1,300 responses; 29,100 hours; $84,500 Federal cost; 1 form; not applicable under 3504(h)
Edward H. Clarke, 202–395–7340

To obtain exposure-related information from manufacturers of about 250 chemicals with significant suspected toxicity. For most of these chemicals, TSCA requires EPA to evaluate the need for section 4 test rules. A few of the chemicals were brought to EPA attention by notices of substantial risk from the public. Based on data collected on this form, chemicals with significant exposure potential will receive further EPA attention.

Extensions (Burden Change)

- Submit Annual Updates to National Emission Data System & Hazardous & Trace Emission System (916)

916
Annually
State or local governments
State air pollution control agencies
SIC: 951
Pollution control and abatement: 54 responses; 4,999 hours; $733,000 Federal cost; 2 forms; not applicable under 3504(h)
Edward H. Clarke, 202–395–7340

States required to annually update information on stationary sources emitting at least prescribed amounts of pollutants regulated by national ambient standards. Data used in developing emission standards, dispersion modeling analyses, various types of air quality impact analyses and for national trends assessments used in reports to Congress, the public, etc.

Reinstatements

- Reporting Requirements for CFCS (151)

151
Annually
Businesses or other institutions
All manufacturers & processors of chlorofluorocarbons (CFCS)
SIC: 286
Small business or organizations
Pollution control and abatement: 300 responses; 600 hours; $2,475 Federal cost; 1 form; not applicable under 3504 (h)
Edward H. Clarke, 202–395–7340

Manufacturers and processors of CFCS are required by regulation to report annually to EPA on amounts and uses of CFC production so as to assure compliance with the CFC ban rule. EPA uses reports to monitor compliance and direct inspections in cases of suspected violations.

FEDERAL RESERVE SYSTEM

Agency Clearance Officer—William Jones—202–452–2983

Extensions (Burden Change)

Application to Establish Foreign Branch of Member Bank and Notification to Establish Foreign Branch of Member Bank
On occasion
Businesses or other institutions
Member banks
SIC: 602
General government: 23 responses; 212 hours; $225,000 Federal cost; 2 forms; $6,360 public cost; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

This is a prior notification to establish a foreign branch of a member bank (when a bank already has a branch in two foreign countries) and an application for authority, under section 25 of the FRA. to establish a branch of a member bank in a foreign country.

- Application to: Establish Edge Corporations, Establish Branches of Edge Corporations, and Amend Articles of Association of Edge Corporations

On occasion
Businesses or other institutions
Member banks, bank holding companies, Edge Corporations
SIC: 602 605 671
General government: 69 responses; 900 hours; $300,000 Federal cost; 3 forms; $27,000 public cost; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

This is an application to establish an Edge corporation (Sec. 25(a) of Federal Reserve Act empower the Board to charter Edge corporations(, to establish branches of Edge corporations as authorized by regulation K, and an application to amend articles of association of an Edge corporation (relates to changes in the fundamental constitution of such a corporation, such as name, location, and capital stock).

- Notification to Invest in Subsidiary of Joint Venture and Application to Invest in Other Organizations

On occasion
Businesses or other institutions
Member banks, bank holding companies, Edge corporations
SIC: 602 671 605
General government; 76 responses; 1,412 hours; $600,000 Federal cost; 1 form; $42,360 public cost; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

(1) This is a 60 days prior notification to make an investment in a foreign company by a member bank, bank holding company, or Edge or agreement corporation

(2) This is an application by a member bank, bank holding company, or Edge or agreement corporation to make a foreign investment.

Extensions (No Change)

- Ongoing Intermittent Surveys of Households

FR 3016
On occasion
Individuals or households
Occasional samples of 700 households nationwide

General government: 8,400 responses; 467 hours; $107,580 Federal cost; 1 form; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

This information is needed by Federal Reserve Board and Federal Open Market Committee to enhance interpretation of monetary aggregates and effects of monetary policy. The Board also requires this information to fulfill its statutory responsibilities to administer consumer credit regulations.

OFFICE OF PERSONNEL MANAGEMENT

Agency Clearance Officer—John P. Weld—202–632–7720

New

• Voluntary State Tax Withholding
Monthly
State or local governments
Income tax on Civil Svc. annuities
SIC: 999
Central personnel management: 408 responses; 1 hour; $382,920 Federal cost; 1 form; $65,280 public cost; not applicable under 3504 (h)
Robert Veeder, 202–395–4814

Sec. 1705 of Pub. L. 97–35 requires OPM to enter into agreements for voluntary State income tax withholding with requesting States. Under the proposed standard agreement (attached), participating States would select requests for withholding and transmit to OPM only the information necessary to effect the withholding requested from Civil Service annuities. The activity would commence with the 1st Federal-State agreement signed and continue indefinitely.

SECURITIES AND EXCHANGE COMMISSION

Agency Clearance Officer—George G. Kundahl—202–272–2142

Revisions

• Form N–1, Registration Statement Under the Securities and Investment Company Acts for Open End Management Investment Companies.
1715
On occasion
Businesses or other institutions
Open-end management investment companies
SIC: Multiple
Other advancement and regulation of commerce: 60 responses; 11,400 hours; $35,175 Federal cost; 1 form; $427,500 public cost; not applicable under 3504 (h)
Robert Veeder, 202–395–4814

Form N–1 is the registration statement form used by open-end management investment companies to register as investment companies under the Investment Company Act and to register their securities for sale to the public under the Securities Act. It contains the prospectus, the principal selling document for these companies' securities.

• Form S–6, for Registration Under the Securities Act of 1933 of Unit Investment Trusts Registered on Form N–8B–2
649
On occasion
Business or other institutions
Unit investment trusts registered under the invest. Co. Act
SIC: 999
Small businesses or organizations
Other advancement and regulation of commerce: 83 responses; 15,770 hours; $40,000 Federal cost; 1 form; $591,375 public cost; not applicable under 3504 (h)
Robert Veeder, 202–395–4814

Form S–6 is the registration statement form used by unit investment trusts to register their securities for sale to the public. Form S–6 contains the prospectus, the principal selling document for the trust's securities.

Nathaniel Scurry,

Chief, Reports Management.

[FR Doc. 82–5096 Filed 2–26–82; 8:45 am]

BILLING CODE 3110–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–18506; File No. SR–NYSE–80–43]

Self-Regulatory Organizations; Proposed Rule Change by New York Stock Exchange, Inc., Relating to Dissemination of Quotations

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given than on November 3, 1980,[1] the New York Stock Exchange, Inc. filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change would effect the following three basic changes:

(a) Establishment of "mode" in which quotations will be disseminated by the Exchange;

(b) Re-definition of the term "responsible broker-dealer" so that in most cases where quotes are firm, the specialist would be deemed the responsible broker-dealer for the quotes disseminated by the Exchange; and

(c) Delineation of the specialist's obligation, under certain circumstances, for assuming responsibility for "erroneous or non-current quotations."

In addition, the NYSE is proposing to issue an interpretation circular to its members concerning the administration of amended Rule 60. The circular will constitute a stated policy, practice or interpretation of the exchange and will state that, in most cases, the specialist will be deemed to be the "responsible broker or dealer" under SEC Rule 11Acl–1 and NYSE Rule 60, and as such will be responsible for the assimilation and communication to the reporter of the data and for honoring the quotation displayed. Furthermore, in the More Depth Mode, the specialist also will continue to ensure that the exchange displayed quotation reflects the aggregate size quoted in the crowd. Finally, the circular will point out that while the specialist is relieved of his obligation under SEC Rule 11Acl–1 and NYSE Rule 60, in both the Fast Trading and the Non-Firm Modes, he is required to communicate bids and offers on a "best efforts" basis.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C), below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(1) *Purpose.* The proposed rule change is intended to accomplish the following objectives:

(a) By providing for Exchange dissemination of quotations with a descriptive "mode" the investment community will be furnished with a

[1] An amendment to the filing was submitted on February 8, 1982.

better picture regarding the nature of the trading environment on the Floor in each reported security.

(b) The rule change will better delineate the "firmness" of the Exchange's published quotations and which member has the obligation for the firmness of those quotations.

(c) The rule change with respect to the specialist assuming responsibility for quotations displayed a certain length of time will increase the integrity of Exchange disseminated quotations and aid in better enforcement of the "Firm Quote" Rule on the Exchange.

(2) *Statutory Basis.* The rule change proposed herein furthers the Congressional findings enunciated in Section 11A(a)(1) of the Securities Exchange Act of 1934, as amended, in that it will help assure the availability to brokers, dealers, and investors of information with respect to quotations for reported securities published by the Exchange that is the most accurate and best available.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that this filing will not impose any burden on competition that is not necessary or appropriate in furtherance of the purpose of the Act.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has not solicited or received any written comments from members or other interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

On or before April 5, 1982 or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or

(ii) As to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all writen statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in acordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, NW., Washington, D.C.

Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before March 22, 1982.

For the Division of Market Regulation, pursuant to delegated authority.

Dated: February 22, 1982.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-5361 Filed 2-26-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22398; (70-6698)]

American Electric Power Co. et al.; Notice of Proposal To Organize Generating Subsidiary, To Enter Into Owners and Capital Funds Agreements, and To Issue and Deliver Unsecured Notes Pursuant to Revolving Credit Agreement

February 23, 1982.

In the Matter of American Electric Power Company, Inc., AEP Generating Company (180 East Broad Street, Columbus, Ohio 43215), and Indiana & Michigan Electric Company (One Summit Square, P.O. Box 60, Fort Wayne, Indiana 46801).

American Electric Power Company ("AEP"), a registered holding company, Indiana & Michigan Electric Company ("I&M"), an electric utility subsidiary of AEP, and AEP Generating Company ("AEGCo") a corporation to be organized under the laws of the State of Ohio as a new, wholly-owned generating subsidiary of AEP, have filed an application-declaration with this Commission pursuant to Sections 6(a), 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50 (a)(2) and (a)(3) thereunder.

AEGCo proposes to issue to AEP and AEP proposes to acquire 1,000,000 shares of common stock of AEGCo, par value $1.00 per share, for $1,000,000 such shares to constitute all of the issued and outstanding shares of AEGCo's common stock. It is further proposed that AEGCo and I&M will enter into an owners agreement ("Owners Agreement") pursuant to which AEGCo proposes to acquire, over time, a 35% undivided ownership interest ("Nominal Percentage") as tenant in common in the Rockport Generating Plant ("Rockport Plant"), a coal-fired steam electric generating station currently being built by I&M at an estimated cost of $2.1 billion based upon projected commercial operation of Unit No. 1 in late 1984 and Unit No. 2 in late 1986. AEGCo's Nominal Percentage would entitle it to a proportionate share of the generating capacity and energy output of the Rockport Plant units available at any time. Commencing upon the effective date of the Owners Agreement, AEGCo shall become obligated to pay all additional costs associated with construction of the Rockport Plant, including amounts properly recordable as components of construction costs of electric plant in service and construction work in progress (including an allowance for funds used during construction) until the earlier of (i) the date when the respective components of construction incurred by AEGCo shall, as a percentage of the total Rockport Plant construction costs, equal 35%, or (ii) the date upon which testing of Unit No. 1 of the Rockport Plant for commercial operation is commenced. In the event the AEGCo's percentage ownership in the Rockport Plant has not increased to 35% at the date of testing of Unit No. 1, AEGCo shall be obligated to reimburse I&M for construction costs previously paid or incurred by I&M and to make other necessary adjustments in amounts previously paid or incurred such that AEGCo's proportionate investment in construction of the Rockport Plant would thereupon equal 35%. Thereafter, AEGCo will supply additional funds for construction in proportion to its Nominal Percentage.

By order dated February 18, 1982, (HCAR) No. 22392) Kentucky Power Company ("KPCo"), an electric utility subsidiary of AEP, was authorized to purchase a 15% undivided interest in the Rockport Plant. Pursuant to that order KPCo will bear 15% of the future construction costs of the Rockport Plant. Upon completion of the transaction contemplated in this proceeding, I&M, AEGCo and KPCo would own, as tenants in common 50%, 35% and 15% undivided interests, respectively, in the Rockport Plant.

AEGCo proposes to finance its proportionate share of construction of the Rockport Plant through cash capital contributions or advances from AEP,

through the issuance of notes to banks and through the issuance of securities to be the subject of future applications. AEP and AEGCo propose to enter into a capital funds agreement ("Capital Funds Agreement"), pursuant to which AEP will supply, or cause to be supplied, such amounts of capital as may be required to maintain stockholders' equity at not less than 35% of the capitalization of AEGCo, and such amounts of capital as shall be required in order for AEGCo to continue to own and to increase to 35% its undivided ownership in the Rockport Plant. Under the agreement AEP will also supply, or cause to be supplied, capital to provide for AEGCo's proportionate share of future construction costs, to meet AEGCo's sinking fund requirements and debt maturities, to provide for pre-operating and working capital requirements of AEGCo and to provide for AEGCo's proportionate share of funds required for the commercial operation of the two steam electric generating units at the Rockport Plant.

The Capital Funds Agreement will continue in effect until all of the notes issued by AEGCo under a revolving credit agreement ("Revolving Credit Agreement" to be discussed below) shall have been paid in full; provided, however, that, in the event AEGCo shall create a Mortgage and Deed of Trust, secured by a lien upon its fixed properties, and shall issue bonds thereunder, the Capital Funds Agreement will continue until the latter of (a) the satisfaction and discharge of such Mortgage and Deed of Trust, or (b) the payment in full of the notes.

I&M and AEGCo also propose to enter into a unit power agreement ("Unit Power Agreement"), pursuant to which AEGCo will make available, or cause to be made available, to I&M all power (and the energy associated therewith) to which AEGCo shall from time to time be entitled at the Rockport Plant, and I&M will pay to AEGCo in consideration for the right to receive all such power and energy available to AEGCo at the Rockport Plant, as a demand charge for the right to receive such power (and as an energy charge for any associated energy taken by I&M), such amounts from time to time as, when added to amounts received by AEGCo from all other sources, will at least be sufficient to enable AEGCo to pay, when due, all of its operating and other expenses, including provision for the depreciation and/or amortization of the cost of AEGCo's facilities and also including (i) any amount which AEGCo may be required to pay on account of any interest on all indebtedness for borrowed money issued or assumed by AEGCo and outstanding at the time, and (ii) such additional amounts as are necessary after any required provision for taxes on, or measured by, income to enable AEGCo to pay required dividends on any preferred stock which it may issue and such amount as will represent a return on the common stock equity of AEGCo equal to the return most recently allowed by the Federal Energy Regulatory Commission ("FERC") as an appropriate return on the common stock equity of I&M in a wholesale rate proceeding under the Federal Power Act, or, if within 24 months immediately preceding the date when such payments by I&M are to commence no such action by FERC shall have become final, then the return most recently allowed by the Public Service Commission of Indiana in a retail electric rate proceeding. AEGCo's rates will be subject to FERC jurisdiction.

The Unit Power Agreement will further provide that I&M shall commence the payment of such amounts on the earlier of (i) June 30, 1985, or (ii) the date on which any power, including any test power, and any energy associated therewith, shall become available to AEGCo at the Rockport Plant. The obligations under the Unit Power Agreement will continue in effect until all of the notes issued by AEGCo under the Revolving Credit Agreement shall have been paid in full, provided, however, that in the event AEGCo shall, prior to such payment, create a Mortgage and Deed of Trust secured by a lien on all or certain of its fixed properties, and shall issue bonds thereunder, the Unit Power Agreement will continue until the latter of (a) the satisfaction and discharge of such Mortgage and Deed of Trust, or (b) the payment in full of the notes.

AEGCo further proposes to enter into a Revolving Credit Agreement with a group of banks pursuant to which notes, in an aggregate principal amount outstanding at any time up to but not to exceed $300,000,000, are to be issued and delivered by AEGCo. The proceeds will be utilized by AEGCo for the construction of its interest in the Rockport Plant, the acquisition of equipment, materials and supplies for the Rockport Plant and other corporate purposes. Each borrowing under the Revolving Credit Agreement shall be made ratably from the Banks in proportion to their respective commitments and for the same period of time, and shall be evidenced by a note of AEGCo dated the date of such borrowings, and bearing interest on the unpaid principal amount thereof from the date of each such note to the date of payment in full, payable quarterly on the last day of each March, June, September and December, at the maturity thereof (whether by acceleration or otherwise) and after such maturity on demand. Interest on the principal amount of a note shall be: (a) Prior to maturity, and at AEGCo's option, equal to either (i) a fluctuating rate per annum equal at all times to the prime rate, as defined in the Revolving Credit Agreement, or (ii) the appropriate London Interbank Offered (LIBO) rate in accordance with the tenor of the advance, and (b) from maturity (whether by acceleration or otherwise), at a fluctuating rate per annum equal at all time to the sum of (i) 1% plus (ii) the prime rate until payment in full.

The Revolving Credit Agreement further provides that AEGCo will be obligated to pay to each bank for its commitment a fee computed at the annual rate of ⅜ of 1% per annum on the average daily unused amount of the commitment for such bank from the effective date of the Revolving Credit Agreement to the date of expiration or termination of such commitment. AEGCo may prepay notes bearing interest at the prime rate in whole at any time or in part from time to time, without premium or penalty, and may terminate in whole or reduce in part the unused commitments of the Banks. LIBO Rate notes are not prepayable. Based on a prime rate of 17% and full utilization of the commitment, the effective cost of borrowing would be 17%; based on a LIBO rate of 16 1/16% and full utilization of the commitment, the effective cost of borrowing would be 16 1/16%.

The total indebtedness of AEGCo for borrowed money, excluding short-term debt (as defined in the Revolving Credit Agreement) in a principal amount not exceeding 10% of capitalization (exclusive of short-term debt of AEGCo), will not, after giving effect to the issuance of notes or any other long-term debt subsequently issued, exceed 65% of the capitalization (exclusive of short-term debt) of AEGCo.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by March 19, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants-declarants at the addresses specified above. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing

shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-5363 Filed 2-26-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22395; (70-6700)]

Consolidated Natural Gas Co.; Notice of Proposed Amendments of Certificate of Incorporation, Issuance and Sale of Common Stock in Connection With Two-for-One Stock Split and Employees' Long-Term Incentive Plan, and Solicitation of Proxies

February 23, 1982.

Consolidated Natural Gas Company ("Consolidated"), Four Gateway Center, Pittsburgh, Pennsylvania 15222, a registered holding company, has filed a declaration with this Commission pursuant to Sections 6(a), 7, and 12(e) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 62 and 65 promulgated thereunder.

Consolidated proposes to amend its Certification of Incorporation to increase and reclassify the authorized common stock from 22,000,000 shares of the par value of $8 each to 50,000,000 shares of the par value of $4 each primarily for the purpose of effecting a two-for-one stock split by changing each share of issued and unissued $8 par value common stock into two shares of $4 par value common stock. In connection therewith, Consolidated proposes to issue on or after May 18, 1982, such additional number of shares of common stock, $4 par value, as shall equal the total number of common shares outstanding on May 18, 1982, to common stockholders of record on that date. The company expects to have approximately 19,900,000 shares outstanding on May 15, 1982. The excess of shares over those required for the stock split will become available to the company for issuance in connection with its Dividend Reinvestment and Employee Stock Ownership Plans, the proposed new plan discussed hereinafter, and any future financing.

Consolidated also proposes to amend its Certificate of Incorporation to permit the Board of Directors to issue, without first making an offering to the common stockholders on a subscription basis, unissued shares of common stock.

Finally, Consolidated proposes, subject to stockholder approval, to issue and sell between May 18, 1982, and November 10, 1991, up to 585,000 shares of the common stock, $8 per value, or 1,170,000 shares, $4 par value, pursuant to a new Long-Term Incentive Plan ("Plan") which, in pertinent part, consists of (a) Incentive Stock Options and (b) Restricted Stock Awards. It is stated that the Plan was developed primarily to offer Consolidated key employees a comprehensive and competitive compensation package.

The stock option grants will be based on individual performance and individual salaries and will range from approximately 50% to 100% of base salary, but in no case will grants exceeding $100,000 be made to any individual in a calendar year. The option price of the stock will be set on the date of each grant and will not be less than the fair market value on the date of the grant.

The Restricted Stock Awards will be limited to approximately 25 senior executives in the Consolidated System unless they are within two years of normal retirement age 65. The awards will be based on individual salary and performance, recognizing past performance commensurate with the participating employee's position in the company. Restricted Stock Awards will only be granted once to each eligible employee except that the amount of the award may be increased in the event of future upward adjustment of his salary grade.

Consolidated proposes to solicit proxies regarding the proposed amendments to its Certificate of Incorporation in connection with the annual meeting of common stockholders to be held on May 18, 1982.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by March 17, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-5364 Filed 2-26-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22396 (70-6705)]

Mississippi Power Co.; Proposed Increase of Short-Term Debt Limit and Solicitation of Proxies

February 23, 1982.

Mississippi Power Company ("Mississippi"), 2992 West Beach, Gulfport, Mississippi 39501, an electric utility subsidiary of The Southern Company, a registered holding company, has filed a declaration with this Commission pursuant to Sections 6(a), 7, and 12(e) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 62 and 65 thereunder.

Mississippi proposes to submit to the holders of its outstanding preferred stock for consideration and action at a special meeting of such holders to be held on or about May 19, 1982, a proposal that Mississippi be authorized, by vote of its preferred stockholders, to issue or assume, until July 1, 1989, securities representing unsecured debt having maturities of less than ten years in excess of 10% of capital, surplus, and secured debt, provided that (a) the amount of securities representing unsecured debt having maturities of less than ten years outstanding on January 1, 1990, shall not exceed said 10% limitation and (b) Mississippi's total indebtedness represented by unsecured securities shall at no time exceed 20% of capital, surplus, and secured debt. Mississippi also proposes to solicit proxies from the holders of its preferred stock in connection with said proposal. This authorization would supersede a similar authorization approved by stockholders on October 15, 1975 (See HCAR No. 19143 (August 27, 1979).).

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by March 24, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of

service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-5362 Filed 2-26-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22397; (70-6693)]

The Southern Co.; Proposed Issuance and Sale of Common Stock Pursuant to Dividend Reinvestment and Stock Purchase Plan and to Employee Savings Plan

February 23, 1982.

The Southern Company ("Southern"), Perimeter Center East, P.O. Box 720071, Atlanta, Georgia 30346, a registered holding company, has filed an application-declaration with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act"), and Rule 50(a)(5) promulgated thereunder.

Southern proposes to issue and sell from time to time through April 30, 1984 up to 20,000,000 shares of its authorized but unissued common stock, par value $5 per share ("Additional Common Stock"), pursuant to its Dividend Reinvestment and Stock Purchase Plan ("Dividend Plan"). These shares would be in addition to the balance of 6,939,639 shares at December 31, 1981, remaining under the authorization granted by order of this Commission dated May 1, 1981 (HCAR No. 22035). The proceeds from the sale estimated to total approximately $240,000,000 would be applied toward equity investments in the operating subsidiaries and other corporate purposes.

The Additional Common Stock will be offered to all holders of Southern's common stock pursuant to the Dividend Plan, a voluntary plan, whereby shareholders may elect to (1) have cash dividends on all of their shares of Southern common stock automatically reinvested in additional shares of such stock at a price equal to 95% of the average of the high and low sales prices of Southern's common stock, as published in the Wall Street Journal in its New York Stock Exchange ("NYSE") Composite Transactions, on the dividend payment date ("Market Price Average") or (2) reinvest less than all their cash dividends in shares of Southern's common stock at a price equal to 95% of the Market Price Average, or (3) reinvest all or less than all of their cash dividends as described above and, in addition, make optional cash payments (not less than $25 per payment nor more than a total of $3,000 per quarter) to invest in shares of Southern's common stock at a price equal to 100% of the Market Price Average, or (4) continue to receive cash dividends on all shares held and invest only optional cash payments. Cash dividends on shares credited to a participant's account will be reinvested in shares of Southern's common stock at a price equal to 95% of the Market Price Average. No shares will be sold under the Dividend Plan at less than par value.

Southern's management, as authorized by the board of Directors is considering the revision of the Dividend Plan in the following respects: (1) To provide that the price of shares purchased with reinvested dividends will be equal to 95% of the average daily high and low sales prices of Southern's common stock on the NYSE for the period of five trading days ending on the day of purchase (or the period of five trading days immediately preceeding the day of purchase, if the NYSE is closed on such day), ("Five Day Market Price Average"); and (2) to provide that optional cash payments will be invested in Southern's common stock once each month, on a date set by management, at a price equal to 100% of the Five Day Market Price Average.

The First National Bank of Atlanta currently administers the Dividend Plan and purchases the shares of Southern's common stock under the Dividend Plan as agent for the participants. No service charge or commission is paid by participants in connection with purchases under the Dividend Plan.

Southern also proposes to issue and sell from time to time through April 30, 1984 a maximum of 2,000,000 shares of its authorized but unissued common stock, par value $5 per share ("New Stock") pursuant to the Employee Savings Plan for the Southern Company System ("Savings Plan"). The proceeds from the sale of the New Stock, estimated to be approximately $24,000,000, would be applied to equity investments in its operating subsidiaries and for other corporate purposes.

The New Stock will be offered to employees of Southern's subsidiaries pursuant to the Savings Plan, a voluntary plan under which employees may contribute, through payroll deductions, not less than 2% nor more than 12% of their compensation. Each employing company will contribute, on behalf of each of the Savings Plan members in its employ, an amount not in excess of 6% of the member's compensation. Each Savings Plan member must direct that his contributions be invested in the Company Stock Fund, the Equity Fund and/or the Fixed Income Fund.

The First National Bank of Atlanta acts as Trustee for the trust which is part of the Savings Plan, and the Savings Plan is administered by the Savings Plan Committee, the members of which are appointed by the Board of Directors of Southern Company Services, Inc. The Trustee votes the shares of common stock of Southern held by it in accordance with written directions received from the individual members on whose behalf such shares are held and does not vote any such shares for which voting instructions are not received. The Trustee has the authority to vote all other securities in its discretion.

Investment purchases by the Trustee for the funds may be made either on the open market or by private purchase, provided that no private purchase may be made of common stock of Southern at a price greater than the last sale price or current independent bid price, whichever is higher, for such stock on the NYSE, plus an amount equal to the commission payable in a stock exchange transaction if such private purchase is not made from Southern. The Trustee may purchase common stock of Southern directly from Southern under the Dividend Plan or under any other similar plan made available to all holders of record of shares of common stock of Southern, at the purchase price provided for in such plan.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by March 19, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant-declarant at the address specified above. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this

matter. After said date the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-5360 Filed 2-26-82; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Small Business Investment Company; Maximum Annual Cost of Money to Small Business Concerns

13 CFR 107.301(c) sets forth the SBA Regulation governing the maximum annual cost of money to small business concerns for Financing by small business investment companies.

Section 107.301(c)(2) requires that SBA publish from time to time in the **Federal Register** the current Federal Financing Bank (FFB) rate for use in computing the maximum annual cost of money pursuant to § 107.301(c)(1). It is anticipated that a rate notice will be pubished each month.

13 CFR 107.301(c) does not supersede or preempt any applicable law that imposes an interest ceiling lower than the ceiling imposed by that regulation. Attention is directed to new subsection 308(i) of the Small Business Investment Act, added by section 524 of Pub. L. 96-221, March 31, 1980 (94 Stat. 161), to that law's Federal override of State usury ceilings, and to its forfeiture and penalty provisions.

Effective March 1, 1982, and until further notice, the FFB rate to be used for purposes of computing the maximum cost of money pursuant to 13 CFR 107.301(c) is 13.995% per annum.

Dated: February 23, 1982.

Edwin T. Holloway,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 82-5448 Filed 2-26-82; 8:45 am]

BILLING CODE 8025-01-M

[SBLC No. 03/B-0031]

Tidewater Dominion Small Business Lending Co.; Filing of Application for Eligibility Determination as a Small Business Lending Company

An Application for Eligibility Determination as a Small Business Lending Company has been filed by Tidewater Dominion Small Business Lending Company (Applicant) 15407 Warwick Drive, Newport News, Virginia 23606 with the Small Business Administration pursuant to § 120.4(b) of SBA Regulations (13 CFR 120.4(b)), promulgated under the Small Business Act.

As a Small Business Lending Company (SBLC), under Subsection (b) mentioned above, the Applicant will be engaged solely in the making of loans to small business concerns in participation with SBA, and in accordance with applicable SBA Regulations. It will be subject to supervision and examination by the SBA.

The Applicant is incorporated under the laws of the State of Virginia and will commence operation with a minimum capitalization of $500,000, which will be raised through a private stock offering. The only holder of 10 percent or more of the Applicants' outstanding stock will be:

Eugene Zepkin, 1108 Riverside Drive, Newport News, Virginia 23606

The Applicant intends to conduct its operations in the States of Virginia, Maryland, North Carolina and the District of Columbia, and to sell in the Secondary Market the SBA's guaranteed portion of loans made to small business concerns. The Officers and Directors of the Applicant are:

Name	Title
Eugene Zepkin, 1108 Riverside Drive, Newport News, Virginia 23606.	Director/President.
Harold G. Grossman, Rt. 622 Curriomman Lane, Montross, Virginia 22520.	Director/Vice President.
Robert H. Roberts, 430 Yorktown Road, Yorktown, Virginia 23602.	Director/Secretary/Treasurer.

Matters involved in SBA's consideration of the application include the general business reputation and character of management, and the probability of successful operation of the Applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Act and Regulations promulgated thereunder.

Notice is hereby given that all interested parties may, not later than 15 days from the date of publication of this Notice, submit to SBA written comments on the proposed Applicant and/or its management. Any such communication should be addressed to:

Wayne S. Foren, Director, Office of Lender Relations & Certification, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416

A copy of this Notice shall be published in a newspaper of general circulation in Newport News, Virginia, as well as in the regional edition of the *Wall Street Journal* serving the area of operation of the Applicant.

(Catalogue of Federal Domestic Assistance Program No. 59.012 Small Business Loans)

Dated: February 23, 1982.

Edwin T. Holloway,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 82-5443 Filed 2-26-82; 8:45 am]

BILLING CODE 8025-01-M

[License No. 01/01-0302]

Transatlantic Capital Corp.; Filing of Application for Approval of Conflict of Interest Transaction Between Associates

Notice if hereby given that Transatlantic Capital Corporation (Transatlantic), 60 Batterymarch Street, Boston, Massachusetts 02110, a Federal Licensee under the Small Business Investment Act of 1958, as amended, has filed an application pursuant to § 107.1004 of the Regulations governing small business investment companies (13 CFR 107.1004 (1981)), for approval of a conflict of interest transaction.

Transatlantic desires to invest up to $600,000 in Communications Intelligence Corporation (CIC), Hillsborough, California 94010. This amount includes Transatlantic's share of the total financing of $1.8 million.

CIC is considered an Associate of Transatlantic because Mr. Harvey J. Sarles, a Director of Transatlantic, is a Director and Chief Financial Officer of CIC and owns 1.63 percent of the common stock of CIC. Consequently, the proposed transaction falls within the purview of § 107.1004 of the Regulations and requires a written exemption granted by SBA.

Notice is hereby given that any person may, on or before March 16, 1982 submit written comments on the proposed transaction. Any such comments should be addressed to the Acting Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Boston, Massachusetts and Hillsborough, California.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: February 23, 1982.

Robert G. Lineberry,

Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-5444 Filed 2-26-82; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

[Public Notice 794]

Privacy Act of 1974; Systems of Records; Annual Publication

The Privacy Act of 1974 (5 U.S.C. 552a(e)(4)) requires agencies to publish annually in the **Federal Register** a notice of the existence and character of their systems of records. The Department of State last published the full text of its systems of records at 42 FR 49699, September 27, 1977.

A document published at 45 FR 83374, December 18, 1980, further updated the systems of records. Since that time the following new system of records was proposed: STATE–53, May 18, 1981 (46 FR 27219). After consideration of comments received from the public, the Routine Uses provision regarding dissemination to other agencies is amended to read as follows: "* * * other Federal, state, local or foreign agencies having jurisdiction in the matter * * *"; this change is intended to eliminate what might be regarded as an over-broad use of dissemination to agencies having "an interest or jurisdiction" in the matter as had been proposed originally. For the convenience of the public, the amended system is published below.

The full text of the Department of State systems of records also appears in Privacy Act Issuances, 1980 Compilation, Volume II, page 399. This volume may be ordered through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Dated: February 4, 1982.

Richard T. Kennedy,

Under Secretary for Management.

STATE–53

SYSTEM NAME:

Records of the Inspector General of the Department of State and the Foreign Service.

SYSTEM LOCATION:

Department of State, 2201 C Street NW., Washington, D.C. 20520.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present and former employees of the Department of State (including foreign nationals); individuals (or firms) doing business with State, including contractors and grantees; individuals who have purchased USG employees' property overseas; members of the foreign affairs community who come under the direction, coordination and supervision of chiefs of mission.

CATEGORIES OF RECORDS IN THE SYSTEM:

Investigatory material relating to any category of individual described above. Results of investigations, inquiries or audits conducted by the Inspector General and reports of investigations conducted by other departmental, Federal, state and local investigative agencies under the direction of, or on behalf of, the Inspector General.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Foreign Service Act of 1980, 22 U.S.C. 3901.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The information contained in the Records of the Inspector General is collected and maintained in the administration of the Department of State, Federal Criminal Statutes, Uniform Code of Military Justice, Executive Orders, and the Code of Federal Regulations to oversee and enforce Federal laws and regulations. Material gathered is used in the enforcement of the aforementioned laws and regulations. These records may be disseminated, depending on jurisdiction, to: Department of State officials in the administration of their responsibilities; other Federal, state, local or foreign agencies having jurisdiction in the matter; any source from which information is requested in the course of investigation, to the extent necessary to identify the individual, to inform the source of the nature and purpose of the investigation, and to identify the type of information requested. Also see the "Routine Uses" paragraph of the Prefatory Statement published in the **Federal Register** (42 FR 49699, September 27, 1977).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Hard copy, computer media.

RETRIEVABILITY:

Normally be coded case number which indicates the type of violation or deficiency involved, the date, the geographic location, category of source and the incident number. Cases are cross-indexed by individual's name pending referral for review and action to the Department of Justice, the Director General of the Foreign Service and Director of Personnel, or the Attorney General.

SAFEGUARDS:

All employees of the Department of State have undergone a thorough background security investigation. Access to the Department of State and its annexes is controlled by security guards, and admission is limited to those individuals possessing a valid identification card or individuals under proper escort. All records containing personal information are maintained in secure file cabinets or in restricted areas, access to which is limited to authorized personnel. Access to computerized files is password protected and under the direct supervision of the system manager. Inspector General reports are disseminated only by the Inspector General and only to the immediate Department principals or offices with a clear need to know the matter being reported. No secondary distribution is permitted without the expressed written permission of the Inspector General.

RETENTION AND DISPOSAL:

These records will be maintained until they become inactive, then retired and destroyed seven (7) years thereafter in accordance with published schedules of the Department of State. More specific information may be obtained by writing to the Information and Privacy Coordinator, Foreign Affairs Information Management Center, Room 1239, Department of State, 2201 C Street, NW., Washington, D.C. 20520.

SYSTEM MANAGER(S) AND ADDRESS:

The Inspector General, Office of the Inspector General, Room 6821, Department of State, 2201 C Street, NW., Washington, D.C. 20520.

NOTIFICATION PROCEDURE:

Individuals who have reason to believe that the Records of the Inspector General might have information pertaining to them, should write to the Information and Privacy Coordinator, Foreign Affairs Information Management Center, Room 1239, Department of State, 2201 C Street, NW., Washington, D.C. 20520. The individual must specify that he/she wishes the Records of the Inspector General to be checked. At a minimum, the individual should include: name, date and place of birth, current mailing address and zip code, and signature.

RECORD ACCESS PROCEDURES:

Individuals who wish to gain access to or amend records pertaining to themselves should write to the Information and Privacy Coordinator, Foreign Affairs Information Management Center (address above).

RECORD SOURCE CATEGORIES:

These records contain information obtained from interviews, review of records, and other authorized investigative techniques.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Certain records contained within this system of records may be exempted from the requirements of any part of the Act except subsections (b), (c)(1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i) to the extent necessary to assure the effective completion of the investigative and judicial processes. See Department of State rules published in the **Federal Register.**

[FR Doc. 82-5365 Filed 2-26-82; 8:45 am]

BILLING CODE 4710-24-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 82-022]

Proposed Railroad Bridge Along the Bronx Shoreline of the Harlem River, Mile 1.8 to Mile 3.5, at New York, N.Y.; Public Hearing

The Commandant has authorized a public hearing to be held by the Commander, Third Coast Guard District in conjunction with the U.S. Army Corps of Engineers (COE) and New York State Department of Transportation (NYSDOT). The hearing will be held at the Landlord/Tenant's Court Room, Bronx County Court House, 851 Grand Concourse, Bronx, New York on April 1, 1982 from 1:00 P.M. to 4:30 P.M. and from 7:30 P.M. to 10:00 P.M. The purpose of the hearing is to gather information to aid the regulatory agencies in evaluating the environmental and navigational impacts of the proposed fixed, single-track railroad bridge project to be located along the Bronx Shoreline of the Harlem River, mile 1.8 to mile 3.5, at New York, New York.

The purpose of this project is to provide improved rail freight service into New York City and Long Island. Presently, rail freight service is restricted by low overhead clearances, conflicts with commuter operations and the lack of modern rail terminal facilities. NYSDOT projections show that nearly 25 percent of the conventional boxcars and 100 percent of the trailer-on-flatcar (TOFC) fleet are too high to fit underneath many of the bridges which span the railroad tracks. NYSDOT has projected that by the year 2000, nearly two-thirds of the nation's boxcars will be too high to operate along New York City's rail lines. NYSDOT has also projected increased TOFC's in the future. At present, TOFC traffic can reach New York City only by way of terminals located in New Jersey.

The project will be located in the South Bronx. There are three alternatives under consideration for the construction of the proposed project. Two alternatives (i.e., the Shore Route and Offshore Route) will begin immediately west of the Stadium—E. 161st Street exit on the southbound section of the Major Deegan Expressway, while the third alternative (Market Route West) will begin slightly north of the Macomb's Dam Bridge. All three alternatives will terminate immediately south of Lincoln Avenue at the Harlem River Yard. Construction is expected to begin in October 1982 and last approximately 2.5 years.

The Coast Guard, as lead federal agency, has determined that this project will have a significant impact on the environment, and has, therefore, prepared a draft Environmental Impact Statement (DEIS) in cooperation with NYSDOT and the COE. Copies of the DEIS and its technical supplements are available for review at: U.S. Coast Guard, Third District Building 135A, 2nd Floor, Governors Island, New York, New York, Phone: (212) 668-7994, and the following offices of the New York State DOT:

State Campus, Building 7A, 5th Floor, Albany, New York, Phone: (518) 457-2330

2 World Trade Center, Room 5478, New York, New York, Phone: (212) 488-5911

State Office Building, Room 6A15, Hauppauge, New York, Phone: (516) 979-5130

In addition to the above locations, copies of the DEIS are available at public and collegiate libraries and numerous community planning board offices. Locations of these depositories can be obtained by calling the Coast Guard or State DOT offices listed above.

The hearing will be informal. Representatives from the Coast Guard, U.S. Army Corps of Engineers, and New York State Department of Transportation will preside at the hearing, make brief opening statement, and announce the procedures to be followed at the hearing. Each person who wishes to make an oral statement should notify the Commander (oan-br), Third Coast Guard District, Governors Island, New York, New York 10004, prior to the hearing date. Such notification should include the approximate time required to make the presentation. Comments previously submitted are a matter of record and need not be resubmitted at the hearing. Speakers are encouraged to provide written copies of their oral statements to the hearing officer at the time of the hearing. Those wishing to make written comments only, may submit those comments at the hearing, or to the Commander (oan-br), Third Coast Guard District through May 3, 1982. All comments will be considered.

A transcript of the hearing, as well as written comments received outside of the hearing will be available for public review in the offices of the Third Coast Guard District approximately 30 days after the hearing date. All comments will be made part of the official case record.

Subsequent to completion of the public hearing and preparation of the final EIS, the Commander (oan-br), Third Coast Guard District, will forward the case record, including all written comments, his findings, conclusions, and recommendations to the Commandant, U.S. Coast Guard, Washington, D.C. 20593, who will review the case record and make the final determination of issuance or denial of the bridge permit.

(Sec. 502, 60 Stat. 847, as amended (33 U.S.C. 525, 49 U.S.C. 1655(g)(6)(C); 49 CFR 1.46(c)(10)))

Dated: February 24, 1982.

R. A. Bauman,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation.

[FR Doc. 82-5402 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-14-M

Federal Aviation Administration

[Summary Notice No. PE-82-4]

Petitions for Exemption; Summary of Petitions Received and Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I) and of dispositions of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the

inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number involved and must be received on or before March 19, 1982.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Petition Docket No. ——, 800 Independence Avenue SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: The petition, any comments received and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-204), Room 916, FAA Headquarters Building (FOB 10A), 800 Independence Avenue SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (c), (e), and (g) of §11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on February 22, 1982.

John H. Cassady,

Deputy Assistant Chief Counsel, Regulations and Enforcement Division.

Petitions for Exemption

Docket No.	Petitioner	Regulations affected	Description of relief sought
18623	St. Louis Helicopter Airways, Inc	14 CFR 135.261(b)	Extension of Exemption 2700A which allows petitioner to operate a helicopter in hospital emergency service without meeting the duty-time limitations.
22547	Mr. Amos K. Lapp	14 CFR 63.35(d)	To permit petitioner to take the flight test, which is required when applying for a flight engineer certificate, even though it has been more than 24 months since he passed the written test.
22568	Xerox Corporation	14 CFR 21.181, 91.27 and 91.29	To permit petitioner to operate a Challenger-CL600 model aircraft utilizing a minimum equipment list.
22552	Northern Pacific Transport, Inc. (NPT)	14 CFR 91.39(b) and 125.1(b)(2)	To permit petitioner to operate its jet packet-equipped C-82A aircraft in the compensated private carriage of cargo under applicable provisions of Part 125.
22576	Ray's Flight Systems	14 CFR 61.157(d)(1) and 61.63(d)(2)	To allow trainees to complete a practical test for the issuance of a type rating to be added to any grade of pilot certificate that includes the items and procedures for testing in an airplane simulator although petitioner does not hold an operating certificate issued under Part 121.
22270	Air Fleet Corporation	14 CFR 135.25	To allow petitioner to operate without having the exclusive use of at least one aircraft that meets the requirements for at least one kind of operation authorized in the certificate holder's operations specifications.

Dispositions of Petitions for Exemption

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
20252	Air Haiti, S.A.	Portions of 14 CFR Parts 21 and 91	Extension of Exemption 2953B to permit petitioner to operate leased U.S.-registered B-707 aircraft using the FAA-approved master minimum equipment list and maintain the aircraft under continuous airworthiness maintenance programs. Withdrawn 1/25/82.
20868	Texas International Airlines	14 CFR 121.391(a)(3)	To amend Exemption 3138 which allows petitioner to use two flight attendants aboard its DC-9-30 airplanes configuarated with 115 passenger seats when 15 passenger seats are blocked from use when a third flight attendant becomes ill or injured and another cannot be made available. The petitioner requests that the limitation or condition, required in the previous exemption, be changed which only allows the operation with blocked seats due to mechanical irregularities where additional flight attendants cannot be replaced without more than a 2-hour delay or flight cancellation. Petitioner requests that a change be made to allow operation with blocked seats when a flight attendant cannot be replaced without undue delay or flight cancellation. Amendment denied. Original exemption rescinded 1/25/82.
19910	Canadian Warplane Heritage Inc.	14 CFR 91.27(a)(1)	Extension of Exemption No. 2478c which permits certain Canadian-registered aircraft currently operating in Canada on a valid flight permit to attend various airshows in the United States during calendar year 1982. Granted 1/25/82.
22441	United Airlines, Inc.	14 CFR 121.433, 121.441 and Appendix F of Part 121.	To permit the line check required for pilots in command to be administered in the sixth calendar month subsequent to annual combined training and proficiency check session, except that a line check given the month before or the month after the sixth calendar month subsequent to such a combined restructured training session would be cosidered to have been accomplished in the sixth calendar month subsequent to such session. In addition, in lieu of the proficiency check described in Appendix F, petitioner would be permitted to use a check concept designed for a particular crew position, aircraft type, and line operation. Granted 1/25/82.
22286	Finnair	14 CFR 21.197	To allow petitioner issuance of a special flight permit with a continuing authorization to operate U.S.-registered DC-10-30 aircraft when it does not meet all applicable airworthiness requirements and is capable of safe flight, but only for the purpose of flying the aircraft to a base where repairs, alterations or maintenance may be performed. Granted 1/25/82.
18243	Scenic Airlines, Inc.	14 CFR 135.113	Reconsideration of Denial of Petition to permit petitioner to carry a tenth passenger in its Cessna Model 404 aircraft by allowing such passengers to occupy the copilots seat. Granted 1/27/82.
18867	Frontier Airlines, Inc.	14 CFR 121.391(a)(3)	To permit petitioner to operate its B-737-200 airplanes with two instead of three required flight attendants on specific flights on which a crewmember could not continue due to illness, and a replacement crewmember could not be obtained at that location without more than a 2-hour delay or flight cancellation. Granted pending completion of reconsideration of denial 1/27/82.

DISPOSITIONS OF PETITIONS FOR EXEMPTION—Continued

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
21586	Royale Airlines, Inc.	14 CFR 61.31(a)(1)	To allow petitioner to type rate each of its pilots in command on its new EMB 110/41 aircraft at his or her next 6-month IFR flight check. Without the exemption the new aircraft could not be operated by pilots who are not type rated in the new aircraft. Granted 1/29/82.
22079	Arnolds Helicopter, Inc.	14 CFR 135.261(b)	To permit petitioner to assign a flight crewmember for duty during flight time when that assignment provides for less than 10 consecutive hours of rest during the 24-hour period preceding the planned completion of the assignment. Partial grant 1/29/82.
18598	Cayman Airways Limited (Cayman)	14 CFR Portions of Parts 21, 43, 91 and 121.	Extension of Exemption No. 2664A which permits Rich International Airways, Inc. to perform maintenance of Cayman Airways Limited leased DC-6 aircraft and to operate DC-6 aircraft using the master minimum equipment list and Rich International's continuous airworthiness program. Granted 1/29/82.
22529	British Midland Airways, Ltd.	14 CFR Portions of Parts 21 and 91	To permit petitioner to operate an F-27 aircraft owned by Aircraft Sales Co., under lease, with a minimum equipment list. Granted 1/29/82.
22558	Boeing Commercial Airplane Company	14 CFR 47.69(b) Exemption No. 3452	To allow petitioner the use of B-767-222, serial number 21863, registration number N602UA, outside the U.S. for flight testing. Granted 1/28/82.
22558	Boeing Commercial Airplane Company	14 CFR 47.69(b)	To allow petitioner the use of B-767-222, serial number 21862, registration number N601UA, outside the U.S. for flight testing. Granted 1/28/82.
22558	Boeing Commercial Airplane Company	14 CFR 47.69(b)	Amendment to Exemption No. 3440 to allow petitioner the use of B-767-222, serial number 21862, registration number N601UA, instead of the aircraft originally listed. Granted 1/26/82.
21972	Kodiak Western Alaska Airlines, Inc.	14 CFR 91.39 and 121.157	Reconsideration of a Denial of Exemption to permit petitioner to operate two restricted category C-119L aircraft for compensation or hire in a unique outsized cargo-carrying operation within the State of Alaska. Withdrawn 1/29/82.
15735	Cessna Aircraft Co.	14 CFR 65.81 & 145.89(d)	Extension of Exemption 2353 which allows petitioner's graduates to continue to perform and supervise propeller repair and maintenance of McCauley propellers. Granted 2/1/82.
21960	Florida Aircraft Leasing Corporation	14 CFR 91.31	To permit use of 5 percent increased zero fuel weight and landing weight in an all-cargo operation. Granted 2/1/82.
22407	Lloyd Goheen	14 CFR 65.91	To permit petitioner to obtain an inspection authorization even though petitioner's current experience has been on aircraft that are not U.S. registered. Denied 2/1/82.
22349	American Cyanamid Co.	14 CFR 121.311	To permit petitioner to operate its Grumman Gulfstream II aircraft after March 6, 1982 compliance date without having installed the required seat belts/shoulder harnesses at each flight deck station. Granted 2/1/82.
22483	Mr. Anthony Hutton	14 CFR 91.27(a)(1)	To permit petitioner to obtain a special flight authorization to display his Yak 11 aircraft at airshows during the coming year. Granted 2/3/82.
15194	Compania Mexicana de Aviacion, S.A.	14 CFR Parts 21, 61, 63, and 91	Extension of Exemption 2195 as amended to permit petitioner to continue to operate two U.S.-registered B-727-2J7 aircraft on lease from Tiger Air, Inc., utilizing an FAA-approved continuous airworthiness maintenance and inspection program and the B-727 Master Minimum Equipment List. Granted 2/2/82.
22149	Royal Hawaiian Air Service	14 CFR 21.197(c)(2)	To allow issuance of a special flight permit with a continuing authorization for the aircraft to be maintained under an approved aircraft inspection program. Denied 2/8/82.
22348	Steven S. Fern	14 CFR 61.65(e)(1)	To permit petitioner to apply for an instrument-helicopter rating even though he does not have the required 50 hours of cross-country flight experience in helicopters. Vacated no longer required.

[FR Doc. 82-5290 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

Random Drawing To Determine Priority of Air Carrier Sequence for Additional System Capacity

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public drawing.

PURPOSE OF MEETING: The Federal Aviation Administration invites all interested persons to observe the random selection of air carriers to determine the priority of sequence in which air carriers will be considered in accordance with Special Federal Aviation Regulation 44-3 for allocation of any additional slots at the 22 capacity limited airports and within each air traffic control center.

DATE: March 5, 1982, 10:00 a.m.

PLACE: FAA Auditorium, 800 Independence Avenue, S.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Mr. Harvey B. Safeer, Director, Office of Aviation Policy and Plans, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591, (202) 426-3331.

Drawing Procedures

Interested parties are invited to observe the drawing. The sequence of the drawing will be in the order listed in SFAR 44-3, i.e. Atlanta first, Boston second, etc. Once the 22 airports are finished, one draw will be conducted to determine priority listing of air carriers for all additional center capacity. The result of the drawing will be priority lists of air carriers for the allocation of any additional arrival slots at each airport. The actual allocation of the arrival slots will be made by the FAA Slot Allocation Committee during the week of March 7, 1982.

(Secs. 307, 313(a), and 601, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

Issued in Washington, D.C. on February 25, 1982.

J. E. Murdock III,

Chief Counsel.

[FR Doc. 82-5558 Filed 2-26-82; 8:45 am]

BILLING CODE 4910-13-M

Federal Railroad Administration

[Waiver Petition Docket Nos. LI-81-4 through LI-81-13]

Petitions for Waiver of Locomotive Safety Standards; Notice of Submission

As required by 45 U.S. 431(c), and in accordance with 49 CFR 211.41 notice is hereby given that nine waiver petitions have been submitted to the Federal Railroad Administration (FRA) requesting temporary, or permanent waivers of compliance with the

locomotive safety standards (49 CFR Part 229) and other safety standards for locomotives (49 CFR Parts 223 and 231).

Each of the petitioners are identified below. A brief discussion of each request for waiver is also provided.

Interested persons are invited to participate in these proceedings by submitting written data, views, or comments. The FRA does not anticipate scheduling a public hearing in connection with these aforementioned petitions since the facts do not appear to warrant a hearing.

All communications concerning these petitions must identify the appropriate docket number (e.g., FRA Waiver Petition No. LI–81–4) and should be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before April 12, 1982, will be considered by the FRA before final action is taken.

Detailed information concerning each petition is on file with the Docket Clerk.

Any comments received will also be on file. This material is available for examination by the public during regular business hours (9 a.m.–5 p.m.) in Room 7321A, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590.

Chestnut Ridge Railway Company

[Waiver Petition Docket No. LI–81–4]

The Chestnut Ridge Railway Company seeks a permanent waiver of § 229.123 of the Locomotive Safety Standards. This section requires, in part, that after January 1, 1981, each lead locomotive must have an end plate extending across both rails, a pilot or a snow plow.

The petitioner is a switching and terminal railroad serving the Palmerton, PA yards of the New Jersey Zinc Company. It owns one locomotive and leases four switcher locomotives. Because of shipper cutbacks, only one locomotive is currently in use; two locomotives are on standby and two are in storage. Petitioner operates 5 day shifts per week, Monday through Friday, and handles about 20 cars per day. Maximum speed is 15 miles per hour, but actual speeds are usually much lower because most of the work is performed within the shipper's yard. Petitioner states that it experiences a minimal number of minor injuries and derailments and that acts of vandalism are rare. It believes that compliance with § 229.123 would impose an unnecessary financial burden without improving safety.

The Atchison, Topeka and Santa Fe Railway Company

[Waiver Petition Docket No. LI–81–5]

The Atchison, Topeka and Santa Fe Railway Company seeks a permanent waiver of the clearance limits for the pilot, snow plow or end plate required by 49 CFR 229.123. The regulation provides that the mininum clearance above the rail shall be 3 inches and the maximum 6 inches.

Petitioner advises that the end plate, pilot or snowplow of locomotive and slug units in hump yard service cannot clear the retarders when adjusted within the required 3 inch to 6 inch clearances. It states that granting the waiver would enhance rather than detract from safety and reduce the frequency of replacement of retarders to the normal inspection periods.

Little Rock Port Railroad

[Waiver Petition Docket No. LI–81–6]

The Little Rock Port Railroad seeks a permanent waiver of the requirements in § 229.133 that each lead locomotive have an end plate extending across both rails, a pilot or a snow plow. The petitioner operates one locomotive within the Little Rock Port Authority Industrial Park in the city of Little Rock. It provides switching services for industrial customers of the Park, during weekdays, in daylight only, and at speeds less than 10 miles per hour.

The petitioner has not experienced any acts of vandalism because the Park is patrolled by local police. There is little or no snow during the winter. Accordingly, the petitioner believes that compliance would impose an unnecessary financial burden for protection against situations it does not encounter in its operations.

Black River and Western Railroad

[Waiver Petition Docket No. LI–81–7]

The Black River and Western Railroad requests a permanent waiver of the requirement for speed indicators in 229.117 for its road locomotive and its maintenance of way locomotive. It also seeks a permanent waiver of the safety glazing requirements (49 CFR Part 223) and the switching step requirements (49 CFR 231.30) for its maintenance of way locomotive.

Petitioner operates a Class II, 20 mile short line in rural New Jersey. Its passenger service never exceeds 25 miles per hour and its freight service never exceeds 20 miles per hour.

Illinois Central Gulf

[Waiver Petition Docket No. LI–81–8]

The Illinois Central Gulf requests a waiver of the clearance requirements of § 229.123 for 8 locomotives operating at its Markham, Illinois hump yard. Petitioner request that it be allowed to raise the end plate clearances from the required "3 inches to 6 inches" to "6 inches to 9" inches to avoid damaging the end plate by hitting the retarders. Petitioner believes that the waiver would not change any aspect of safety.

The Port Authority of New York and New Jersey

[Waiver Petition Docket No. LI–81–9]

The Port Authority of New York and New Jersey seeks relief from 49 CFR, §§ 229.117, and 229.123, in connection with its 13.9 mile Port Authority Trans-Hudson (PATH) rapid transit operations.

PATH is a closed system, using a third rail for power. Half of its operations are underground and it does not interchange equipment with other railroads. It has 290 multiple units in service.

Section 229.17 requires locomotives to have speed indicators. Retrofitting would cost PATH $350,000 initially and $50,000 per annum for maintenance. PATH does not believe such retrofitting is necessary for safety purposes. The configuration of the system, lack of crossings, or connections, station spacings, acceleration and deceleration limitations all operate to make speed indicators unnecessary. In its 17-year history, PATH has never had an accident attributable to excessive speed.

Section 229.123 requires all lead locomotives to have pilots, snow plows or end plates. The cost to PATH would be $75,000. Deflection of a foreign objects against the electrified third rail by a pilot or plow could create an additional hazard. Half of the PATH system is underground. The above-ground portion is either in remote industrial areas with little public traffic or securely fenced to prevent public access. Exposure to foreign objects on the right-of-way is, therefore, minimal. No significant accident has resulted from a foreign object on its right-of-way during PATH's 17-year history.

Texas South-Eastern Railroad Company

[Waiver Petition Docket No. LI–81–10]

The Texas South Eastern Railroad Company seeks a permanent waiver from the requirements of 49 CFR 229.123 which requires all lead locomotives to have pilots, snow plows or end plates.

Petitioner has 17 miles of line, 90 per cent of which is in forest and the

remainder in an industrial area. It crosses 2 rural roads, one state loop and 4 city streets in Lufkin, Texas, all at less than 15 miles per hour. Due to the minimal number of crossings and slow speeds, Petitioner sees no safety benefit to its operations from compliance with § 229.123.

New York State Electric and Gas Corporation

[Waiver Petition Docket No. LI–81–12]

The New York State Electric and Gas Corporation seeks a waiver of compliance with 49 CFR 229.123, which requires all lead locomotives to have pilots, snow plows or end plates, for 2 locomotives at its Milliken Generating Station in Lansing, New York.

Petitioner uses the locomotives entirely within the facility except when they have to travel about 100 yards to bring a string of coal cars to their unloading facility. The facility is fensed and patrolled and has never had an accident or incident relating to the purposes of the requirement. Consequently, petitioner believes the required modification would not affect safety.

Tonawanda Coke Corporation

[Waiver Petition Docket No. LI–81–13]

Tonawanda Coke Corporation requests a waiver of compliance with 49 CFR 229.123, which requires pilots, snow plows or end plates on all lead locomotives.

Petitioner has one locomotive at its facility, in Tonawanda, New York. The locomotive is used almost entirely within the facility which is fenced and patrolled. Petitioner has never had an incident or accident relating to the purpose of the requirement and believes that the required modification would be economically unfeasible.

(Sec. 5, Locomotive Inspection Act, 36 Stat. 914 (45 U.S.C. 28) and § 1.49(c)(5) of the regulations of the Secretary of Transportation 49 CFR 1.49(c)(5))

Issued in Washington, D.C., on February 19, 1982.

Joseph W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 82–5153 Filed 2–26–82; 8:45 am]

BILLING CODE 4910–06–M

Maritime Administration

Approval of Request for Removal, Without Disapproval, From Roster of Approved Trustees

On January 14, 1982, there was published in the **Federal Register** (Vol. 47, No. 9), pursuant to Public Law 89–346 and 46 CFR 221.21–221.30, a Notice of Request for Removal, Without Disapproval, from the Roster of Approved Trustees pursuant to the request of Bank of Sturgeon Bay, with offices at 215 North Third Avenue, Sturgeon Bay, Wisconsin.

Therefore, pursuant to Public Law 89–346 and 46 CFR 221.21–221.30, Bank of Sturgeon Bay is removed from the Roster of Approved Trustees.

This notice shall become effective March 1, 1982.

Dated: February 22, 1982.

By Order of the Maritime Administrator.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 82–5262 Filed 2–26–82; 8:45 am]

BILLING CODE 4910–81–M

Office of the Secretary

[Notice No. 82–3]

Transfer of Services From Washington National Airport; Meeting

AGENCY: Department of Transportation.

ACTION: Notice of meeting.

SUMMARY: In conformity with Order 81–12–49 of the Civil Aeronautics Board (CAB Docket 39781), the Department of Transportation/Federal Aviation Administration (DOT/FAA) is holding public meetings with interested persons to discuss the shift of air carrier services from over-utilized Washington National Airport (National) to Dulles International and Baltimore Washington International Airports.

The initial meeting was held at the Department of Transportation on January 26, 1982. (See 47 FR 1230, January 11, 1982.) The second meeting, postponed from February 16 (47 FR 6513, February 12, 1982) will be held March 2. It will be open to the public.

TIME AND DATES: 11:00 a.m., Tuesday, March 2, 1982.

PLACE: Room 2230, DOT Headquarters Building, 400 Seventh Street, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Gregory Wolfe, Office of the General Counsel, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590. Telephone: (202) 426–4710.

Issued in Washington, D.C. on February 25, 1982.

Rosalind A. Knapp,

Deputy General Counsel.

[FR Doc. 82–5573 Filed 2–26–82; 9:13 am]

BILLING CODE 4910–62–M

Sunshine Act Meetings

Federal Register
Vol. 47, No. 40
Monday, March 1, 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).

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1

FEDERAL COMMUNICATIONS COMMISSION

Additional item to be considered at special open meeting, Thursday, February 25th

The Federal Communications Commission will consider an additional item on the subject listed below at the Special Open Meeting scheduled for 2:00 p.m., Thursday, February 25, 1982 at 1919 M Street, N.W., Washington, D.C.

Agenda, Item No., and Subject

Common Carrier—2—*Title:* Cellular Communications Systems (CC Docket No. 79-318). *Summary:* The Commission will consider a staff draft of the order disposing of petitions for reconsideration of the Commission's Report and Order in CC Docket No. 79-318, *Cellular Communications Systems*, 86 FCC 2d 469 (1981).

The prompt and orderly conduct of Commission business requires that less than 7-days notice be given consideration of this additional item.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: February 23, 1982.

William J. Tricarico,

Secretary, Federal Communications Commission.

[S-307-82 Filed 2-25-82; 2:24 pm]

BILLING CODE 6712-01-M

2

FEDERAL COMMUNICATIONS COMMISSION

Additional item to be considered at special closed meeting, Thursday, February 25th

The Federal Communications Commission will consider an additional item on the subject listed below at a Special Closed Meeting, following the Special Open Meeting scheduled for 2:00 p.m., Thursday, February 25, 1982, in Room 856, at 1919 M Street, N.W., Washington, D.C.

Agenda, Item No., and Subject

Hearing—1—Joint Request for Expedited Approval of Merger and Grant of Construction Permit and related pleadings in RKO General, Inc. (WNAC-TV), Boston, Massachusetts comparative renewal proceeding (Docket Nos. 18759-61).

The prompt and orderly conduct of Commission business requires that less than 7-days notice be given consideration of this additional item.

Action by the Commission February 23, 1982. Commissioners Fowler, Chairman; Quello, Washburn, Fogarty, Jones, Dawson and Rivera voting to consider this additional item in Closed Session.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: February 23, 1982.

William J. Tricarico,

Secretary, Federal Communications Commission.

[S-306-82 Filed 2-25-82; 2:24 pm]

BILLING CODE 6712-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that the following matters are expected to be added to the "Summary Agenda" for consideration by the Corporation's Board of Directors at its open meeting to be held at 2:00 p.m. on Monday, March 1, 1982:

Memorandum and Resolution re: Amendment to Part 303 of the Corporation's rules and regulations, entitled "Applications, Requests, Submittals, and Notices of Acquisition of Control," which would delegate authority to the Board of Review to act on requests for relief from reimbursement for certain violations of the Truth in Lending Act.

Memorandum and Resolution re: Proposed amendment to Part 337 of the Corporation's rules and regulations, entitled "Unsafe or Unsound Banking Practices," which would require insured State nonmember banks to maintain their books and records of account on the accrual basis of accounting.

No earlier notice of the changes in the subject matter of the meeting was practicable.

Dated: February 24, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-302-82 Filed 2-25-82; 11:17 am]

BILLING CODE 6714-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552(e)(2)), notice is hereby given that the following matter is expected to be added to the "Discussion Agenda" for consideration by the Corporation's Board of Directors at its closed meeting to be held at 2:30 p.m. on Monday, March 1, 1982:

Memorandum re: Deferral of losses on asset sales.

The Board of Directors has previously determined that the matter is eligible for consideration in a closed meeting pursuant to subsection (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(9)(B)).

No earlier notice of the change in the subject matter of the meeting was practicable.

Dated: February 24, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-303-82 Filed 2-25-82; 11:17 am]

BILLING CODE 6714-01-M

5

FEDERAL HOME LOAN BANK BOARD

TIME AND DATE: 10 a.m., Thursday, March 4, 1982.

PLACE: Board room, sixth floor, 1700 G Street, NW., Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

MATTERS TO BE CONSIDERED:

Application for Merger—Midland Federal Savings and Loan Association Meridian, Mississippi *into* Unifirst Federal Savings and Loan Association Jackson, Mississippi.
Merger; Maintenance of Branch Offices; Cancellation of Membership and Insurance and Transfer of Stock—Surety Federal Savings and Loan Association, Southfield, Michigan *into* First Federal Savings and Loan Association, of Oakland, Pontiac, Michigan
Request for Waiver of Subordinated Debt Requirements; and Application to Utilize Subordinated Debt Securities to Meet Net Worth Requirements—Downey Savings and Loan Association, Costa Mesa, California
Employment Contracts and Compensation
Manufactured Mobile Home Loans
FSLIC Insurance Coverage of Deferred Compensation Plans sponsored by State and Local Governments

No. 14, February 25, 1982.

[S-308-82 Filed 2-25-82; 3:02 pm]

BILLING CODE 6720-01-M

6

NATIONAL CREDIT UNION ADMINISTRATION

Notice of Change in Subject of Meeting

The National Credit Union Administration Board has determined that its business required that the previously announced closed meeting on Thursday, February 11, 1982, include the following additional item, which was closed to public observation:

Organizational structure. Closed pursuant to exemptions (2) and (6).

Earlier announcement of this change was not possible.

The previously announced items were:

1. Proposed charter amendment. Closed pursuant to exemptions (8) and (9)(A)(ii).
2. Proposed merger. Closed pursuant to exemptions (8) and (9)(A)(ii).
3. Administrative adjudication. Closed pursuant to exemptions (8), (9)(A)(ii) and (10).
4. Administrative action under Section 206 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).
5. Requests from federally insured credit unions for special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).
6. Requests for mergers with special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).

The Board voted unanimously to add this item to the closed agenda.

The meeting was held at 10:30 a.m., in the 7th Floor Board Room, 1776 G Street N.W., Washington, D.C.

FOR MORE INFORMATION CONTACT: Rosemary Brady, Secretary of the Board, telephone (202) 357-1100.

[S-304-82 Filed 2-25-82; 1:50 pm]

BILLING CODE 7535-01-M

7

NATIONAL CREDIT UNION ADMINISTRATION

TIME AND DATE: 9:30 a.m., Thursday, March 4, 1982.

PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Review of Central Liquidity Facility lending rate.
2. Proposed rule deregulating share, share draft and share certificate accounts.
3. Proposed extension of the 21 percent loan rate ceiling.
4. Proposed rule deregulating Section 701.27-2 of the NCUA Rules and Regulations regarding Credit Union Service Corporations.
5. Applications for charters, amendments to charters, bylaw amendments, mergers that may be pending at that time.

RECESS: 10:30 a.m.

TIME AND DATE: 10:45 a.m., Thursday, March 4, 1982.

PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Requests for mergers with special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).
2. Appointments of staff to Intra-Agency Statutory and Standing Committees. Closed pursuant to exemptions (2) and (6).
3. Organizational structure. Closed pursuant to exemptions (2) and (6).

FOR MORE INFORMATION CONTACT: Rosemary Brady, Secretary of the Board, telephone (202) 357-1100.

[S-30-82 Filed 2-25-82; 1:50 pm]

BILLING CODE 7535-01-M

8

TENNESSEE VALLEY AUTHORITY

[Meeting No. 1284]

TIME AND DATE: 10:15 a.m. (E.S.T.), Thursday, March 4, 1982.

PLACE: Conference Room B-32, West Tower, 400 Summit Hill Drive, Knoxville, Tennessee.

STATUS: Open.

ACTION ITEMS: Old business:

1. Review of TVA load growth—plant construction schedule.
2. Negotiation No. 33-186573—Replacement turbine buckets for Paradise Fossil Plant.

New business:

B—Purchase Awards:

1. Negotiation No. 34-193001—Indefinite quantity term contract for services of turbine and generator service engineers, mechanics, brazers or fitters, balance and welding specialists, generator winders, and rental of necessary equipment for TVA fossil plants and power service shops.

C—Power Items:

1. Adoption of supplemental resolution authorizing 1982 Series A Power Bonds.
2. Resolution authorizing the Chairman and other executive officers to take further action relating to issuance and sale of 1982 Series A Power Bonds.
3. Renewal power contract with City of Fulton, Kentucky.
4. Proposed form agreements amending home insulation program and heat pump financing plan agreements to cover interim changes in financing arrangements.

D—Personnel Items:

1. Revision of management and physician staffing relocation payment.

F—Unclassified:

1. Sale of surplus tower cranes located at Phipps Bend Nuclear Plant.

CONTACT PERSON FOR MORE INFORMATION: Craven H. Crowell, Jr., Director of Information, or a member of his staff can respond to requests for information about this meeting. Call (615) 632-3257, Knoxville, Tennessee. Information is also avalilable at TVA's Washington Office (202) 245-0101.

Dated: February 25, 1982.

[S-309-82 Filed 2-25-82; 3:45 pm]

BILLING CODE 8120-01-M

federal register

Monday
March 1, 1982

Part II

Department of Agriculture

Federal Grain Inspection Service

Official Grain Inspection Services

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

Termination of Designations of the Fort Worth Grain Exchange Inspection Service, Inc., and the Kansas State Grain Inspection Department

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces that the designations of two official agencies will terminate on August 31, 1982, and requests applications from parties interested in being designated as agencies to conduct official inspection services in the geographic areas currently serviced by each of the two present agencies. The official agencies are the Fort Worth Grain Exchange Inspection Service, Inc., and the Kansas State Grain Inspection Department.

DATE: Applications to be postmarked on or before March 31, 1982.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250, telephone (202) 447–8525.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

Section 7(f)(1) of the U.S. Grain Standards Act, as amended (7 U.S.C. 71, *et seq.*, at 79(f)(1)) (Act), specifies that the Administrator of the Federal Grain Inspection Service is authorized, upon application by any qualified agency or person, to designate such agency or person to perform official inspection services after a determination is made that the applicant is better able than any other applicant to provide official inspection services in an assigned georgraphic area.

The Fort Worth Grain Exchange Inspection Service, Inc. (Forth Worth), P.O. Box 4421, Fort Worth, Texas 76106, was designated as an official agency under the Act for the performance of official grain inspection functions on March 20, 1979. The Kansas State Grain Inspection Department (Kansas), 535 Kansas Avenue, 8th Floor, Topeka, Kansas 66603, was designated as an official agency under the Act for the performance of official grain inspection functions on March 31, 1979. The agencies' designations will terminate on August 31. 1982. This date reflects administrative extensions of official agency designations as discussed in the July 16, 1979, issue of the **Federal Register** (44 FR 41275). Section 7(g)(1) of the Act states generally that designations of official agencies shall terminate no later than triennially and may be renewed in accordance with the criteria and procedures prescribed in the Act.

The geographic area presently assigned to Fort Worth in the State of Texas pursuant to section 7(f)(2) of the Act and which is the geographic area that may be assigned to the applicant selected for designation includes the following Counties:

Bell; Bosque; Brown; Coleman; Collins; Comanche; Cooke, Dallas; Denton; Ellis; Falls; Fannin; Grayson; Hamilton; Hill; Johnson; Lamar; Limestone; McLennan; Milam; Red River; Tarrant; and Williamson.

Also available for assignment is Hunt County, Texas, which is not presently assigned to an official agency. Until approximately May 1981, there had been no requests for official inspections in that County. Since that time, firms located in Hunt County have requested official service. Such service has been provided on an interim basis by Fort Worth. Fort Worth will continue to provide official service on an interim basis until the termination of its designation.

The geographic area presently assigned to Kansas pursuant to section 7(f)(2) of the Act and which is the geographic area that may be assigned to the applicant selected for designation is the entire State of Kansas.

Interested parties, including Fort Worth and Kansas, are hereby given opportunity to apply for designation as the official agency for each respective specified geographic area, as described above, under the provisions of section 7(f) of the Act and § 800.196(b) of the regulations issued thereunder. The designations in each specified geographic area are for the period beginning September 1, 1982, and terminating August 31, 1985. Parties wishing to apply for either of these designations should contact the Chief, Regulatory Branch, Compliance Division, at the address listed above for appropriate forms and information. Applications must be postmarked not later than March 31, 1982 to be eligible for consideration.

In making a determination as to which applicant will be designated to provide official inspection service in the geographic areas, consideration will be given to all applications submitted and all other information available to the Administrator. All applications submitted pursuant to this notice will be made available for public inspection at the above address during regular business hours.

(Sec. 8, Pub. L. 94–582, 90 Stat. 2873 (7 U.S.C. 79))

Dated: February 19, 1982.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 82-5080 Filed 2-26-82; 8:45 am]

BILLING CODE 3410-EN-M

Request for Comments on Applicants for Designation in the Areas Currently Assigned to Sioux City Inspection & Weighing Agency, Inc., and A. V. Tischer and Son, Inc.

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice requests comments from interested parties on the applicants for designation as the official agency in the areas currently assigned to the Sioux City Inspection & Weighing Agency, Inc. (Sioux City), and A. V. Tischer and Son, Inc. (Tischer). The designations terminate effective 12 p.m., June 30, 1982.

DATE: Comments to be postmarked on or before April 15, 1982.

ADDRESS: Comments must be submitted in writing, in duplicate, to Lewis Lebakken, Jr., Regulations and Directives Management Staff, Federal Grain Inspection Service, U.S. Department of Agriculture, Room 1642, South Building, 1400 Independence Avenue, SW., Washington, DC 20250, telephone (202) 382–0231. All comments received will be made available for public inspection at the above address during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Lewis Lebakken, Jr., telephone (202) 382–0231.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The December 30, 1981, issue of the **Federal Register** (46 FR 63170) contained a notice from the Federal Grain Inspection Service (FGIS) requesting applications for designation to perform

official inspection services under the U.S. Grain Standards Act, as amended (7 U.S.C. 71, *et seq.*) (Act), in the areas currently assigned to Sioux City and Tischer, respectively. Applications were to be postmarked by January 29, 1982.

Three applicants requested designation for all of the geographic area currently assigned to Sioux City. The first applicant is the Sioux City Inspection & Weighing Agency, Inc., Sioux City, Iowa, which applied for a renewal of designation for an additional 3-year period. The second applicant is the Fremont Grain Inspection Department, Inc., Fremont, Nebraska. If designated, this action would result in an amendment to their presently assigned geographic area in accordance with § 800.207 of the regulations under the Act. The third applicant is David L. Ayers, 3935 Winona Way, #7, Sioux City, Iowa 51104, who proposes to establish an official agency. A fourth applicant, Aberdeen Grain Inspection, Inc., requested designation for that portion of Sioux City's geographic area located in South Dakota. If designated, this action would result in an amendment to their presently assigned geographic area in accordance with § 800.207 of the regulations under the Act.

One applicant requested designation for all of the geographic area currently assigned to Tischer. That applicant is A. V. Tischer and Son, Inc., Fort Dodge, Iowa. Tischer applied for a renewal of designation for an additional 3-year period.

In accordance with § 800.206(b)(2) of the regulations under the Act, this notice provides interested persons the opportunity to present their views and comments concerning the suitability of the applicants for designation. All comments must be submitted to the Regulations and Directives Management Staff, specified in the address section of this notice, and postmarked not later than April 15, 1982.

Consideration will be given to all comments filed and to all other information available to the Administrator of FGIS before a final decision is made with respect to this matter. Notice of the final decision will be published in the **Federal Register** and the applicants will be informed of the decision in writing.

(Sec. 8, Pub. L. 94–582, 90 Stat. 2873 (7 U.S.C. 79))

Date: February 19, 1982.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 82-5081 Filed 2-26-82; 8:45 am]

BILLING CODE 3410-EN-M

Renewals of Designation of the Gibson City Grain Inspection Department, Indianapolis Grain Inspection & Weighing Service, Inc., and the Wyoming Department of Agriculture

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the renewals of designation of the Gibson City Grain Inspection Department (Gibson City), Indianapolis Grain Inspection & Weighing Service, Inc. (Indianapolis), and the Wyoming Department of Agriculture (Wyoming), as official agencies responsible for providing grain inspection services under the U.S. Grain Standards Act, as amended (7 U.S.C. 71, *et seq.*) (Act).

EFFECTIVE DATE: April 1, 1982.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250, telephone (202) 447–8525.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The October 1, 1981, issue of the **Federal Register** (46 FR 48418) contained a notice from the Federal Grain Inspection Service (FGIS) announcing that Gibson City, Indianapolis, and Wyoming's designations were terminating on March 31, 1982, and requesting applications for designation as the agency to provide official inspection services within each specified assigned area. Applications were to be postmarked by November 2, 1981.

FGIS announced the names of the applicants for designation for each of the three agencies and requested comments on same in the November 30, 1981, issue of the **Federal Register** (46 FR 58269). Comments were to be postmarked by January 27, 1982.

No comments were received regarding the renewal of designation of Gibson City (the only applicant) as the official agency in the area cited in the October 1 issue of the **Federal Register.**

After considering all available information in relation to the criteria for designation in section 7(f)(1)(A) of the Act, and in accordance with section 7(f)(1)(B), it has been determined that Gibson City is able to provide official services in the geographic area for which its designation is being renewed. This assigned area is the entire geographic area as described in the October 1 issue of the **Federal Register.**

No comments were received regarding the renewal of designation of Indianapolis (the only applicant) as the official agency in the area cited in the October 1 issue of the **Federal Register.**

After considering all available information in relation to the criteria for designation in section 7(f)(1)(A) of the Act, and in accordance with section 7(f)(1)(B), it has been determined that Indianapolis is able to provide official services in the geographic area for which its designation is being renewed. This assigned area is the entire geographic area as described in the October 1 issue of the **Federal Register.**

No comments were received regarding the renewal of designation of Wyoming (the only applicant) as the official agency in the area cited in the October 1 issue of the *Federal Register.*

After considering all available information in relation to the criteria for designation in section 7(f)(1)(A) of the Act, and in accordance with section 7(f)(1)(B), it has been determined that Wyoming is able to provide official services in the geographic area for which its designation is being renewed. This assigned area is the entire geographic area as described in the October 1 issue of the **Federal Register.**

Effective April 1, 1982, the responsibility for providing official inspection services in each geographic area as specified above will be assigned to Gibson City, Indianapolis, and Wyoming, respectively. Designations of each of the agencies will terminate March 31, 1985.

A specified service point for the purpose of this notice is a city, town, or other location specified by an agency for the conduct of official inspection and where the agency or one or more of its licensed inspectors is located. In addition to the specified service points within the assigned geographic area, the agencies will provide official inspection services not requiring a licensed inspector to all locations within their geographic area.

Interested persons may obtain a list of the specified service points by contacting the specific agencies at the following addresses:

Gibson City Grain Inspection Department, Routes 47 and 9, P.O. Box 20, Gibson City, IL 60936;

Indianapolis Grain Inspection & Weighing Service, Inc., 4804 East Michigan Street, Indianapolis, IN 46201;

Wyoming Department of Agriculture, 2219 Carey Avenue, Cheyenne, WY 82002.

Interested persons may also contact the Regulatory Branch at the address listed above to obtain the information concerning specified service points.

(Sec. 8, Pub. L. 94–582, 90 Stat. 2873, (7 U.S.C. 79))

Date: February 19, 1982.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 82–5082 Filed 2–26–82; 8:45 am]

BILLING CODE 3410–EN–M

Amendment to the Assigned Geographic Area of the Detroit Grain Inspection Service, Inc., and Interim Assignment of Geographic Area to Grain Inspection Services, Inc.

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces an amendment to the assigned geographic area of the Detroit Grain Inspection Service, Inc., Detroit, Michigan (Detroit), and an interim assignment of geographic area to Grain Inspection Services, Inc., Battle Creek, Michigan (Battle Creek).

EFFECTIVE DATE: March 1, 1982.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 140.0 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250, telephone (202) 447–8525.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The Detroit and Battle Creek agencies have both requested a change in a portion of the mutual boundary line between Detroit's northern and Battle Creek's eastern boundaries, in order to delete a portion of Detroit's assigned geographic area and add the same on an interim basis to Battle Creek's. Battle Creek has provided service to this area on a request basis for approximately the past 11 months. Battle Creek will continue to provide service to the area, on an interim basis, until the termination of its designation on April 30, 1983.

Accordingly, pursuant to section 7(g)(2) of the U.S. Grain Standards Act, as amended (7 U.S.C. 79(g)(2)) (Act), the Administrator of the Federal Grain Inspection Service has determined that amendment to Detroit's designation and interim assignment of geographic area to Battle Creek are consistent with the provisions and objectives of the Act in that these actions will facilitate providing official services in the respective areas.

The assigned geographic area of Detroit, published in the **Federal Register** on January 12, 1979 (44 FR 2640), and amended January 31, 1980 (45 FR 6978), is hereby further amended. The geographic area being deleted from Detroit's area and to be serviced on an interim basis by Battle Creek is as follows:

From Interstate 75, the northern Genesee County line east to State Route 15; State Route 15 north to Barnes Road; Barnes Road east to Sheridan Road; Sheridan Road north to State Route 46; State Route 46 west to Interstate 75; Interstate 75 south to the northern Genesee County line.

The new northern boundary for Detroit, which notes the deletion of the above area, is as follows (changes indicated by italics):

The northern Clinton County line east; the eastern Clinton County line south to State Route 21; State Route 21 east to State Route 52; State Route 52 north to the Shiawassee County line; the northern Shiawassee County line east to the Genesee County line; the western Genesee County line north; the northern Genesee County line east to *State Route 15; State Route 15 north to Barnes Road; Barnes Road east to Sheridan Road; Sheridan Road* north to State Route 46; State Route 46 east to State Route 53; State Route 53 north to the Michigan State line.

A specified service point for the purpose of this notice is a city, town, or other location specified by an agency for the conduct of official inspection and where the agency or one of more of its licensed inspectors is located. In addition to the specified service points within the assigned geographic area, the agencies will provide official inspection services not requiring a licensed inspector to all other locations within their geographic area.

Interested persons may obtain a list of the specified service points by contacting the individual agencies at the following addresses:

Detroit Grain, Inspection Service, Inc., P.O. Box 176, Emmett, MI 48022;

Grain Inspection Services, Inc., 24 First Street, Battle Creek, MI 49017.

Interested persons may also contact the Regulatory Branch at the address listed above to obtain the information concerning specified service points.

(Sec. 8, Pub. L. 94–582, Stat. 2870 (7 U.S.C. 79))

Date: February 19, 1982.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 82–5083 Filed 2–26–82; 8:45 am]

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Monday
March 1, 1982

Part III

Department of the Interior

Bureau of Land Management

Combined Hydrocarbon Leasing; Conversion of Existing Oil and Gas Leases and Valid Mining Claims

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3140

Combined Hydrocarbon Leasing; Conversion of Existing Oil and Gas Leases and Valid Mining Claims

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rulemaking.

SUMMARY: This proposed rulemaking would provide the procedures that the Secretary of the Interior will use to convert existing oil and gas leases and valid mining claims in Special Tar Sand Areas to combined hydrocarbon leases as required by the Combined Hydrocarbon Leasing Act of 1981.

DATE: Comments by March 31, 1982.

ADDRESS: Comments should be sent to: Director (140), Bureau of Land Management, 1800 C Street, NW., Washington, D.C. 20240. Comments will be available for public review in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Edward E. Coggs (202) 343–6821; Richard J. Aiken (202) 343–4537; or Robert C. Bruce (202) 343–8735.

SUPPLEMENTARY INFORMATION: The Combined Hydrocarbon Leasing Act of 1981 (Pub. L. 97–78) amends the Mineral Lands Leasing Act of 1920 as amended and supplemented (30 U.S.C. 181 et seq.) and the Mineral Lands Leasing Act for Acquired Lands, as amended (30 U.S.C. 351 et seq.) to establish a competitive leasing program for 11 designated areas in eastern Utah. These areas are designated by Department of the Interior's Orders of November 20, 1980 (45 FR 76800), and January 21, 1981 (46 FR 6077). The Act allows holders of Federal oil and gas leases issued on or before November 16, 1981, and holders of valid mining claims to any hydrocarbon resources leasable under section 17 of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 226) which were located prior to January 21, 1926, in Special Tar Sand Areas to convert those leases or claims to combined hydrocarbon leases. The Act requires the Secretary of the Interior to promulgate regulations governing such conversions within 6 months of the effective date of the Act, November 16, 1981. This proposed rulemaking applies only to the conversion of existing oil and gas leases and valid mining claims in Special Tar Sand Areas to combined hydrocarbon leases. Regulations establishing a competitive combined hydrocarbon leasing program will be issued at a later date.

Discussion of the Proposed Rulemaking

Conversion of an existing oil and gas lease and/or valid mining claim to a combined hydrocarbon lease will be initiated only by the owner of such lease or claim filing three copies of a plan of operations with the Utah State Office of the Bureau of Land Management. The Bureau will forward two copies of every application received to the Minerals Management Service. Upon notification from the Minerals Management Service that the plan of operations is complete, the Bureau will suspend the running of the term of the oil and gas lease. The Minerals Management Service will coordinate its review of the plan of operations with any affected surface management agency and other Federal, State and local agencies. Applications for conversion should be in sufficient detail to allow for an appropriate environmental review of the plan of operations. Based upon the approval of a plan of operations by the Minerals Management Service, the Bureau will convert the oil and gas lease or mining claim to a combined hydrocarbon lease that entitles the lessee to develop all hydrocarbon deposits except coal, oil shale and gilsonite (including, but not limited to, tar sand, oil and gas) in the Federal lands covered by the combined hydrocarbon lease. Applicants for conversion must file a plan of operations prior to the expiration of their oil and gas lease by November 16, 1983, whichever is earlier. However, owners of leases which will expire during the period of time that this rulemaking is being promulgated, or within 6 months thereafter, have until 6 months after the effective date of this rulemaking to file a plan of operations, if they have filed a Notice of Intent to Convert prior to the expiration of their lease(s).

Definitions (§ 3140.0–5)

Paragraph (a) would define the term "combined hydrocarbon leases" in accordance with section 4 of the Combined Hydrocarbon Leasing Act. This term is only appropriate in Special Tar Sand Areas. It conveys the rights to all hydrocarbonaceous materials except coal, oil shale and gilsonite, thereby eliminating the need to distinguish tar sand from oil.

Paragraph (b) would define what consititues a complete plan of operations and is a restatement of that term as it is currently used in the Minerals Management Services' existing regulations in 30 CFR 231. The Minerals Management Service is amending their existing regulations governing solid and mineral development to provide cross reference to this part.

The term "Special Tar Sand Areas" would be defined in paragraph (c) of the proposed rulemaking. The definition in the proposed rulemaking follows that set forth in section 4 of the Combined Hydrocarbon Leasing Act and includes only those areas designed in the Department of the Interior's Orders of November 20, 1980, and January 21, 1981. These eleven areas, all in eastern Utah, are generally referred to as:

1. Asphalt Ridge—Whiterocks.
2. Ravenridge—Rimrock.
3. Pariette.
4. Argyle Canyon—Willow Creek.
5. Sunnyside.
6. Hill Creek.
7. PR Spring.
8. San Rafael Swell.
9. Tar Sand Triangle
10. White Canyon.
11. Circle Cliffs.

The definitions of terms contained in paragraphs (d), (e) and (f) of the proposed rulemaking are self-explanatory.

General Provisions (§ 3140.1)

Existing Rights (§ 3140.1–1)

Paragraph (a) explains that in accordance with the provisions of section 8 of the Combined Hydrocarbons Leasing Act, only owners of valid existing rights (i.e., oil and gas leases in effect on November 16, 1981, and valid mining claims to a hydrocarbon resource located prior to January 21, 1926) in Special Tar Sand Areas have the right to convert to a combined hydrocarbon lease.

Paragraph (b) would make it clear that electing not to convert to a combined hydrocarbon lease will neither increase nor diminish any rights currently held by owners of oil and gas leases or mining claims. Owners of oil and gas leases who elect not to convert their leases will not have the rights to any tar sand.

Notice of Intent To Convert (§ 3140.1–2)

In accordance with section 8 of the Combined Hydrocarbon Leasing Act, this section would set the requirement that for leases that expire prior to the finalization of this proposed rulemaking or within 6 months thereafter, a Notice of Intent to Convert must be filed with the Bureau of Land Management prior to the expiration date of the lease in order to preserve the right to convert. The filing of a Notice of Intent preserves the lessee's right to convert until 6 months after this rulemaking becomes effective.

Exploration Plans (§ 3140.1–3)

Many oil and gas lease owners may need additional data to file the required plan of operations on their lease. In those instances where the owner of the oil and gas lease needs to gather additional data in order to complete and file a plan of operations, this section would allow an exploration plan to be filed with the Minerals Management Service in accordance with 30 CFR 231.10. In addition, the proposed rulemaking would require a special use permit from the National Park Service if the area is located in a unit of the National Park System. The Minerals Management Service will obtain the necessary permit from the National Park Service.

Other Provisions (§ 3140.1–4)

Paragraph (a) would establish a maximum lease size of 5,120 acres to conform with the acreage limitation in section 6(a)(2) of the Combined Hydrocarbon Leasing Act. This paragraph also includes language covering section 5 of the Act which requires that combined hydrocarbon leases in Special Tar Sand Areas not be counted in Statewide acreage limitations established in existing oil and gas leasing regulations.

Paragraph (b) would establish the rental rate for a combined hydrocarbon lease at the current rental rate for competitive oil and gas leases.

Paragraph (c) would establish the royalty rate for combined hydrocarbon leases. As required in section 8 of the Combined Hydrocarbon Leasing Act, all oil and gas leases converted to combined hydrocarbon leases would have the same royalty rate as that provided in the existing lease, while the royalty rate for a lease converted from a mining claim would be set at 12½ percent. The percentage royalty would be applied to the amount or value of the crude oil removed or sold from the lease. It is recognized that some methods of extraction will result in the value of the crude oil produced from tar sand differing from that produced from more traditional sources. The paragraph would also restate the authority granted by section 39 of the Mineral Lands Leasing Act (30 U.S.C. 209) to the Secretary of the Interior to reduce the royalty on oil and gas leases if it is in the interest of conservation or to encourage the greatest possible ultimate recovery of the resource once the lease is producing. Since the Combined Hydrocarbon Leasing Act also redefined oil to include all hydrocarbonaceous substances (except coal, oil shale and gilsonite), the Secretary's authority concerning oil and gas leasing applies to combined hydrocarbon leasing, as well. In addition, a holder of a combined hydrocarbon lease would be allowed to apply for review of the royalty rate prior to commercial production in accordance with section 7 of the Act. The large extraction costs that may be encountered in tar sand development will be taken into account in consideration of an application for reduced royalty prior to commencing production.

In the interest of maximizing development of the resource, paragraph (d) would allow owners of Federal oil and gas lease and mining claims, State leases and/or fee lands to develop their holdings as one unit. In those instances, one plan of operations would be filed covering all of the lands to be included in the unit operation. The unit operations agreement would have to be approved prior to the approval of the plan of operations for that particular unit. For purposes of the unitized plans meeting the test of diligent development, the entire unit operation shall be considered as one area. The requirements for unitizing are set forth in 30 CFR 226.

Paragraph (e) would provide that the provisions of this proposed rulemaking are to be considered as an exception to the provisions in part 3100 of Title 43 of the Code of Federal Regulations.

Applications (§ 3140.2)

Forms (§ 3140.2–1)

This section would require no special form for a hydrocarbon lease conversion application.

Who May Apply (§ 3140.2–2)

Applications for conversion would only be accepted from owners of existing rights as explained in § 3140.1–1(a) of this proposed subpart.

Requirements (§ 3140.2–3)

Paragraph (a) would provide that a plan of operations accompanied by a written request to convert a lease or mining claim will serve as an application for conversion. The requirements as to what would be included in the plan of operations are set out in 30 CFR 231, Operating Regulations for Exploration, Development and Production. In compliance with the provisions of section 8 of the Combined Hydrocarbon Leasing Act, the proposed rulemaking requires that the plan of operations must ensure reasonable protection of the environment and demonstrate diligent development of the tar sand resource. Reasonable protection of the environment will be determined by the appropriate analysis under the provisions of the National Environmental Policy Act, of the plan of operations. Diligent development is considered to be met if the lease is planned to be in production or substantial development expenditures have been incurred prior to the expiration of the primary term of the combined hydrocarbon lease. Diligent development will also be based on a review of the plan of operations for the unitized area.

Paragraph (b) would require the plan of operations to detail how the lessee plans to develop the resource. The paragraph would allow the plan to be amended or modified because of changes in technology, slippages in schedules beyond the control of the lessee or other unforeseen circumstances. An amendment would have to be approved by the mining supervisor, who would be required to review the modification with the appropriate surface management agency. The amendment process would not extend the life of the lease.

Paragraphs (c), (d) and (e) are self-explanatory.

Paragraph (f), in accordance with the provisions of section 8 of the Combined Hydrocarbon Leasing Act, would provide that the filing of a complete plan of operations suspends the running of the term of the oil and gas lease that is being converted until the plan is finally approved or disapproved.

Time Limitations (§ 3140.3)

Conversion Applications (§ 3140.3–1)

As provided in section 8 of the Combined Hydrocarbon Leasing Act, this section would allow owners of existing oil and gas leases or valid mining claims two years from the date of the enactment of the Act (November 16, 1981) or the date of the expiration of the lease, whichever is earlier, to file an application for conversion.

Action on an Application (§ 3140.3–2)

This section would, in accordance with the provisions of section 8 of the Combined Hydrocarbon Leasing Act, require the Secretary of the Interior within 15 months of receipt of a proposed plan of operations to either reject it or process a conversion. The goal of the Department of the Interior will be to complete action on a plan of operations in less than 15 months, depending on the complexity and completeness of the plan.

Conversion (§ 3140.4)

Approval of Plan of Operations (and Unit and Operation Agreements) (§ 3140.4–1)

The Minerals Management Service mining supervisor would determine whether a plan of operations is acceptable and would approve, disapprove or recommend changes to a proposed plan of operations. In accordance with section 11 of the Combined Hydrocarbon Leasing Act, the section would require the National Park Service to make a finding of no significant adverse impact as outlined in § 3140.7 of this subpart prior to approval of a plan of operations by the mining supervisor for a plan of operations covering an area within a unit of the National Park System where mineral leasing is permitted.

Issuance of the Combined Hydrocarbon Lease (§ 3140.4–2)

Based upon the mining supervisor's approval of a plan of operations, this section would authorize the authorized officer of the Bureau of Land Management to convert the lease or claim covered by the plan of operations to a combined hydrocarbon lease. The manner of determining the effective date of the combined hydrocarbon lease would be consistent with that used in the oil and gas leasing program covered in part 3100 of Title 43 of the Code of Federal Regulations.

Duration of the Lease (§ 3140.5)

Primary Term (§ 3140.5–1)

This section would provide that the primary term of a combined hydrocarbon lease will be 10 years as specified in section 6(c) of the Combined Hydrocarbon Leasing Act.

Leasing of Additional Lands (§ 3140.6)

Section 302 of the Federal Land Policy and Management Act (43 U.S.C. 1732) authorizes the Bureau of Land Management to authorize the use of additional public lands off the lease which are required to support the lessee's operations. This authority is confirmed by section 6(a)(2) of the Combined Hydrocarbon Leasing Act for operations in support of development under a combined hydrocarbon lease and would be allowed under paragraph (a). The leases granted under this section would be nonmineral in nature and would be issued noncompetitively under existing provisions in Subchapter B of Title 43 of the Code of Federal Regulations.

Paragraph (b) would require the Bureau of Land Management to issue right-of-way grants under title V of the Federal Land Policy and Management Act (43 U.S.C. 1761–1771) rather than leases whenever the requested use is authorized under the right-of-way regulations in parts 2800 and 2880 of Title 43 of the Code of Federal Regulations.

Paragraph (c) would require that the provisions of the mineral management regulations recently issued by the National Park Service be applicable to lands which are in units of the National Park System.

Lands Within the National Park System (§ 3140.7)

As required in section 11 of the Combined Hydrocarbon Leasing Act, this section would require that conversions of oil and gas leases and mining claims located within units of the National Park System to combined hydrocarbon leases be allowed within specified restrictions. These restrictions include: (1) that the law establishing the particular unit allowed mineral development; (2) that tar sand development be in accordance with the applicable mineral management plan developed by the National Park Service; and (3) that there will be no significant adverse impact resulting from tar sand development in the National Park Service unit or contiguous units. This section would apply only to certain areas in the Glen Canyon National Recreation Area in which mineral development is authorized.

Section 17 of the Combined Hydrocarbon Leasing Act entitles the owner of a "valid claim to any hydrocarbon resource leasable under this section based on a mineral location made prior to January 21, 1926," to apply for conversion subject to the same requirements as an oil and gas lessee. The Department of the Interior is considering development of procedures and showings that will be used for purposes of converting valid mining claims to a combined hydrocarbon lease under the Act. Provisions specifying the appropriate procedures and showings may be proposed for rulemaking.

The primary authors of this proposed rulemaking are Richard Aiken and Edward Coggs, Division of Coal, Tar Sands and Oil Shale, Bureau of Land Management, assisted by William Murray, Division of Energy and Resources, Office of the Solicitor, Department of the Interior, the staff of the Office of Legislation and Regulatory Management, Bureau of Land Management and other Bureau of Land Management and Department of the Interior staff.

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 a major rule under Executive Order 12291 but that it will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The requirement in the Combined Hydrocarbon Leasing Act that the Secretary of the Interior issue final regulations implementing the right to convert an oil and gas lease or valid mining claim to a combined hydrocarbon lease within 6 months of the effective date of the Act makes it impossible to comply with the schedule for preparation of a regulatory impact analysis set forth in Executive Order 12291. In recognition of this fact, the Office of Management and Budget has agreed to the following schedule for preparation of the Preliminary and Final Regulatory Impact Analyses which are required by Executive Order 12291.

The Preliminary Regulatory Impact Analysis is being submitted to the Office of Management and Budget simultaneously with the publication of this proposed rulemaking and is available upon request from the Division of Coal, Oil Shale and Tar Sands, Bureau of Land Management, 1800 C Street, NW., Washington, D.C. 20240. Comments on the Preliminary Regulatory Impact Analysis should be submitted by the close of the comment period on this proposed rulemaking.

The Preliminary Regulatory Impact Analysis will be based on an economic model to project tar sand production, revenues, after tax net present value, etc. The data from the model will be analyzed for its secondary impacts, (i.e., socio-economic impacts on the affected area of Utah).

The Final Regulatory Impact Analysis will be completed and a summary and notice of availability will be published with the final rulemaking on this subject in the **Federal Register** on May 14, 1982.

The information collection requirements contained in 43 CFR Part 3140 have been submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3507. The collection of this information will not be required until it has been approved by the Office of Management and Budget.

Under the authority of the Combined Hydrocarbon Leasing Act of 1981 (Pub. L. 97–98), the Mineral Lands Leasing Act of 1920, as amended (30 U.S.C. 181 et

seq.), the Mineral Lands Leasing Act for Acquired Lands, as amended (30 U.S.C. 351–359 et seq.) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), it is proposed to amend Group 3100, subchapter C, Chapter II of the Code of Federal Regulations by adding a new Part 3140 as follows:

PART 3140—COMBINED HYDROCARBON LEASING

Subpart 3140—Conversion of Existing Oil and Gas Leases and Valid Mining Claims

Sec.
3140.0–1 Purpose.
3140.0–3 Authority.
3140.0–5 Definitions.
3140.1 General provisions.
3140.1–1 Existing rights.
3140.1–2 Notice of intent to convert.
3140.1–3 Exploration plans.
3140.1–4 Other provisions.
3140.2 Applications.
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3140.2–2 Who may apply.
3140.2–3 Application requirements.
3140.3. Time limitations.
3140.3–1 Conversion applications.
3140.3–2 Action on an application.
3140.4 Conversion.
3140.4–1 Approval of plan of operations (and unit and operating agreements).
3140.4–2 Issuance of the combined hydrocarbon lease.
3140.5 Duration of lease.
3140.5–1 Primary term.
3140.6 Leasing of additional lands.
3140.7 Lands within the National Park System.

Subpart 3140—Conversion of Existing Oil and Gas Leases and Valid Mining Claims

§ 3140.0–1 Purpose.

The purpose of this subpart is to provide for the conversion of existing oil and gas leases and valid hydrocarbon mining claims within Special Tar Sand Areas to combined hydrocarbon leases.

§ 3140.0–3 Authority.

These regulations are issued under the authority of the Mineral Lands Leasing Act of February 25, 1920 (30 U.S.C. 181 et seq.), the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.), and the Combined Hydrocarbon Leasing Act of 1981 (Pub. L. 97–78).

§ 3140.0–5 Definitions.

As used in this subpart, the term:

(a) "Combined hydrocarbon lease" means a lease issued in a Special Tar Sand Area for the removal of gas and nongaseous hydrocarbon substances other than coal, oil shale or gilsonite.

(b) "A complete plan of operations" means a plan of operations which contains the information required in 30 CFR 231.10.

(c) "Special Tar Sand Area" means an area designated by the Department of the Interior's orders of November 20, 1980 (45 FR 76800), and January 21, 1981 (46 FR 6077) (referred to in those orders as Designated Tar Sand Areas), as containing substantial deposits of tar sand.

(d) "Supervisor" means the Mining Supervisor of the Minerals Management Service, unless the plan of operations proposes only an in-situ process in which case it means the Oil and Gas Supervisor of the Minerals Management Service.

(e) "Owner of an oil and gas lease" means all of the record title holders of an oil gas lease.

(f) "Unitization" means unitization as that term is defined in 30 CFR Part 226.

§ 3140.1 General provisions.

§ 3140.1–1 Existing rights.

(a) The owner of an oil and gas lease issued prior to November 16, 1981, or a valid mining claim to any hydrocarbon substance based on a mineral location made prior to January 21, 1926, other than coal, oil shale or gilsonite, situated within a Special Tar Sand Area may convert that portion of the lease or claim so situated to a combined hydrocarbon lease, provided that such conversion is consistent with the provisions of this subpart.

(b) Owners of oil and gas leases in Special Tar Sand Areas who elect not to convert their leases to a combined hydrocarbon lease do not acquire the rights to any hydrocarbon resource except oil and gas as that term was defined prior to the enactment of the Combined Hydrocarbon Leasing Act of 1981. The rights of holders of valid mining claims who elect not to convert their claims to a combined hydrocarbon lease shall not be affected.

§ 3140.1–2 Notice of intent to convert.

(a) Owners of oil and gas leases in Special Tar Sand Areas which are scheduled to expire prior to the effective date of these regulations or within 6 months thereafter, may preserve the right to convert their leases to combined hydrocarbon leases by filing a Notice of Intent to Convert with the State Director, Utah State Office, Bureau of Land Management, 136 E. South Temple, Salt Lake City, Utah 84111.

(b) A letter, submitted by the lessee, notifying the Bureau of Land Management of the lessee's intention to submit a plan of operations shall constitute a notice of intent of convert a lease. The Notice of Intent shall contain the lease number or the recordation number of the mining claim filed pursuant to subpart 3833 of this title.

(c) The Notice of Intent shall be filed prior to the expiration date of the lease. The notice shall preserve the lessee's conversion rights only for a period ending 6 months after the effective date of this subpart.

§ 3140.1–3 Exploration plans.

(a) The supervisor may grant permission to holders of existing oil and gas leases to gather information to develop, perfect, complete or amend a plan of operations required for conversion upon the approval of the supervisor of an operation plan developed in accordance with 30 CFR 231.10.

(b) In addition to the requirements in § 3140.1–3(a) of this title, a special use permit issued by the National Park Service is required for the gathering of such information within units of the National Park System where mineral leasing is permitted. Minerals Management Services shall forward the exploration plans to the National Park Service for action on a special use permit.

§ 3140.1–4 Other provisions.

(a) A combined hydrocarbon lease shall be for no more than 5,120 acres. Acreage held under lease in a Special Tar Sand Area is not chargeable to State oil and gas limitations allowable in §§ 3101.1–5 and 3101.2–4 of this title.

(b) The rental rate for a combined hydrocarbon lease shall be $2 per acre per year and shall be payable annually in advance.

(c)(1) The royalty rate for a combined hydrocarbon lease converted from an oil and gas lease shall be that provided for in the original oil and gas lease.

(2) The royalty rate for a combined hydrocarbon lease converted from a mining claim shall be 12½ percent.

(3) A reduction of royalties may be granted as provided in § 3103.3–7 of this title or, at the request of the lessee, upon a review of information provided by the lessee prior to commencement of commercial operations.

(d) Existing oil and gas leases and mining claims may be unitized in accordance with 30 CFR Part 226. If a plan of operations is designed to cover a unit, a fully executed unit agreement shall be approved before the plan of operations applicable to the unit may be approved under § 3140.2 of this title. The approved unit agreement shall be effective after the leases or claims subject to it are converted to combined hydrocarbon leases. The plan of operations shall explain how and when each lease included in the unit operation will be developed.

(e) Except as provided for in this subpart, the regulations set out in part 3100 of this title are applicable, as appropriate, to all combined hydrocarbon leases issued under this subpart.

§ 3140.2 Applications.

§ 3140.2–1 Forms.

No special form is required for a conversion application.

§ 3140.2–2 Who may apply.

Only owners of oil and gas leases issued on or before November 16, 1981, in Special Tar Sand Areas or of valid claims to any hydrocarbon substance other than coal, oil shale or gilsonite that was filed prior to January 21, 1926, are eligible to convert leases or claims to combined hydrocarbon leases.

§ 3140.2–3 Application requirements.

(a) The applicant shall submit to the State Director, Utah State Office of the Bureau of Land Management, a written request for a combined hydrocarbon lease signed by the owner of the lease, which shall be accompanied by 3 copies of a plan of operations which shall meet the requirements of 30 CFR 231.10 and which shall provide for reasonable protection of the environment and diligent development of the tar sand resource.

(b) A plan of operations may be modified or amended before or after conversion of a lease or mining claim to reflect new technologies or other purposes. Any modifications shall be in accordance with 30 CFR 231.10(e). The approval of the modification or amendment is the responsibility of the supervisor. Changes or modification to the plan of operations shall have no effect on the primary term of the lease. The supervisor shall, prior to approving any amendment or modification, review the modification or amendment with the appropriate surface management agency. The National Park Service shall ensure conformance with the requirements of § 3140.7 of this title.

(c) The plan of operations may be for a single existing oil and gas lease or for an area of proposed unit operation.

(d) The plan of operations shall identify by lease number all Federal oil and gas leases proposed for conversion.

(e) The plan of operations shall include any proposed designation of operator or proposed operating agreement.

(f) Upon determination that the plan of operations is complete, the supervisor shall notify the authorized officer who shall then suspend the term of the Federal oil and gas lease(s) until the plan is finally approved or rejected.

§ 3140.3 Time limitations.

§ 3140.3–1 Conversion applications.

A plan of operations to convert an existing oil and gas lease or valid mining claim to a combined hydrocarbon lease shall be filed on or before November 15, 1983, or prior to the expiration of the oil and gas lease, whichever is earlier, except as provided in § 3140.1–2 of this title.

§ 3140.3–2 Action on an application.

The authorized officer shall, with the advice of the supervisor, take action on an application for conversion within 15 months of receipt of a proposed plan of operations.

§ 3140.4 Conversion.

§ 3140.4–1 Approval of plan of operations (and unit and operating agreements).

(a) The owner of an oil and gas lease, or the owner of a valid claim located for a hydrocarbon substance within a Special Tar Sand Area, shall have such lease or claim converted to a combined hydrocarbon lease when the plan of operations, filed under § 3140.2 of this title, is deemed acceptable and is approved by the supervisor.

(b) For conversion of leases within a unit of the National Park Service, the Regional Director of the National Park Service shall ensure conformance of the plan of operations with the requirements of § 3140.7 of this title.

(c) A plan of operations may not be approved in part.

§ 3140.4–2 Issurance of the combined hydrocarbon lease.

(a) After a plan of operations is found acceptable, and is approved, the authorized officer shall prepare and submit to the owner, for execution, a lease, including all special terms and conditions, converting an existing oil and gas lease or mining claim to a combined hydrocarbon lease.

(b) The effective date of the converted combined hydrocarbon lease shall be the first day of the month following the date that the authorized officer signs the lease.

(c) All stipulations attached to an oil and gas lease being converted to a combined hydrocarbon lease shall become a part of the combined hydrocarbon lease unless the authorized officer determines a stipulation is no longer necessary.

§ 3140.5 Duration of the lease.

§ 3140.5–1 Primary term.

The primary term of a combined hydrocarbon lease shall be 10 years.

§ 3140.6 Leasing of additional lands.

(a) The authorized officer may noncompetitively lease additional lands for ancillary facilities in a Special Tar Sand Area that are needed to support any operations necessary for the recovery of tar sand. Such uses include, but are not limited to, mill site or waste disposal. Application for a lease or permit to use additional lands shall be filed under the provisions of Part 2920 of this title with the proper BLM office having jurisdiction of the lands. The application for additional lands may be filed at the time a plan of operations is filed.

(b) A lease for the use of additional lands shall not be issued when the use can be authorized under Part 2800 of this title. Such uses include, but are not limited to, reservoirs, pipelines, electrical generation systems, transmission lines, roads, and railroads.

(c) The authorized officer shall not issue leases for additional lands and/or permits for rights-of-way within units of the National Park Service without the approval of the Regional Director of the National Park Service pursuant to § 3109.5–2(e) of this title.

§ 3140.7 Lands Within the National Park System.

Conversions of existing oil and gas leases and valid mining claims to combined hydrocarbon leases within units of the National Park System shall be allowed only where mineral leasing is permitted by law and where the lands are open to mineral resource disposition in accordance with any applicable minerals management plan. Such conversions shall be conditioned upon a finding by the Secretary of no resulting significant adverse impacts on the resources and administration of such areas or on other contiguous units of the National Park System as described in § 3100.0–3(d)(5) and §§ 3101.4–5, and 3109.5–2 of this title.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

January 27, 1982.

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March 1, 1982

Part IV

Department of Health and Human Services

Health Care Financing Administration

Medicaid Program; Health Care Financing Research and Demonstration Grants

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

Medicaid Program; Health Financing Research and Demonstration Grants; Special Solicitation; Enhancing Competition Among Health Insurers and Providers of Care by Offering Alternative Health Plans to Medicaid Beneficiaries

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: General notice.

SUMMARY: HCFA is soliciting applications from State Medicaid agencies for demonstration projects that enhance competition among insurers and providers of health care by providing Medicaid beneficiaries the opportunity to select among alternative health plans comprised of a broad range of health care organization models.

The problems associated with the current fee-for-service system have been the focus of Congressional hearings, legislative proposals, and public debate. States are facing increased expenditures under the existing cost-based system; Medicaid beneficiaries are finding access to care more difficult since fewer physicians are willing to treat patients at Medicaid reimbursement rates, and some types of organized health care providers find it economically disadvantageous to provide care to Medicaid beneficiaries.

HHS is committed to a program of Medicaid reform with the objectives of increasing the efficiency with which Federal funds are spent on health care for the poor, and assuring access to care. The achievement of these long term objectives can be facilitated by State and Federal experimentation with competitive health care programs that provide comprehensive coverage for acute care and long term care services. We are interested especially in projects that include all of the essential components of competition models and include the largest population base.

This solicitation contains information about demonstration requirements, application procedures, and amount and duration of grant awards.

CLOSING DATE AND TIME FOR APPLICATIONS: The closing date for grant applications is April 30, 1982, 4:30 p.m. e.d.t.

ADDRESS: Standard grant application forms and guidance for the completion of the forms are available from: Health Care Financing Administration, Office of Management and Budget, Project Grants Branch, Area E–1, Gwynn Oak Building, 6325 Security Boulevard, Baltimore, Maryland 21207, (301) 594–3332.

FOR FURTHER INFORMATION CONTACT: Ronald Deacon, Health Care Financing Administration, Office of Research and Demonstrations, Office of Demonstrations and Evaluations, Area 1–E–5, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207, (301) 594–1941.

SUPPLEMENTARY INFORMATION: This notice is published in accordance with HCFA's **Federal Register** notice of December 1, 1981 (46 FR 58368) which stated that a special solicitation on competition in the Medicaid program would be issued.

I. Availability of Grants

A. General

This special solicitation announces a Departmental initiative to fund demonstration projects that attempt to enhance competition among insurers and providers of care to the Medicaid population. HCFA's Office of Research and Demonstrations (ORD) is seeking projects to further this objective. Only the single State agency which administers the Medicaid program may apply, and the applications must be made under the authority of section 1110 or section 1115(a) of the Social Security Act. Section 1115 of the Act authorizes the Secretary to waive statutory Medicaid State plan requirements and to reimburse costs not otherwise Federally matchable in order to enable State agencies to carry out significant demonstration projects. Under that section of the Act, the States must share in the costs of the projects on the basis of their medical assistance matching rate.

This solicitation is independent of sections 2175 and 2178 of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97–35). States that do not submit applications for section 1115 waivers through this solicitation may continue to pursue section 2175 or 2178 waivers through the HCFA regional offices.

B. Regulations

General policies and procedures that govern the administration of all HHS grants are located in 45 CFR Part 74. All applicants are urged to review the uniform grant requirements established in those regulations.

II. Background

Until recently, efforts to decrease the Medicaid cost burden on States and the Federal government have focused primarily on regulatory strategies. Typically, these strategies have been directed at individual facets of the health care delivery system; for example, State ratesetting agencies attempt to keep costs down by limiting hospital reimbursement. This and related cost containment approaches have achieved varying degrees of success, yet the problems facing most States in furnishing the funds to pay for health care for the poor have perhaps never been more acute.

Many States are considering the reduction or elimination of optional Medicaid benefits in the absence of more flexibility to implement other cost savings measures. Recognizing this problem, Congress, in sections 2175 and 2178 of Pub. L. 97–35, significantly increased States' opportunities to initiate a variety of cost-savings measures.

Rather than attempting to control costs by focusing on one or two components of the health care delivery system, we are interested in experiments in which the health care delivery system more closely resembles the classic competition model. Those experiments should yield the benefits generally associated with the free market without adversely affecting the quality of care of Medicaid beneficiaries. The classic competition model is also known as the free market competition model.

A. Relationship of the Classic Competition Model to Health Care

The classic or free market competition model assumes the presence of consumers armed with full knowledge about the commodity being purchased. Providers selling the same goods compete for buyers by lowering price. Generally, the provider makes a profit by selling more goods at a lower price than his or her competition, and society benefits because it obtains a commodity at a price that reflects the consumers' desire for it. Free markets are generally characterized by easy entry for all providers. Success or failure in the market is governed by having a competitive price and a quality product.

The current health care system fails to conform to this model in several respects. First, the consumers (that is, the patients) may lack the required technical knowledge to choose what kind of health care is needed. Second, the products (health care services) purchased by consumers are rarely identical. Furthermore, the provider (physician) does not usually gain an advantage by selling his or her service at a lower price because the consumer rarely seeks out the lowest cost provider since third party payers will cover most

or all of the physician's charges. Hospital costs, too, are covered in full by most insurance policies, so neither the patient, the physician, nor the hospital benefits financially from cost-conscious decisions.

In addition, other legislation and regulations designed to accommodate the peculiarities of the health care system have been criticized for contributing to the system's cost:

- Tax subsidies for employers and employees that discourage cost consciousness;
- Tax free bonds for hospital construction;
- Bias in favor of inpatient care;
- First dollar coverage for services;
- Bans on advertising;
- Administrative costs generated by reporting requirements and fee-for-service billing; and
- Retrospective cost-based reimbursement.

These kinds of barriers to the classic competition model were assumed as largely intractable until the mid-1970's, at which time a few individuals suggested that effective competition could reduce health care costs. In the book, *Health Plan* (Addison-Wesley Publishing Co., Reading, Mass., 1980), Alain Enthoven describes fully a "Consumer Choice Health Plan" which is an example of a competition model. The key components of this model that are applicable to Medicaid are described below.

B. Consumer Choice Health Plan

Enthoven's Consumer Choice Health Plan (CCHP) includes the following features that have come to be considered the general components of a competition model for the private sector:

1. *Multiple Choice.* Consumers would choose from multiple health plans. Health plans would face minimal barriers to entry in this market because health insurance would not be tied to employment. New plans would have to appeal to individuals rather than employers who usually do not offer more than three or four plan choices. Consumer choice, rather than regulation, would effectively eliminate providers of inferior quality. Plans would be required to publicize their characteristics with the objective of informing consumers.

2. *Organize Providers into Competing Units.* In order to profit economically in an environment where incentives force consumers to choose less costly plans, providers would organize themselves into units to achieve economies of scale.

3. *Community Rating.* Plans would be required to charge the same premium to all individuals in the same actuarial category who are enrolled for the same benefits and live in the same area. This would prevent plans from enrolling healthy persons at their usual rates while charging prohibitive rates to those with greater need for services.

4. *Open Enrollment.* All participating health plans would be required to accept as an enrollee anyone who wished to join during an open enrollment period each year. Not only would this enhance consumer choice, it would limit the ability of any plan to exclude high risk individuals.

5. *Vouchers.* Vouchers would be issued for Medicare and Medicaid beneficiaries to use for the purchase of health insurance. The value of the voucher for the poor would be related to income. Individuals choosing less costly plans than the value of the voucher could keep the difference or use it as a credit for the future purchase of services.

Since Enthoven first presented the above plan, the body of literature addressing the advantages and disadvantages of competition in health care has grown significantly. A paper by Clark C. Havighurst and Glenn M. Hackbarth ("Private Cost Containment," *New England Journal of Medicine*, Vol. 300, No. 23, p. 1298–1305, June 7, 1979) discusses strategies to contain costs in the private sector such as selectivity in benefit provision and selectivity toward providers of covered services. Two Journals that have devoted entire issues to the subject include (1) Milbank Memorial Fund Quarterly, *Health and Society*, Vol. 59, No. 2, Spring 1981; and (2) the *Vanderbilt Law Review*, Vol. 34, May 1981.

C. Legislative Proposals

Five bills were introduced in the 96th Congress that provided for reform of the health care system in a pro-competition framework. Three of these bills were reintroduced in 1981, of which only one included provisions for Medicaid. This is the Gephardt bill, H.R. 850, the National Health Care Reform Act of 1981.

This proposal is very closely modeled after CCHP with respect to employed persons, and makes use of a voucher concept for Medicaid and other needy individuals. There would be a single standard of eligibility that would be adjusted for cost-of-living variations between regions. Expenditures on health care for the poor by States that choose to participate would not exceed 1981 payments, indexed for inflation. Vouchers provided to eligible persons would be equal to the sum of the average of premiums of participating plans paid by members in the same actuarial category in the same area, plus the average out-of-pocket expenses paid by similar members. There would be no cost-sharing requirements.

D. Barriers to Competition Under Medicaid

There are a number of fundamental problems in integrating many concepts of competition into Medicaid as the program is currently structured. These problems are similar to many of the problems that have limited Medicaid enrollment in Health Maintenance Organizations (HMOs). As of 1981, only 2 percent of Medicaid eligibles were enrolled in the 55 HMOs nationwide that contract with States to serve this population. Thirty-six of these contracts are in only six States. (See Trieger, S., Galblum, T., and Riley, G., "HMOs: Issues and Alternatives for Medicare and Medicaid" for an indepth discussion of the problems and potential solutions for expanded enrollment of Federal beneficiaries in HMOs: Health Care Financing Administration Pub. No. 03107, April 1981.)

Some of the barriers to competition that alternative health plans (AHPs) currently face can be mitigated by waivers; others probably cannot. These barriers are discussed below.

1. *Benefit Package and Cost Sharing.* Under Medicaid, States are required to offer a mandatory benefit package and are not permitted to require cost sharing from categorically needy recipients. A major tenent of competition models that contradicts these requirements is that beneficiaries must be free to choose among health plans, with major choice factors being benefit package, cost sharing provisions, and premium payments. In addition, the ability of AHPs to offer a comprehensive health service package at a low premium may not provide sufficient motivation for Medicaid eligibles to enroll, since Medicaid normally pays the full cost of health care regardless of the provider selected by the beneficiary. Unless some other incentive is offered, a beneficiary may be reluctant to give up the freedom to seek care from any participating provider in the fee-for-service sector.

2. *Reimbursement.* Almost all prospective reimbursement models that have been tested thus far have involved Aid to Families with Dependent Children (AFDC) cases only. This is probably because the risk in insuring children and mothers with children is generally less than for the aged, blind, or disabled. Even though 17 States with Medicaid HMO contracts have demonstrated the feasibility of prepaid risk contracting for AFDC cases, some States still are reluctant to pursue HMO

contracts because of technical difficulties in setting rates.

3. *Adverse Selection.* A fear of providers in assuming risk under Medicaid (and Medicare) is that they would enroll the highest users of service. Since most prospective capitation rates are based on the average cost of covering a specific benefit package for a population, any plan that attracted persons who are more at risk than average would suffer financially. The evidence to date indicates that this has not occurred in HMOs with Medicaid contracts. Two major studies that compared AFDC utilization in HMOs to fee-for-service contracts found that costs and utilization were lower in the HMOs. (Utilization in the second study also compared prepaid group practices and independet practice associations (IPAs) and found that IPA use was comparable but not lower than fee-for-service contracts.)

Adverse selection poses and even greater threat to providers when they accept risk for long term care. States permit HMOs to disenroll Medicaid beneficiaries who become institutionalized for long term care services. However, with long term care comprising 40 percent of current Medicaid expenditures, it is becoming increasingly important that means be found for controlling costs for the aged, blind, and disabled, as well as the medically needy spend-down population who, by definition, are eligible for medical assistance because of extensive need for health care. These groups historically have been rejected by private insurers because of the perceived need for higher than normal levels of care. If vouchers for the poor are offered, insurance companies may continue to be reluctant to enroll Medicaid recipients for fear that health recipients will choose low options (especially if rebates are given) and the seriously ill will choose high cost options resulting in adverse selection.

4. *Welfare Image.* Some health care organizations have avoided extensive involvement with Medicaid because of the anticipated negative impact it would have on their private business. Evidence of this can be found in the difficulty some HMOs have had in meeting the requirement that no more than 50 percent of their enrollment can be drawn from Federal beneficiary populations. Even though Pub. L. 97–35 raised this limit to 75 percent, some HMOs will still not be able to enroll 25 percent of their members from private payment sources. Some of the sites that participated in the Massachusetts Case Management Project (described later in this solicitation) would not agree to more aggressive State marketing efforts toward Medicaid beneficiaries due to concern about developing a welfare image.

5. *Marketing to Medicaid Beneficiaries.* Special problems in conveying information to the Medicaid population pose a major difficulty in implementing competition models. Private insurance is usually marketed to groups through employers. The expense of marketing to Medicaid eligibles on an individual basis has probably deterred some HMOs from signing Medicaid contracts. Many Medicaid beneficiaries have little education and a significant proportion are not English-speaking. In addition, confidentiality restrictions in Medicaid regulations have been interpreted to prohibit States from releasing names of eligibles for any purpose other than direct administration of the medical assistance plan. This, then, precludes direct marketing approaches such as mailings and telephone contacts by AHPs.

6. *Administrative Burden.* The reasons for lack of HMO willingness to contract with States to serve Medicaid recipients have important implications for competition models under Medicaid since both HMO and AHP contracts would operate under similar mechanisms. One problem often cited is the fluctuation in eligibility. State Medicaid agencies that contract with HMOs typically report that tracking eligibility and HMO enrollment requires extensive administrative time. Most contractual agreements between States and HMOs require that the State notify the HMO of an enrollee's ineligibility before the State may terminate payment for that enrollee. However, in doing this, States may be forced to make payments which are not matched by Federal funds for an individual who is no longer Medicaid eligible. This may make States reluctant to contract with AHPs.

E. HCFA Experience With Medicaid Competition Models

A number of States have tested or are planning demonstrations involving HCFA waivers that include components of competition. To date, no State has established under Medicaid a system that incorporates all of the characteristics of a competitive model. However, the experience of these projects may be helpful to States in designing competitive systems with similar features. These projects are described below.

1. *Multnomah County, Oregon Project Health.* For Project health, Multnomah County assumed a "broker" approach to manage the program. The broker role involved contract negotiation, enrollment counseling, and screening out high risk cases. The county contracted with prepaid health plans from which noninstitutional medically needy beneficiaries had to choose to receive services. During the first two years of the program, beneficiaries could also choose a fee-for-service delivery system. The goal of the project was to permit the State of Oregon to test the effectiveness of a multiple choice delivery system for the medically needy.

Prepaid health plans that participated in Project Health informed the project of their charges for providing a specified benefit package. The project established a beneficiary premium that was dependent upon, but not equal to, the difference between the chosen plan's premiums and those of the lowest cost plan. For the highest income level eligible to participate, the monthly premium for individuals ranged from $0 to $22 in 1979.

Project health has shown that medically needy beneficiaries are willing and able to share in the cost of prepayment plan premiums and take this obligation seriously. The project collected 80 percent of enrollee debts without any special effort. This willingness to share costs was particularly evident when it was necessary for a beneficiary to maintain an existing provider-patient relationship. Thus, it appears that beneficiaries attach a high value on continuing a relationship with the family doctor, despite higher premiums to do so. This finding was reinforced by the results of a survey of Project Health enrollees, although the survey indicated that beneficiaries would have considered price a major plan choice factor if Project Health had not subsidized most of the differential costs between plans. The final evaluation of the project indicated that enrollment counseling was the most successful aspect of the project. Its beneficial results included (1) informed but mandatory consumer choice, (2) cost effectiveness, and (3) limited possibility for health plans to enroll low risk cases.

2. *Massachusetts Case Management.* The original objective of this demonstration was to attempt to integrate case management principles developed and used in the HMO setting into fee-for-service environments. It was theorized that many fee-for-service providers, given the right incentives, could achieve the efficiencies typically associated with HMOs without actually becoming an HMO. Case management is defined as a system of health care

whereby each patient selects a specific primary care practitioner or team (known as the case manager) who provides primary care to that patient. The case manager also arranges, coordinates, and monitors all other medical care for that patient on a continuous basis. Only services under the case manager's purview that have been explicitly approved by the case manager will be approved for payment.

Case managers were selected through requests for proposals (RFPs) released by the State. Four contracts were initially awarded (two hospital outpatient departments and two community health centers). These contracts were based on fee-for-service reimbursement and involved no potential financial loss for case managers, although case managers could retain 40 percent of any savings. Later, two risk-sharing contracts were awarded (one community health center and one group practice). The potential of risk for these two sites was small and the enrolled population set at a maximum of 500 families each. A significant problem during the first two operational years of this project was an inability to control out-of-plan utilization. Initially, the State lacked computer edits to screen out claims from off-site providers. Even after edits were in place, it was difficult to impress upon the non-risk sharing sites the importance of documenting all legitimate referrals to off-site providers.

As of July 1981, Case Management had voluntarily enrolled approximately 3,000 AFDC families. Through October 1981, case management enrollees shared in the anticipated project savings by receiving incentive payments ($7 per family per month). Preliminary analysis of enrollee survey results indicates that the incentive check was not a prime concern; however, the State and case managers received calls from enrollees when the checks were received late.

3. *California Prepaid Health Research, Evaluation and Demonstration (PHRED).* The PHRED project was comprised of three demonstrations, one of which related to competition in that it experimented with offering a dual choice between a fee-for-service Medi-Cal card and HMO enrollment to AFDC eligibles. The PHRED Membership Studies demonstration was designed to test and evaluate alternative methods of identifying the HMO marketplace and motivating enrollment. The overall hypothesis of the project was that the joint eligibility process for welfare and Medicaid affords the best possibility for replacing door-to-door solicitation as a cost-effective locale for enrolling enough recipients for viable HMO contracts.

The welfare office methods tested in the PHRED project included (1) a printed brochure with no personal explanation, (2) a film, (3) a personal presentation by a county eligibility worker, (4) a similar presentation by a specially trained member of the PHRED staff, and (5) a personal presentation by an HMO sales representative. The preliminary conclusion of the State evaluation was that marketing in the welfare offices can yield a sufficient enrollment of AFDC eligibles, permitting the elimination of door-to-door solilcitation. This method does not adversely affect the HMOs. Costs of welfare office marketing appeared to be less than the plans' current methods. All methods tested in the welfare offices produced enrollments, but some methods were more productive than others. The overall choice rate was highest for HMOs using the HMO representative. Largely because of legal factors preventing special access for particular providers, California has chosen to implement the dual choice system with the presentations in the welfare offices being made by State-paid county employees.

4. *Monterey and Santa Barbara Counties, California.* These projects in the State of California, which are now being developed, will aid the counties in the development of primary care networks to serve all categories of the Medicaid population. The State will make prospective payment at the rate of 95 percent of projected fee-for-service costs to the counties that, in turn, will assume risk for Medicaid services. The primary care physicians will act as case managers, providing primary care and authorizing referrals when necessary. The physicians, through a shared savings mechanism, will have incentive to manage care efficiently. enrolled beneficiaries will have six months guaranteed eligibility for Medicaid services. In addition, the counties will develop contracts with hospitals and other secondary providers utilizing periodic prospective block payments. These two projects, although quite similar in scope, will differ somewhat in the incentive methodologies and the beneficiary eligibility plans.

III. Demonstration Objectives

A. General

HCFA recognizes the constraints imposed by current Federal and State Medicaid statutes that may prevent the implementation of competition models. States are encouraged to utilize all available authorities for waivers to State and Federal statutes to develop a comprehensive competitive model. Three examples of possible models that States may include in their grant proposals follow:

1. The State could encourage consumer choice to the maximum extent by a pure voucher approach in which Medicaid beneficiaries can shop for health insurance coverage using the voucher to pay for monthly premiums. The voucher amount could be set by an actuarial method that relates the payment level to previous State reimbursements under the existing Medicaid system. In setting the voucher rate, States would give consideration to each eligibility category and the associated risk as well as ability to pay any premiums or copayments required by the AHPs. Private health insurers and other health care providers would agree to offer a minimum benefit package and accept a voucher to be cashed by the State. The State would require an annual assessment of each plan's quality assurance system and grievance procedures.

2. Another possible model is one in which the State contracts with a broker who assumes responsibility for enrolling Medicaid beneficiaries in AHPs. A significant number of AHPs in the area including at least one private insurer are listed and described in a brochure. Potential enrollees are informed by the broker of all plans, associated premiums, and benefits. Medicaid beneficiaries are not aware of the State or Federal contributions paid on their behalf if certain plans are chosen. Once a selection is made, the AHP bills the State for its share of the monthly capitated premium and the medically needy beneficiaries for their share of the premium. The State could reimburse each plan a different amount, but the maximum level would be set at a percentage of the weighted average of each plan's negotiated rate. The weights are based upon projected enrollment.

3. A third model would involve the State contracting with an organization that would assume financial responsibility for the health care of Medicaid eligibles residing in a specific geographic area. Under this model, the State would describe the benefit package to be provided to any or all categories of Medicaid eligibles. Any organization that believed it could provide the required benefit package would be encouraged to bid a per capita reimbursement amount to cover those services. Organizations that might have an interest in bidding could include carriers and intermediaries, commercial insurers, provider consortiums, and

foundations. These organizations would have to be able to process claims, monitor quality of health care provided, and establish grievance and disenrollment mechanisms. An advantage of this model is that it would eliminate the problem of adverse selection since a waiver of freedom of choice would enable mandatory enrollment of entire populations.

These three competitive models have not been approved by HCFA in advance, but are examples of a suggested approach. States are encouraged to consider others and suggest innovative models to implement. Each proposed model will be analyzed on its own merits for its consistency with HCFA's statutory authority to conduct it. Demonstration projects should be designed to incorporate as many features of the competition models as are feasible. In summary, the key aspects of the model are listed below:

- Vouchers
- Contracting with Alternative Health Plans
- Marketing
- Benefits and Copayments
- Freedom of Choice

B. Vouchers

To date, voucher-type payments have been made by States only to health plans, not individuals. Applicants proposing to make such payments to individuals should consider and suggest solutions to the administrative problems that would accompany direct payment to beneficiaries.

Following are discussions of several aspects of voucher administration:

1. *Types of Vouchers.* The voucher instrument can take many forms in these demonstration projects depending upon the allocation process implemented by States. There are certain administrative issues to consider in designing the voucher type. The voucher could be issued in the form of a negotiable instrument given to the beneficiary before the actual purchase of care. This would allow the beneficiary freedom to purchase a private plan of his or her choice with the voucher, as long as the plan meets the minimum benefit package requirements.

The advantages of this allocation process are that the beneficiaries have maximum financial incentives to become prudent buyers. Problems with this system exist in that there is a possibility for forgeries that could create a black market in vouchers. This has occurred in the food stamp program. Beneficiaries may also delay enrolling in AHPs even after they have received the voucher.

The voucher could also take the form of a direct payment to an AHP. Beneficiaries would select one AHP from among several that offer insurance or enrollment to Medicaid beneficiaries. Upon notification of enrollment, the State would pay the plan a monthly capitated amount. This approach offers less financial incentive and buying power for the recipient and requires the State to directly reimburse each plan.

2. *Rebates Under the Voucher System.* To motivate cost conscious behavior on the part of beneficiaries, States should consider refunding the entire difference, or some portion of the difference, between the usual Medicaid reimbursement rate and the premium of a low cost AHP. A rebate equal to the entire difference would represent the truest voucher approach; however, it reduces the potential savings.

A partial rebate or shared savings would keep the essential ingredient of beneficiary incentive to join AHPs, though lowering it somewhat, and would allow for the government to share in savings over the capitated amount. The rebate could also be applied toward additional benefits. The issue of rebates also raises the question of how to deal with the beneficiary's extra income, that is, whether it would be treated as income under other Federal programs. In addition, if the cost of the plan is close to the 95 percent fee-for-service limit, then the cash rebate may be too small to be meaningful in altering beneficiaries' behavior.

3. *Cost Sharing Under the Voucher System.* States should consider whether the vouchers issued will constitute full or partial payment for AHPs for the categorical and medically needy groups. Beneficiary copayment is, in general, an important mechanism of government cost control if there is to be effective competition and incentives for users to economize. The more services the beneficiary uses and the more expensive plan he selects, the greater the amount he will have to pay. The State, by determining the voucher payment, can set the beneficiary's share of cost at levels that can influence utilization and cost patterns. States can propose levels of deductible, coinsurance, and copayment other than those permitted under current regulations. However, the State must justify why these levels are appropriate and demonstrate that they will not impose financial hardship on the eligible population.

States could design the copayment scheme in the form of premium sharing based on a sliding scale for income above the eligibility standard. This would allow for continuous eligibility of medically needy beneficiaries thus stablizing their health care costs and utilization patterns. States would have to apply actuarial methods in determining the ratemaking or premium sharing process for these beneficiaries.

4. *Voucher Amounts.* The capitation amount for the voucher instrument is a crucial issue in designing the system. Reimbursement should correspond with a minimum benefits package to be offered by AHPs. Current methods for calculating voucher reimbursement amounts include the following:

a. The voucher equals some percentage, approximately 80–95 percent, of the beneficiaries' estimated costs in the fee-for-service sector. In defining the fee-for-service upper limit, States should determine the expected per-capita costs of providing the minimum benefits package under fee-for-service to a population actuarially equivalent to the enrollees in the AHPs. The "Ratesetting Guide for Prepaid Medicaid Contracts" developed by California under the PHRED project may be useful to States for guidance. This report proposes the use of a model that applies demographic, utilization, and cost figures to derive a capitation rate and considers various technical issues related to ratesetting.

b. The voucher's value equals some percentage of the average premiums for health insurance plans in the area. The voucher would have to cover the minimum benefit package for Medicaid beneficiaries. This method resembles the ratemaking used for government employees under the Federal Employee Health Benefits Program (FEHBP).

C. Contracting With AHPs

Previously, Federal regulations have generally required prepaid Medicaid risk contracts be made only with Federally qualified HMOs. It has been argued that the stringency of these rules has been a major factor in the disappointing number of HMOs that have sought qualification and have signed a Medicaid contract. Section 2178 of Pub. L. 97–35 relaxes these contracting requirements.

In addition to qualified HMOs, States are now permitted to sign prepaid risk contracts with State certified public or private organizations that (1) make covered services accessible to Medicaid enrollees to the same extent they are accessible to unenrolled Medicaid eligibles, and (2) have made adequate provision against the risk of insolvency. Contractors must assure that Medicaid enrollees will not be held liable for debts in the event of plan insolvency. In addition, section 2178 increases the enrollment limit for Medicare and

Medicaid beneficiaries to 75 percent of total enrollment.

Contracts between States and prepaid entities must also provide for Secretarial and State access to certain books and records of the HMO; nondiscrimination on the basis of health status or use of health services in the entity's enrollment, reenrollment, and disenrollment activities; rights to disenrollment for individuals after one full month of membership; and reimbursement for medically necessary emergency services received out-of-plan. Payments to prepaid plans must be made on an actuarially sound basis.

States may guarantee Medicaid eligibility for up to six months for individuals enrolled in qualified HMOs but only for purposes of their enrollment in the HMO.

States should consider involving in these competition demonstrations a wide range of AHPs including State-certified and Federally-qualified HMOs and commercial insurance companies. The only two essential qualifications that will remain are that (1) the organization be able to demonstrate financial solvency and (2) the organization (or network of organizations) be capable of providing the same benefits available to Medicaid beneficiaries outside the plan.

D. Marketing

1. *Incentives.* HCFA is interested in testing new incentives to encourage voluntary Medicaid enrollment in AHPs. It is generally recognized that the current ability of HMOs to offer a comprehensive health service package at a low premium may not provide sufficient motivation to Medicaid beneficiaries to give up their freedom to seek care from any participating provider. Since there is less of a financial incentive for Medicaid beneficiaries to voluntarily enroll in AHPs than there is for groups included in competition proposals, States should consider various incentives (cash from savings, extra benefits) and innovative marketing techniques in their proposal.

States may offer Medicaid beneficiaries who elect to enroll in a participating AHP one or more of the following incentives: (1) Guaranteed eligibility for Medicaid benefits through the AHP for a minimum period of six months; (2) a monthly cash incentive payable to the enrollee equal to some portion of the projected savings over the fee-for-service costs; and (3) additional benefits not normally covered by the individual State's Medicaid program. These incentives are described below.

a. *Guaranteed Eligibility Incentive.* Offering individuals guaranteed Medicaid eligibility may be an incentive for beneficiaries to enroll in AHPs, as well as a useful method of encouraging States to contract with AHPs. States are encouraged to propose a specific plan for guaranteed eligibility (and thus, guaranteed benefits to the beneficiaries) that would relieve the State of administrative problems and the risk of losing Federal funds for ineligible individuals. In order that HCFA may assess the effects on costs of guaranteed eligibility, the State should plan to continue tracking eligibility throughout the demonstration, even though Federal matching funds are guaranteed.

b. *Cash Incentives.* Another incentive suggested to encourage enrollment is a monthly cash payment equal to some portion of projected AHP savings over the fee-for-service system. The payment would not be counted as income in the determination of beneficiary Medicaid eligibility. There are two issues here that States should consider. First, should the incentive payment be made only to new enrollees in the project, or should the payment be extended to existing enrollees in the plan? If beneficiaries who are already enrolled in an AHP are not allowed to share in the benefits granted new enrollees, they may try to terminate their current enrollment and then re-enroll under one of the options.

Second, what amount of cash payment should be offered? If the capitation rate is currently set close to the fee-for-service limit, the State may not have enough funds to afford cash payments.

c. *Additional Benefits.* For States that offer a minimal number of Medicaid benefits under their fee-for-service system, another incentive that an AHP could offer is one or more services not normally covered under the State plan. Additional benefits should be funded through savings achieved from cost-effective plans.

2. *Techniques.* We expect States, AHPs, and brokers to offer a variety of marketing techniques for the purpose of motivating Medicaid beneficiaries to enroll. For purposes of these demonstrations, HCFA can waive section 1902(a)(7) of the Act (42 CFR Part 431, Subpart F) which has precluded the release of Medicaid eligibles' names by States to AHPs.

Some insight to the marketing problems has been gained from the PHRED project developed by the State of California in which five marketing methods were tested in seven welfare offices throughout the State. One or more of these techniques could possibly be used to motivate Medicaid beneficiaries to enroll in AHPs. (Refer to discussion in section II.E.3.)

Where several AHPs are being offered to a group of eligible beneficiaries, States may feel that the task of designing marketing materials, holding public meetings, neighborhood canvassing, signing up of enrollees, etc. could be more efficiently managed by a broker. For Project Health, Multnomah County assumed a "broker" approach to manage the program. (See section II.E.1. for a discussion of this project.)

If there is no broker, these and related tasks will have to be carried out by the State and AHPs. HCFA is willing to implement competition demonstrations with and without a broker with the objective of determining whether the broker role is cost effective.

E. Benefits and Copayments

Any AHP that participates in Medicaid competition demonstrations must offer the mandatory minimum benefit package for the categorically needy as defined in section 1905(a)(1), (2), (3), and (5) of the Act. Although we would prefer that States include skilled nursing facility services, these are not mandated for the purpose of this demonstration. Benefits included in the State plan that are not provided by AHPs must continue to be provided under the fee-for-service arrangement. We recognize that States may want to propose competition models that include copayments for mandatory services to enable AHPs to offer a wide range of health plan choices. AHPs could offer plans with additional or expanded benefits but increased cost sharing.

AHPs could also offer additional benefits, financed with savings, to voluntarily attract enrollees. Of particular interest to us are expanded long term care and prevention benefits. States should weigh the benefits of offering coverage of certain community care services to aged and disabled recipients that could defer institutionalization.

F. Freedom of Choice

The implementation of a system where recipients are restricted to the most cost-effective providers may be used to further competition. Under certain circumstances, section 2175 of Pub. L. 97–35 authorizes the Secretary to waive provisions that permit a Medicaid beneficiary to obtain services from any participating provider. Beneficiaries can now be restricted to a primary care provider under a "case management" or "specialty physician services arrangement." A beneficiary can also be restricted to a provider or practitioner who complies with the reimbursement, quality, and utilization standards under

the State plan. It is assumed that the State, as a prudent buyer, would assign beneficiaries to the most cost-effecive plan within a reasonable transportation distance.

Section 1115 waivers of freedom of choice requested for demonstrations under this solicitation are not limited to the type possible under section 2175 of Pub. L. 97–35. States may request broader waivers of freedom of choice under this solicitation. However, where such waivers are requested, States should provide assurances that reasonable access is maintained for those beneficiaries assigned to an AHP. Preferably, although beneficiaries could no longer obtain care from any participating provider, the beneficiary would have several AHPs from which to choose. Those AHPs that serve beneficiaries without freedom of choice must have a well-defined grievance and disenrollment procedure. States are strongly encouraged to closely monitor such AHPs for trends of underutilization and excessive grievances and disenrollments.

G. Quality Assurance System

The role of States and AHPs, with respect to establishing and monitoring quality assurance activities takes on increasing importance in competitive delivery systems. A good quality assurance system can assist the AHPs in projecting resource needs, identifying excess or under utilization patterns, identifying inappropriate or aberrant care practices, detecting enrollee satisfaction, and generally assisting in the operation of an efficient AHP.

We envision that quality assurance in a competitive system should be responsive to the same factors as the traditional health care financing and delivery systems. These factors include statistical observations on morbidity and mortality; patterns of care by patient, clinician, and facility; staff suggestions for improvement; and beneficiaries' complaints.

In developing quality assurance programs, States and AHPs may wish to consider guidelines that were developed by the National Committee for Quality Assurance (NCQA) under contract to the Office of Health Maintenance Organizations. NCQA identified six major elements contributing to an effective quality assurance program. These elements are listed below in the context of AHP operations.

1. Organizational arrangements for the quality assurance program must be defined and understood by those involved in the process.

2. There should be a defined procedure for the identification and selection of clinical and administrative problems.

3. There should be procedures for problem evaluation. The AHP should document the manner by which it examines actual and potential problems.

4. The quality assurance activities should include the development of appropriate recommendations.

5. There should be evidence of adequate procedures for followup on recommendations.

6. The AHP should assume ultimate responsibility for the evaluation of the overall effectiveness of its quality assurance program.

IV. Research Design

The research design of applications submitted under this solicitation should state the measurable project goals and objectives, including hypotheses to be tested. The design should describe the control group that can be used to evaluate the effectiveness of the project. This can be achieved by defining a comparison group, or by doing a before and after analysis. If some States propose implementing different models throughout the State, it also may be possible to use some models as controls. Reasons should be given why the proposed research design was selected. Since the evaluation will require extensive analysis of data, the research design should also include a discussion of existing and proposed data bases.

V. Evaluation

The demonstration project should be designed to provide information that will enable HCFA to evaluate its effectiveness in increasing enrollment in AHPs, contributing to overall cost savings, and enhancing competition among insurers and providers of health care.

HCFA plans an independent evaluation of all demonstrations awarded from this special grant solicitation. The major hypothesis of the evaluation will be that competitive models are more cost effective than the current fee-for-service system. States are required to propose evaluation methods that HCFA may use to evaluate their demonstration design. The design should address the following:

A. The response by AHPs to the competitive approach in terms of:

- Enrichment and variability of benefit packages;
- Organizational relationship between the provision of the health care services and the financing of those services;
- Premium pricing strategies;
- Quality monitoring systems employed;
- Enrollment policies; and
- Qualification standards imposed by States.

The analysis should compare these effects to the fee-for-service conditions existing prior to the demonstration.

B. The extent to which the comparable fee-for-service system is affected by this competition initiative in terms of:

- Fees charged;
- Quality of care;
- Patient satisfaction;
- Utilization levels (hospital and medical service); and
- Reimbursements.

C. The effectiveness of the various incentives offered upon Medicaid enrollment by aid category.

D. The effectiveness of specific marketing techniques employed in conjunction with the respective incentives used.

E. An estimate of the savings achieved. If the proposed competition demonstration includes new cost sharing provisions, the evaluation should be designed to estimate the amount of savings attributed to cost sharing.

F. The existence and extent of selection bias. Preenrollment utilization for AHP enrollees should be compared to that of a control group. Enrollee utilization for 18 months before joining one of the AHPs could be tracked to determine whether favorable or adverse selection has occurred (this may not be possible for these enrollees who were not Medicaid-eligible for 18 months before enrolling). The State must also make enrollment, utilization, and cost data available to the evaluator for both enrollees and nonenrollees.

G. Determination of the following measures and comparative analysis between demonstration and control or fee-for-service groups:

- Access to care;
- Quality of care; and
- Patient satisfaction.

H. An analysis of the effect of administrative changes required in the State Medicaid program because of the following items:

- Issuance of special health insurance card in lieu of regular Medicaid eligibility card;
- Coordination of benefits between services covered under the voucher and those covered under the usual long-term care program; and
- Ability of Sates to assure that duplicate payment for sevices does not occur for individuals enrolled in AHPs.

VI. Award Policies

Grant funds will cover administrative costs only. The Medicaid program will

cover the allowed service costs as appropriate. For fiscal year 1982, anticipated funding includes up to a total of $1.5 million for administrative costs. Funding of applications recommended for approval is subject to the availability of funds.

VII. Duration of Funding

Funding for grants is awarded for a period of one year. For a multiple year project, funding may be continued on a noncompeting basis. However, continuation funding is contingent upon the availability of future year funds, the applicant's ability to meet prior year objectives, and the continued relevance of the project to HCFA programs.

Waivers may be granted for multiple-year periods. Generally we expect these projects to be four yars in duration. Methodologies that require longer project periods will also be considered if the applicant can justify the need for thelonger period. Applicants are advised, however, that even though waivers may be granted for multiple-year periods, they can be withdrawn if the project is terminated or if funding is not extended.

VIII. Section 1115 Projects

Under section 1115(a)(1) of the Act, compliance with statutory State Medicaid plan requirements may be waived to enable a Medicaid agency to carry out a significant demonstration project that will further the general objectives of the Medicaid program.

All requirements of the Social Security Act, the Code of Federal Regulations, and other issuances that pertain to the title XIX categorical program are applicable to a project approved under section 1115 of the Act, except as specifically waived.

A Medicaid agency should give special attention to the preparation of the budget. Budgets under section 1115 waivers are substantially more extensive than the budgets for other grant applications (see HCFA-PG-11A, Instructions for Completion of Federal Assistance Application Form HCFA-PG-11).

Projects requesting waivers must define the waivers that are required, specify the statutory and regulatory provisions that are to be waived, discuss the impact of the waivers on program expenditures (that is, estimate service costs with and without the waiver), state the effect on Federal, State and local laws, and discuss the impact on beneficiaries enrolled in the project.

IX. Selection Procedures

A. General Criteria for Awarding Projects

The Director of ORD determines which projects will be awarded. These decisions are based on the recommendations of technical review panels and on the comments of other Department components and outside individuals or organizations. More specifically, the criteria employed in arriving at the award decision include the following:

1. The comprehensiveness and innovativeness of the competition demonstration in terms of the number of components included (vouchers, participation of AHPs including private insurance companies, marketing incentives, etc.) and the extent to which it includes the eligible Medicaid population (categories and numbers).
2. The adequacy and creativity of the demonstration design, methodology, and data base(s).
3. Whether there is a realistic expectation that the demonstration objectives can be achieved within the time specified.
4. Whether the proposed project methodology is precise and consistent with what is generally agreed to be the state of the art.
5. Whether the overall budget, the personnel resources to be used, and the facilities and equipment are appropriate for the proposed project.
6. Documentation of a commitment of the parties necessary to the success of the planned project.
7. Whether results would be of value in other State settings and are of national importance.
8. The cost of the project.
9. The extent to which the project can be replicated.

B. Specific Project Requirements

In addition to meeting the general criteria described above, the applications for grants must meet the specific requirements that follow:

1. The project goals and objectives must be clearly stated and must be measurable.
2. The research design, including the questions to be addressed, the hypotheses to be tested, and the methods and the data to be used must be explicitly described. The methodology must be well defined and scientifically valid.
3. The relevance of the findings to HCFA program operations and policy concerns should be discussed.
4. The tasks and milestones must be clearly described and scheduled and must include a schedule of reports to be submitted to HCFA. (See Reports, section D, below.) The work plan must distinguish the development and implementation phases and indicate which tasks must be completed before implementation.
5. Data that are collected under a HCFA grant must be available to HCFA or its agents. However, the applicant must ensure the confidentiality of any personally indentifiable information collected under the auspices of any HCFA grant.
6. The application must include the qualifications and experience of the personnel and demonstrate how their qualifications make the individuals capable of performing the tasks in the project. The application must also specify how the personnel are to be organized in the project, to whom they report, and how they will be used to accomplish specific objectives or portions of the project.
7. The application must specify the availability of adequate facilities and equipment for the project or clearly state how these are to be obtained.
8. The budget must be developed in detail with justifications and explanations for the amounts requested. The estimated costs must be reasonable considering the anticipated results.
9. Projects that require waivers under section 1115 of the Act must define the services, list the waivers, discuss the implications if those waivers are granted, state the effect on Federal, State, and local law as well as the effect (beneficial or adverse) on individuals enrolled in the project. In addition, these applications must estimate the amount of program and administrative expenditures that will occur under the waivers and compare these expenditures to those that currently occur in the programs. Particular emphasis must be given to this element.
10. Plans for utilization of the project's results must be discussed.
11. The application must assure the applicant's willingness to comply with the human subjects' regulations (45 CFR Part 46) by the inclusion of a completed form HEW-596, "Protection of Human Subjects".
12. Under Pub. L. 96-511, the Paperwork Reduction Act of 1980, the Department is required to submit to the Director of the Office of Management and Budget any Federally-sponsored information collection or recordkeeping requirements developed by the grantees for demonstration projects. Normally, an exemption is granted only when the information is collected from less than 10 members of the public. Before there are any data collections or

recordkeeping imposed, either a clearance package or request for exemption must be submitted to HCFA's Office of Management and Budget.

C. Other Specific Requirements

The application must contain information describing the specific competition model being proposed. The following issues should be addressed:

1. A description of the design and administration of each component of the competitive model including, but not limited to:

a. Method of voucher payment;

b. Criteria of participation for AHPs;

c. Identification of required and optional Medicaid services to be covered in the demonstration and those services retained by the regular fee-for-service program;

d. Eligibility criteria for participation, including any restrictions;

e. Marketing techniques;

f. Quality assurance systems; and

g. Management information systems.

2. An explanation of why the particular design for each component was selected and the extent to which it should contribute to the overall objectives of the competition model.

3. A description of the current AHP (including HMO) activity sponsored by the State (for example, total AHP enrollment, number of AHPs, Medicaid eligibles enrolled by category, etc.).

4. A description of the AHPs that will participate in the demonstration, including total enrollment, number of current Medicaid enrollees, Medicaid benefit package, potential for expansion, date of Federal qualification (if applicable) for HMOs, evidence of State license or certification for AHPs, letters of commitments from participating AHPs and their contractors, and other relevant information.

5. A description of current and proposed marketing procedures used by the State and the HMOs or AHPs.

6. An estimate of savings by eligibility and aid category in the State and each AHP's service area.

7. A description of the availability and quality of the State enrollment, utilization, and cost data bases for evaluation purposes.

8. A description of the method used for ratesetting and determining the fee-for-service upper limit.

9. A description of the voucher process (administrative system, safeguards, premium setting, etc.).

10. A description of the State's certification and licensing process permitting AHPs and providers the opportunity to participate in the demonstration.

11. An identification and description of possible control groups that could be utilized in the evaluation.

12. A description of the methods to be used to examine the issue of favorable or adverse selection of beneficiaries.

13. A description of the proposed evaluation plan.

14. A description of any contractual arrangements between the State and participating AHPs and between the AHPs and its staff physicians (for example, salary or salary plus bonus).

These requirements are in addition to the requirements indicated in the Project Narrative, Part IV of HCFA–PG–11A.

D. Reports

Quarterly and annual reports summarizing the progress to date must be submitted to ORD and to the Project Grants Branch of HCFA's Office of Management and Budget. The quarterly reports must contain a description of progress made in achieving the specific objectives stated in the grant's work plan. Once the model is implemented, the report should include a table showing current enrollment levels, and a status of each of the State's monitoring systems (for exemple, disenrollment, grievances, and quality). When a project is completed, each applicant must submit a final report. The report must contain a project description, and must, at a minimum, include the following:

1. Identification of the project director, grant number, grantee, and title of the project.

2. A complete description of initial hypotheses and objectives and the results of the demonstrations.

3. A list of the publications resulting from the project.

4. Acknowledgement of the support received from HCFA and a disclaimer to the effect that the findings do not necessarily reflect policies of HCFA.

5. An executive summary of the report in camera-ready format.

X. Application Procedure

A. Submitting Applications

When submitting applications, applicants must include a statement in the project title block that the application is in response to the special solicitation on Medicaid competition. This designation must also be marked clearly on the outside of the package or envelope. Applications should be addressed to the Project Grants Branch at the address shown in the address section at the beginning of this preamble. The grants application forms HCFA–PG–10 and 11 have been approved by the Office of Management and Budget under approval No. 0938–0078.

B. Closing Date and Time

Applications that are mailed must be postmarked (first class mail) by the closing date and received by HCFA before the independent review team concludes its review. Because of the importance of the postmark, we encourage applicants to request that the post office provide a legible postmark. If express, certified, or registered mail is used, the applicant should obtain a legible dated mailing receipt from the U.S. Postal Service. Private metered postmarks are not acceptable as proof of timely mailings. Applications that are hand-delivered must be received by the closing date and time.

C. Grant Policies

Projects are awarded through a competitive process based on a choice of applications submitted in response to this notice. All grantees are expected to share directly in the costs of the projects.

Since these applications will be submitted only by State Medicaid agencies and may receive the majority of funding through section 1115 waiver authority, States will be required to maintain the normal State medical assistance matching rate.

Other policies, including responsibilities, awarding, and payment procedures, special provisions and assurances, are described in the following documents that are included in the application kit:

HCFA Grants Policy Handbook, DHEW Publication No. (HCFA) 79–04001 (Rev. 6/79), and 45 CFR Part 74, Administration of Grants.

(Section 1115 of the Social Security Act (42 U.S.C. 1315))

(Catalog of Federal Domestic Assistance Program No. 13.766, Research and Demonstration Grants)

Approved: February 22, 1982.

Paul Willging,

Deputy Administrator, Health Care Financing Administration.

[FR Doc. 82–5357 Filed 2–26–82; 8:45 am]

BILLING CODE 4120–03–M

Reader Aids

Federal Register
Vol. 47, No. 40
Monday, March 1, 1982

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Federal Register

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FEDERAL REGISTER PAGES AND DATES, MARCH

8547-8748..... 1

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 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	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.
Comments on this program are still invited.
Comments should be submitted to the

Day-of-the-Week Program Coordinator,
Office of the Federal Register,
National Archives and Records Service,
General Services Administration,
Washington, D.C. 20408.

TABLE OF EFFECTIVE DATES AND TIME PERIODS—MARCH 1982

This table is for determining dates in documents which give advance notice of compliance, impose time limits on public response, or announce meetings.

Agencies using this table in planning publication of their documents must allow sufficient time for printing production.

In computing these dates, the day after publication is counted as the first day. When a date falls on a weekend or a holiday, the next Federal business day is used (see 1 CFR 18.17).

A new table will be published in the first issue of each month.

Dates of FR publication	15 days after publication	30 days after publication	45 days after publication	60 days after publication	90 days after publication
March 1	March 16	March 31	April 15	April 30	June 1
March 2	March 17	April 1	April 16	May 3	June 1
March 3	March 18	April 2	April 19	May 3	June 1
March 4	March 19	April 5	April 19	May 3	June 2
March 5	March 22	April 5	April 19	May 4	June 3
March 8	March 23	April 7	April 22	May 7	June 7
March 9	March 24	April 8	April 23	May 10	June 7
March 10	March 25	April 9	April 26	May 10	June 8
March 11	March 26	April 12	April 26	May 10	June 9
March 12	March 29	April 12	April 26	May 11	June 10
March 15	March 30	April 14	April 29	May 14	June 14
March 16	March 31	April 15	April 30	May 17	June 14
March 17	April 1	April 16	May 3	May 17	June 15
March 18	April 2	April 19	May 3	May 17	June 16
March 19	April 5	April 19	May 3	May 18	June 17
March 22	April 6	April 21	May 6	May 21	June 21
March 23	April 7	April 22	May 7	May 24	June 21
March 24	April 8	April 23	May 10	May 24	June 22
March 25	April 9	April 26	May 10	May 24	June 23
March 26	April 12	April 26	May 10	May 25	June 24
March 29	April 13	April 28	May 13	May 28	June 28
March 30	April 14	April 29	May 14	June 1	June 28
March 31	April 15	April 30	May 17	June 1	June 29

CFR CHECKLIST; 1981–82 ISSUANCES

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the Code of Federal Regulations issued to date for 1981/82. New units issued during the month are announced on the back cover of the daily **Federal Register** as they become available.

For a checklist of current CFR volumes comprising a complete CFR set, see the latest issue of the LSA (List of CFR Sections Affected), which is revised monthly.

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31 Parts:	
0–199	7.00
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32 Parts:	
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33 Parts:	
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1 (1–1 to 1–10)	8.00
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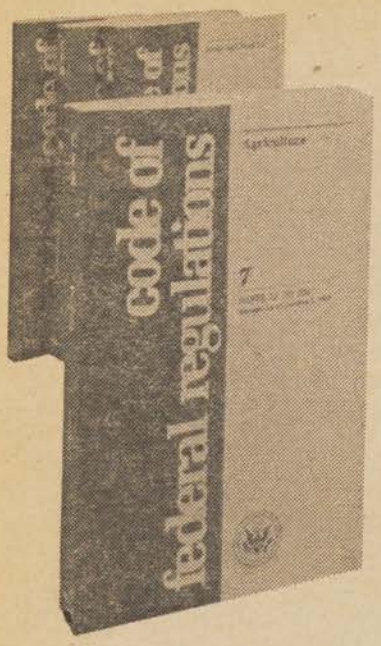
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